

COMMUNITY OF WELSHPOOL

DRAFT WELSHPOOL OPEN SPACES BYELAWS 2026

Welshpool Town Council, in exercise of the powers conferred by section 164 of the Public Health Act 1875 and sections 12 and 15 of the Open Spaces Act 1906, and having consulted such persons as they consider appropriate as required by the Local Government Byelaws (Wales) Act 2012, make the following Byelaws.

Title and coming into force

1. The title of these byelaws is the Welshpool Open Spaces Byelaws 2026.
2. They come into force on 5 October 2026.

Interpretation

3. In these byelaws:

“the Council” means Welshpool Town Council;

“the ground” means any of the grounds listed in Schedule 1;

“authorised officer” means any officer, employee, agent or contractor authorised in writing by the Council for the purposes of these byelaws;

“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;

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

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that 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 any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

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

“opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed at the entrance to the ground;

“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.

“parking place” means an area designated by the Council for the parking of vehicles and indicated by signs, markings or notices;

“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;

“unmanned aircraft” means any aircraft operating or designed to operate autonomously or to be piloted remotely without a pilot on board and includes drones, unmanned aerial vehicles (UAVs) and model aircraft.

Application

- 4. These byelaws apply to all of the grounds listed in Schedule 1 unless otherwise stated.
- 5. In the case of Powis Castle Lower Park, the byelaws listed in Schedule 2 shall apply subject to the additional restrictions and interpretations set out in that Schedule, and where any conflict arises between these byelaws and Schedule 2, the provisions of Schedule 2 shall prevail.

Opening times

- 6. A person must not enter or remain in the ground except during opening hours.

Protection of structures and plants

- 7. A person must not without reasonable excuse remove from or display 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.
- 8. A person must not 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;
 - c) any part of the ground set aside by the Council for the renovation or turf or for other landscaping purposes and indicated by a notice conspicuously displayed.
9. A person must not without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

Climbing

10. A person must not without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

Grazing

11. A person must not without the consent of the Council, turn out or permit any animal for which he is responsible to graze in the ground.

Protection of wildlife

12. A person must not kill, injure, take, or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.

Camping

13. A person must not without the consent of the Council, erect a tent or use a vehicle, caravan or any other structure for the purpose of camping.

Fires

14. A person must not light a fire or place, throw or drop a lit match or any other thing likely to cause a fire. For the purposes of this byelaw, a barbecue shall be treated as a fire.

Missiles

15. A person must not 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

16. A person must not except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.

Horses

17. No person shall ride a horse except:

- a) on a designated route for riding; or
 - b) in the exercise of a lawful right or privilege.
18. Where horse-riding is permitted by virtue of a lawful right or privilege, a person must not ride a horse in such a manner as to cause danger to any other person.

Cycling

19. A person must not without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles or on a designated route for cycling.

Motor vehicles

20. A person must not 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 a right of way or a designated route for that class of vehicle.
21. A person shall not use or occupy any motor vehicle, caravan, motor caravan or trailer for overnight sleeping or camping in the ground without the consent of the Council.
22. A person must not without the consent of the Council leave or cause or permit to be left any motor vehicle in the ground between the hours of 10 p.m. and 6 a.m.
23. Where the Council has imposed a charge for the use of any parking area within the ground, no person shall leave a motor vehicle in that parking area unless any charge applicable to that vehicle has been paid in accordance with the arrangements notified by the Council.
24. A person shall not, without reasonable excuse or the consent of the Council, leave a motor vehicle otherwise than within a parking place or parking bay designated by the Council for that purpose.
25. A person shall not leave a motor vehicle in the ground for such period or in such condition as to appear to have been abandoned.

Children's play areas & play apparatus

26. Persons aged 14 years or over must not enter or remain in a designated area which is a children's play area unless in charge of a child under the age of 14 years.
27. Persons aged 14 years or over must not 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, ball games, cricket, archery, field sports & golf

28. A person must not skate, slide or ride on rollers, skateboards or other self-propelled

vehicles except in a designated area for such activities.

29. Where there is a designated area for skating, sliding or riding on rollers, skateboards or other self-propelled vehicles, a person must not engage in those activities in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.
30. A person must not play ball games outside a designated area for playing ball games in such a manner:
 - a) as to exclude persons not playing ball games from use of that part;
 - b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
 - c) which is likely to cause damage to any tree, shrub or plant in the ground.
31. A person must not throw or strike a cricket ball with a bat except in a designated area for playing cricket.
32. A person must not engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.
33. A person must not throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Council.
34. A person must not drive, chip or pitch a hard golf ball.

Waterways

35. A person must not cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.
36. A person must not foul or pollute any waterway.

