

SHEPHERDSWELL WITH COLDRED PARISH COUNCIL

# SHEPHERDSWELL RECREATION GROUND

## RULES OF USE AND GENERAL INSTRUCTIONS TO USERS

Ratified by Shepherdswell with Coldred Parish Council on 21 May 2008

Amended on

20 February 2010

# SHEPHERDSWELL WITH COLDRED PARISH COUNCIL

## References

In this entire document the following terms will be used.

“PC” means the Shepherdswell with Coldred Parish Council.

“Ground” means Shepherdswell Recreation Ground and all adjoining areas over which the PC has ownership, authority or control.

“Applicant” means any person or persons who have applied for permission from the PC to hold a formal event on the Ground.

“User” is any person or persons who have gained permission from the PC to hold a formal event on the Ground.

“Casual user” is any person or persons using the Ground for casual activities as defined elsewhere.

“Casual activity” is any activity not requiring the permission of the PC as defined elsewhere and not involving more than 20 persons.

## Philosophy

The Parish Council wishes that the Recreation Ground be a benefit to parishioners and others. It is keen that it shall remain an open space for the enjoyment of pastimes by the parishioners, and will not wilfully obstruct, deny or prevent such enjoyment unreasonably. It does reserve the right to act as it sees fit for the preservation of the Ground for the majority of the parishioners.

The PC is open to suggestions, comments and advice from parishioners and welcomes such at PC meetings, the dates of which are published in the minutes. These are available at the Post Office and on the website.\*

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\* [www.shepherdswellwithcoldredpc.kentparishes.gov.uk](http://www.shepherdswellwithcoldredpc.kentparishes.gov.uk)

# SHEPHERDSWELL WITH COLDRED PARISH COUNCIL

## Applications for use

1. All applications for use of the Ground shall be made in writing via an application form (available from the Parish Clerk) a minimum of six weeks before desired use is to commence. The application should specify:
  - The person or organisation wishing to use the Ground;
  - The use to which it will be put;
  - The length of time it will be in use;
  - The numbers and ages of persons attending the event;
  - Details of any temporary structures (e.g. marquees or tents) which will be used;
  - Details of any animals which will be on site;
  - Details of any vehicles to be driven over the Ground for the purpose of setting up;
  - Details of public liability insurance held by the applicant. A copy of the cover must be enclosed with the application;
  - Details of any licences needed and held for the event.
2. Applicants will provide contact name and address and telephone number.
3. Applicants will provide a returnable deposit of £100 at the time the application is made.
4. Such applications will be placed in front of the Parish Council (PC) at the next meeting of the PC. The PC reserves the right to make any further enquiries it sees fit before granting or refusing the application.
5. The PC will advise the applicant in writing of its decision through the Clerk at the earliest opportunity.

## User responsibilities

1. All users will make every effort to respect the Ground and the area surrounding it, including trees, bushes, paths, buildings and the play area, and to cause no damage to any of these.
2. At least two named people must be present for the entire duration of the event and their names and contact details should be notified to the Parish Clerk prior to the event taking place. It is recommended that these people are clearly recognisable to members of the public should they wish advice/to complain on the day.
3. Should the event involve stallholders
  - a. they must provide their names and addresses to the event organiser who will retain a list. This list will be produced to the PC on demand;
  - b. the user must be fully aware of what goods are on sale at any time and if inappropriate the stallholder must be asked to leave immediately. Any such occurrence must be reported to the Clerk.
4. All users of the Ground will return it, as far as is practicable, to the state in which they commenced using it. In particular the user will
  - a. remove all litter and detritus away from the Ground. It is not permitted to place any of it in the litter bins on or near the Ground;
  - b. make good any damage to the Ground or the vegetation surrounding it, or pay for such to be effected. Any damage and / or repair to be reported to the Parish Clerk.
5. All users will ensure that the prohibitions as listed later in this document are strictly adhered to.
6. All users will ensure that all safety precautions as listed later in this document are adhered to.

# SHEPHERDSWELL WITH COLDRED PARISH COUNCIL

## Limitations as to use

1. The Recreation Ground shall not be used for the following purposes:

- Motor car or motorcycle rallies or similar
- Golf practice of any kind
- Ground based fires or barbecues
- Flying of model aircraft of any kind

Or for any activity that is dangerous, noxious, offensive, illegal or immoral or that may become a nuisance to neighbouring properties.

2. Marquees and tents may be erected with the permission of the PC. These may not be present for more than 24 hours. The hiring, erection and dismantling of such are the responsibility of the user.
3. Driving vehicles across the Ground to set up for a function is permissible but must be avoided if at all possible and kept to an absolute minimum. Permission to do so is required from the PC.
4. The PC reserves the right to disallow certain activities or parts thereof due to inclement weather; in particular, the authority to postpone league matches due to the condition of the football pitch is vested in Shepherdswell Spartans FC (contact [parish.clerk@hotmail.co.uk](mailto:parish.clerk@hotmail.co.uk)).

