



Byelaws for Mousehold Heath

Byelaws made under Section 21 of the Norwich City Council Act 1984 with respect to
Mousehold Heath, Norwich, Norfolk

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Rules for Playing Ball Games in Designated Areas

Byelaws made under section 21 of the Norwich City Council Act 1984 with respect to Mousehold Heath, Norwich, Norfolk.

PART 1: General

General Interpretation

1. In these byelaws:

“the Council” means the Norwich City Council;

“the Conservators” means the Mousehold Heath Conservators; “the ground” means Mousehold Heath, Norwich;

“designated area” means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices placed in a conspicuous position;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

- (a) the unladen weight of which does not exceed 150 kilograms,
- (b) the width of which does not exceed 0.85 metres, and
- (c) which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person.

Application

2. These byelaws apply to Mousehold Heath, Norwich.

PART 2: Protection of the ground, its wildlife and the public

Protection of structures and plants

3. (1) No person shall without reasonable excuse remove from or displace within the ground:
- (a) any barrier, post, seat, or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or
 - (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.
- (3) No person shall walk on or ride, drive or station a horse or any vehicle over:
- (a) any flower bed, shrub or plant;
 - (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
 - (c) any part of the ground set aside by the Conservators for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

Unauthorised erection of structures

4. No person shall without the consent of the Conservators erect any barrier, post, ride or swing, building or any other structure.

Grazing

5. No person shall without the consent of the Conservators turn out or permit any animal for which he is responsible to graze in the ground.

Protection of wildlife

6. No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting, or the setting of traps or nets or the laying of snares.

Gates

7. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.

(2) Byelaw 7(1) applies to any gate to which is attached, or near to which is displayed, a conspicuous notice stating that leaving the gate open is prohibited.

Camping

8. No person shall without the consent of the Conservators erect a tent or use a vehicle, caravan or any other structure for the purpose of camping except in a designated area for camping.

Fires

9. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.

(2) Byelaw 9 (1) shall not apply where a person:-
 - (a) lights or uses in a designated area for barbecues and camping stoves a properly constructed barbecue or camping stove in such a manner as to safeguard against damage or danger to any person; or
 - (b) lights a fire on the ground with the consent of the Conservators.

Missiles

10. No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.

Interference with life-saving equipment

11. No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council or the Conservators.

PART 3: Horses, cycles and vehicles

Interpretation of Part 3

12. In this Part:

“designated route” means a route in or through the grounds which is set-aside for a specified purpose, that route and its purpose to be indicated by notices placed in a conspicuous position;

“motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means a mechanically propelled vehicle other than a motor cycle or invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle, and includes a caravan.

Horses

13. (1) No person shall ride a horse in the ground except on a designated route for riding or in the exercise of a lawful right or privilege.

(2) In any part of the ground where horse riding is permitted under byelaw 13(1), no person shall ride a horse in such a manner as to cause danger to any other person.

Cycling

14. No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is right of way for cycles or on a designated route for cycling.

Motor Vehicles

15. No person shall without reasonable excuse bring into or drive in the ground a motor cycle, motor vehicle or trailer except in any part of the ground where there is right of way for that class of vehicle.

Overnight Parking

16. No person shall without the consent of the Conservators leave or cause or permit to be left any motor cycle, motor vehicle or trailer in the ground between the hours of 12 midnight and 6am.

PART 4: Play areas, games and sports

Interpretation of Part 4

17. In this Part:

“ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket;

“golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area or putting course;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the vehicle.

Children’s play areas

18. No person aged 14 years or over shall enter or remain in a designated area which is a children’s play area unless bona fide in charge of a child under the age of 14 years.

Children’s play apparatus

19. No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

Skateboarding etc.

20. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

Ball Games

21. No person shall play ball games in the ground except in a designated area for playing ball games.

22. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in the Schedule and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

Cricket

23. No person shall throw or strike with a bat a cricket ball except in a designated area for playing cricket.

Archery

24. No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Conservators.

Field Sports

25. No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Conservators.

Golf

26. No person shall drive, chip or pitch a hard golf ball.

PART 5: Model aircraft

Interpretation of Part 5

27. In this Part –

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel;

“power driven” means driven by -

- (a) the combustion of petrol vapour or other combustible substances;
- (b) by jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres in length; or
- (c) by one or more electric motors or by compressed gas.

“radio-control” means control by a radio signal from a wireless transmitter or similar device.

28. No person shall cause any power-driven model aircraft to-

- (a) take off or otherwise be released for flight, or control the flight of such an aircraft; or
- (b) land in the ground without reasonable excuse, other than in a designated area for flying model aircraft.

PART 6: Other regulated activities

Trading

29. No person shall without the consent of the Conservators provide or offer to provide any service for which a charge is made.

Excessive noise

30. (1) No person shall, after being requested to desist by any other person in the ground, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground by:
- (a) shouting or singing;
 - (b) playing on a musical instrument; or
 - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (3) Byelaw 30 (1) does not apply to any person holding or taking part in any entertainment held with the consent of the Conservators.

Public shows and performances

31. No person shall without the consent of the Conservators hold or take part in any public show or performance.

Aircraft, hang-gliders and hot-air balloons

32. No person shall except in case of emergency or with the consent of the Conservators take off from or land in the ground in an aircraft, helicopter, hang-glider or hot-air balloon.

Kites

33. No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.

Metal detectors

34. No person shall without the consent of the Conservators use any device designed or adapted for detecting or locating any metal or mineral in the ground.

PART 7: Miscellaneous

Obstruction

35. No person shall -
- (a) obstruct any officer of the Council in the proper execution of his / her duties;
 - (b) obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council or the Conservators; or
 - (c) obstruct any other person in the proper use of the ground.

Savings

36. It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council or the Conservators to do anything necessary to the proper execution of his duty.
37. Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

Penalty

38. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Revocation

39. The byelaws made by the Conservators on the 2nd day of May 1973 and confirmed by The Secretary of State for the Home Department on the 24th day of September 1973 relating to the ground are hereby revoked.

SCHEDULE

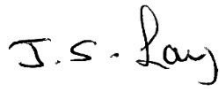
Rules for Playing Ball Games in Designated Areas

Byelaw 22

Any person using a designated area for playing ball games must comply with the following rules:

- (1) No person shall play any game other than those ball games for which the area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use has been granted to a person or group of persons by the Council or the Conservators for a specified period, no other person shall play during that period.
- (4) Subject to paragraph (5), where the area is already in use by any person their permission to play must be sought by any other person wishing to play.
- (5) Except where they have been granted exclusive use by the Council or the Conservators for more than two hours, any person using the area shall vacate it if they have played continuously for two hours or more and know that any other person wishes to use the area.
- (6) No person shall play when a notice has been placed in a conspicuous position by the Council or the Conservators prohibiting play in that area of the ground.

THE SEAL of THE MOUSEHOLD HEATH CONSERVATORS was hereunto affixed
this 12 November 2004 before me



Jennifer Lay
Chair
Mousehold Heath Conservators

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come
into operation on the 16th day of March 2005.

Signed by authority of the Secretary of State



P Rowsell
Senior Civil Servant
in the Office of the Deputy Prime Minister

18 February 2005
London SW1E 5DU