

HORSMONDEN PARISH COUNCIL

VILLAGE GREEN BYELAWS

1. INTERPRETATION

In these byelaws:

“the Council” means- HORSMONDEN PARISH COUNCIL
“the Village green” means- HORSMONDEN VILLAGE GREEN

2. AIRCRAFT/AVIATION

No person shall, except in case of emergency or with the consent of the Council, take off from or land upon the Village green in an aircraft, helicopter, hang-glider or hot-air balloon.

3. CAMPING

No person shall on the Village green, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except on any area which may be set apart and indicated by notice as a place where camping is permitted.

4. CLIMBING

No person shall, without reasonable excuse, climb any tree, or any barrier, railing, post or other structure.

5. CYCLING

Cycling is permitted on the Village green provided that it does not endanger other persons or give reasonable grounds for annoyance to other persons on or around the Village green.

6. ERECTION OF STRUCTURES

No person shall on the Village green, without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand building or other structure.

7. FIRES

No person shall on the Village green without the consent of the Council intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.

8. GAMES

(i) Where the Council has, by a notice placed in a conspicuous position on the Village green, set apart an area on the Village green for the playing of such games as may be specified in the notice, no person shall:

(a) play in such an area any game other than the game for which it has been set apart;

(b) use any such area so as to give reasonable grounds for annoyance to other persons already using that area for any purpose for which it has been set apart; or

(c) play any game so specified in any other part of the Village green in such a manner as to

exclude any person not playing the game from the use of that part.

- (ii) No person shall, in any area of the Village green which may have been set apart by the Council for any game, play any game when the state of the Village green or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the Village green.
- (iii) (1) No person shall on the Village green play any game or take part in any activity:
 - (a) so as to endanger other persons or to give reasonable grounds for annoyance to other persons on the Village green; or
 - (b) which is likely to cause damage to any tree, shrub or plant on the Village green or the Village green itself.
- (2) This byelaw shall not extend to any area set apart by the Council for the playing of any game.

9. GRAZING

No person shall, without the consent of the Council, turn out or permit any animal to graze on the Village green.

10. ANIMALS

No person shall, except in pursuance of a lawful agreement with the Council, or otherwise in the exercise of any lawful right or privilege, bring or cause to be brought onto the Village green any cattle, sheep, goats, pigs, horses, other equines or other animals with the exception of domestic dogs or cats.

11. MODEL AIRCRAFT

1. In these byelaws:

“model aircraft” means an aircraft which either weighs not more than 7 kilograms without its fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order;

“power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances or by one or more electric motors or by compressed gas;

"radio-controlled" means controlled by a radio signal from a wireless transmitter or similar device;

"jet-propelled or rocket-propelled" means driven 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 (1 inch) in length.

2. No person shall, without the consent of the Council:

- (1) (a) release any power-driven model aircraft for flight or control the flight of such an aircraft from the Village green.
- (b) cause any power-driven model aircraft to take off or land on the Village green.
- (2) (a) on the Village green release any jet- propelled or rocket-propelled model aircraft for flight or control the flight of such an aircraft.

- (b) cause any jet-propelled or rocket-propelled model aircraft to take off or land on the Village green.

12. METAL DETECTORS

No person shall on the Village green use any device designed or adapted for detecting or locating any metal or mineral in the ground.

13. NOISE

- (1) No person on the Village green shall, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or by any person acting on his behalf, by shouting or singing, by playing on a musical instrument or by operating or permitting to be operated any audio amplification equipment or similar instrument, cause 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 on or around the Village green.
- (2) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

14. OBSTRUCTION

No person shall on the Village green:

- (a) intentionally obstruct any officer of the Council in the proper execution of his duties;
- (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
- (c) intentionally obstruct any other person in the proper use of the Village green, or behave so as to give reasonable grounds for annoyance to other persons on the Village green.

15. PROTECTION OF TREES, GRASS, ETC

- (i) No person shall on the Village green tread upon any part of the Village green set aside for the renovation of grass or turf, where adequate notice to keep off such grass or turf is exhibited.
- (ii) No person shall, without the consent of the Council, add, remove or displace any gravel, soil, turf or plant.

16. PUBLIC SHOWS, EXHIBITIONS AND STRUCTURES

No person shall on the Village green, without the consent of the Council, place or take part in any show or exhibition, or set up any swing, roundabout or other like thing.

17. REMOVAL OF STRUCTURES

No person shall, without reasonable excuse, remove from or displace on the Village green any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the Village green.

18. REMOVAL OF VEHICLES, ANIMALS & STRUCTURES

Any officer of the Council may, after due warning, remove from the Village green any vehicle or

animal drawn, driven or placed on the Village green, or any structure (including a caravan) erected or placed thereon, in contravention of the Scheme or of any of these byelaws.

19. TRADING

No person shall on the Village green, without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

20. VEHICLES

(1) No person shall without the consent of the Council ride or drive on the Village green motor cycle, motor vehicle or any other mechanically propelled vehicle on the Village green, or bring or cause to be brought on to the land a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle, except in any part of the where there is a right of way for that class of vehicle.

(2) This byelaw shall not extend to invalid carriages.

(3) In this byelaw:

“invalid carriage” means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person;

21. REVOCATION

The byelaws made by Horsmonden Parish Council on the fifth day of August 1991 and confirmed by the Secretary of State on the thirtieth day of April 1992 relating to the Village green are hereby revoked.

22. SAVINGS

(1) An act necessary to the proper execution of his duty on the Village green by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.

(2) Nothing in or done under any of the provisions of these byelaws shall in any respect prejudice or injuriously affect any public right of way through the Village green, or the rights of any person acting legally by virtue of some estate, right or interest in,

over or affecting the Village green or any part thereof.

PENALTY

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.

Given under our hands and seals this twenty-seventh day of June 2005.

Signed: Mr R. Usher (Seal)

Signed: John C. Hanna (Seal)

Members of Horsmonden Parish Council



The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the 9 day of September 2005.

David Coleman

David Coleman

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Signed by the authority of the Secretary of State 2 Sept. 2005.