Model aircraft

37. A person must not cause any power-driven model aircraft to:
 - a) take off or otherwise be released for flight or control the flight of such an aircraft in the ground; or
 - b) land in the ground without reasonable excuse or without the consent of the Council.
38. A person shall not launch, land or operate an unmanned aircraft or drone from the ground without the consent of the Council.

Provision of services

39. A person must not without the consent of the Council provide or offer to provide any service for which a charge is made.

Excessive noise

40. A person must not, after being requested to desist by an authorised officer of the Council 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
41. Byelaw 40 does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

Public shows and performances

42. A person must not without the consent of the Council hold or take part in any public show or performance.

Aircraft, hang gliders, hot air balloons, kites and balloons & lanterns

43. A person must not except in case of emergency or with the consent of the Council take off from or land in the ground in an aircraft, helicopter, hang glider or hot air balloon.
44. A person must not fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.
45. A person must not release or cause to release any balloon or Chinese lantern without the consent of the Council.

Metal detectors

46. A person must not without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

Litter and waste

47. No person shall, in any place to which these byelaws apply, deposit any litter, refuse, waste matter or substance otherwise than in a receptacle provided for that purpose by the Council.
48. Where receptacles are provided for different types of waste, no person shall deposit

waste except in the receptacle provided for that category of waste.

49. No person shall place any waste in a receptacle in a manner likely to cause overflow, spillage, blockage or interference with its proper use.

Nuisance and behaviour

50. No person shall in the grounds:
- a) behave in a disorderly, abusive, threatening or indecent manner;
 - b) cause or permit any nuisance, disturbance or annoyance to any other person;
 - c) act in a manner likely to compromise public safety or the safe operation and management of the ground.

Obstruction

51. No person shall obstruct:
- a) any officer of the Council in the proper execution of their duties;
 - b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - c) any other person in the proper use of the grounds.

Penalty & removal

52. Any person offending against any of these byelaws is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
53. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

Savings

54. It is not an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
55. Nothing in or done under these byelaws in any respect prejudice or injuriously is to 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.

Revocation

56. The byelaws made by Welshpool Town Council in January 2012 relating to the

ground are hereby revoked.

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SCHEDULE 1 - GROUNDS

1. The grounds referred to as in byelaw 4 are:
 - a) Maes y Dre Recreation Grounds on Howell Drive
 - b) Memorial Garden on Howell Drive, Welshpool
 - c) Children's playing area on Little Henfaes Lane, Welshpool
 - d) Green space and children's playing area on Dol y Felin, Welshpool
 - e) Green space and children's playing areas on Burgess Lands, Welshpool
 - f) Motte and Bailey (Domen Castell) on Smithfield Road, Welshpool
 - g) Scansis Pitch on Chestnut View, Welshpool
 - h) Powis Castle Lower Park, Welshpool (however see Schedule 2)
2. The extent of the grounds listed above are indicated on the plans provided at Schedule 3.

SCHEDULE 2 – SPECIAL APPLICATION TO POWIS CASTLE LOWER PARK (BYELAW 5)

1. The grounds referred to in this Schedule are Powis Castle Lower Park, Welshpool (“Powys Castle Lower Park”), as shown edged red on the plan attached to the public access licence between Messrs M. L. Chapman, R S Jones & P A Rees and Welshpool Town Council dated 20 July 2011.
2. In respect of Powis Castle Lower Park, the following special byelaws and restrictions shall apply.
3. No person shall enter or remain in Powis Castle Lower Park except for the purpose of recreational walking, with or without dogs.
4. No person shall use Powis Castle Lower Park for any other recreation, sport, game, organised activity or event.
5. No person shall enter or remain in Powis Castle Lower Park other than between dawn and dusk. The Council may display notices stating the applicable dawn and dusk times, and those times shall be deemed the opening hours for the purposes of these byelaws.
6. No person shall in Powis Castle Lower Park:
 - a) Play or take part in any ball game, sport, fair, circus, carnival, organised gathering, or similar activity.
 - b) Camp, erect tents, or use any vehicle or structure for the purpose of camping.
 - c) Hold or take part in any public show, performance, political meeting, or political address.
 - d) Erect or display any advertisement, bill, placard, sign or notice without the consent of the Council and the landowner.
 - e) Provide or offer to provide any service for which a charge is made.
7. No person shall bring into or use in Powis Castle Lower Park:
 - a) any cycle,
 - b) any self-propelled vehicle,
 - c) any motor vehicle, or
 - d) any trailer.
8. Exceptions to Paragraph 7 include:
 - a) vehicles authorised by the Council for maintenance, management or emergency purposes;

- b) mobility aids used by disabled persons.

9. No person shall in Powis Castle Lower Park:

- a) Damage, remove or interfere with any tree, shrub, plant, root, turf, structure or natural feature.
- b) Kill, injure, disturb, or take any animal, bird or fish, or damage or take any egg or nest.
- c) Obstruct or interfere with the flow of any watercourse, drain, river or stream.