## Health and Safety

1. All users are responsible for the safety of all persons on the Ground (or the part under their usage) including customers and casual passers-by during the time of their use.
2. All users shall
- Know who is taking part in their event and provide the PC with a list as detailed in the application form. This does not include customers or casual passers-by;
  - Be responsible for the safety of such persons;
  - Be accountable for the actions of such persons;
  - Ensure that such persons are aware of their responsibilities under this section.
3. No user shall perform any action or permit any action to be performed that endangers the safety of participants, customers or casual passers-by.
4. The PC undertakes to ensure that the Ground is in a safe state before the user commences use.
5. The user undertakes to ensure that the Ground in a safe state for casual users when he/she leaves the area.
6. Users must be aware that certain chemicals are used on the Ground, such as football and cricket line markings. This is not exclusive and users must take care that they and others do nothing to cause harm to themselves or others. Users applying chemicals must adhere to the appropriate code of conduct for the activity planned. Football pitch markings must adhere to the FA's guidance which can be found at

[http://www.thefa.com/GrassrootsNew/Facilities/Postings/2004/03/FacDev\\_Guidance\\_Markings.htm](http://www.thefa.com/GrassrootsNew/Facilities/Postings/2004/03/FacDev_Guidance_Markings.htm)

7. From time to time there may be objects or materials on the Ground which are dangerous or in a dangerous state. Care must be taken to avoid injury by not using or approaching these objects. The danger must be reported to the Parish Clerk as soon as possible.
8. Dog walkers must make themselves aware of others using the Ground and take appropriate action to control animals. Faeces must be removed to protect the health of users.

# SHEPHERDSWELL WITH COLDRED PARISH COUNCIL

9. All users of the Recreation Ground, casual or otherwise, should note that persons wearing studded boots or shoes are prohibited from using the steps between the higher and lower sections due to the danger of slipping.

## **General use as an open space**

1. Dog walking is allowed but dogs must be kept on a lead while any formalised activity is taking place on the Ground or in the vicinity of children. Dog faeces must be collected by the owner and deposited in waste bins.
2. Casual games are permitted with the exception of those named in the schedule of limitations in this document. Formalised games are permitted with the specific permission of the PC.
3. The following is a list of casual activities which may take place on the Ground without specific consent. This list is not exhaustive and if any user wishes to query whether an activity not on the list constitutes casual use he/she should contact the Parish Clerk.
  - Ball games (except golf)
  - Dog walking
  - Picnics
  - Children's games
  - Informal gatherings of no more than 20 people
4. No structure, marquee, tent or similar may be erected without the permission of the PC.
5. The use of the Ground for informal casual use is permitted only in so far as the use complies with relevant laws of the land applicable at the time.
6. The PC reserves the right to disallow casual use, temporarily or permanently, as it sees fit. It will act reasonably in exercising this right.

## **Maintenance**

1. The PC shall be responsible for the general maintenance of the Recreation Ground, to include mowing, cutting back, and general repairs. It shall engage whatever contractor it sees fit under PC rules to perform such tasks.
2. The PC shall take all reasonable measures to ensure that the Ground is fit for the purpose intended, with particular regard to regular events.
3. Should a user have a query concerning the maintenance of the Ground before an event, he or she must advise the PC of such as soon as possible and definitely before the commencement of the event. The PC undertakes to make all reasonable efforts to put the matter right before the start of the event.

## **Sanctions**

1. Any failure to observe any of the above considerations will incur the loss of deposit or part thereof in order to make good any repairs and/or any other sanction that the PC sees fit to impose, including possible redress under law.
2. Any such sanction shall be reasonable, fair and proportionate.
3. Such sanction will be notified to the user as soon as possible after the event and the user will be entitled to put forward an explanation before sanctions are carried out. Such sanctions and explanation will be considered by the PC in full session and the final decision notified to the user.

# SHEPHERDSWELL WITH COLDRED PARISH COUNCIL

## **Guidance on items stored on Recreation Ground**

Shepherdswell with Coldred Parish Council (the Council) may allow persons to store on the Recreation Ground items that are appropriate to functions or activities held on the Recreation Ground; either temporarily or for extended periods. The Council may stipulate conditions attached to this use.

### **General principles**

Prior permission must be gained from the Council for the storage of such items.

Applications should be made in advance in writing to the Parish Clerk in order that the Council may discuss the matter and make a decision at a full Parish Council meeting. No item may be stored until that decision has been made.

The Council will not allow the storage of inappropriate items nor will it allow items to be stored anonymously. All users must leave a contact name, address and telephone number.

Items will be stored at the owners' risk, responsibility and liability.

Items will be kept in a safe place and in good order by the owner. They will be inspected and maintained regularly by the owner

Items will be made secure by the owner to prevent them becoming a danger to the public.

Items will be repaired, repositioned, made safe or removed by the owner at the request of the Council. Failure to comply will result in the Council removing the items and charging the owner appropriately.

### **Temporary storage**

Temporary storage may be allowed for items to be left in conjunction with an event on the Recreation Ground. This should not be for a period too far in advance of, or for too long after, the event. Such will be decided by the Council in negotiation with the owner.

Dates for storage will be set in conjunction with the owner, and these will be adhered to by the owner.

Owners are solely responsible for the costs of bringing items to, or taking them away from, the Recreation Ground.

### **Long term storage**

Long term storage is allowable for items which need to be used or accessed for more than one event or for a particular seasonal event.

Owners must make representations to the Council for such storage.

The item must be appropriate to the event or events, and necessary to them.

Dates for storage will be set in conjunction with the owner, and these will be adhered to by the owner.

Owners are solely responsible for the costs of bringing items to, or taking them away from, the Recreation Ground.

# SHEPHERDSWELL WITH COLDRED PARISH COUNCIL

## **Disclaimer**

Items left on the Recreation Ground, with or without the permission of the Parish Council, are the sole responsibility of the owner. The Council is not responsible for any damage caused to or by the piece of equipment or item. Any third party using or tampering with the item or equipment without authority does so at no risk to the Council.

Made by Shepherdswell with Coldred Parish Council at a full Council meeting on  
July 16<sup>th</sup> 2008

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