10. A person in charge of a dog shall ensure that the dog does not foul in Powis Castle Lower Park. Where the Council displays a notice requiring dogs to be kept on leads or excluding dogs from any route or area, no person shall permit a dog to contravene that notice.

11. No person shall in Powis Castle Lower Park:

- a) Engage in riotous, disorderly, abusive, threatening or indecent conduct.
- b) Cause nuisance, disturbance or annoyance to any other person.
- c) Hinder or obstruct any person acting lawfully in the management of the Park.

12. No person shall enter or leave Powis Castle Lower Park other than by routes indicated by notices displayed by the Council. Where a route is indicated as excluding dogs, no person shall take a dog onto that route.

SCHEDULE 1 – PLAN OF EXTENT





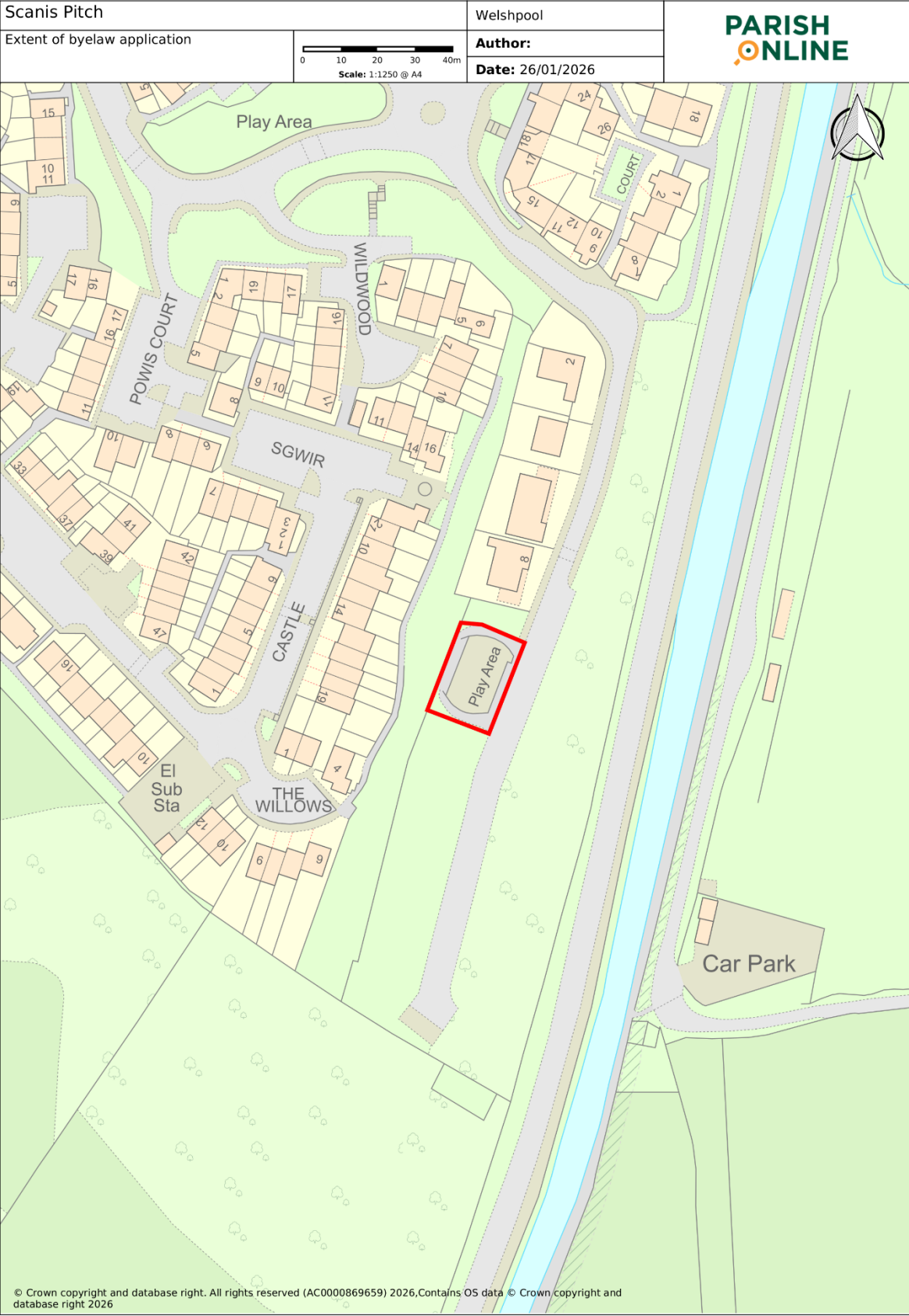




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THE COMMON SEAL of WELSHPOOL TOWN COUNCIL was affixed to these Byelaws on the ____ day of _____ 20 ____ in the presence of:

Mayor

Town Clerk

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