

Oxfordshire County Council

BYELAW for the good rule and government of the County of Oxford and for the prevention of nuisances, made by the Council of the Administrative County of Oxford in pursuance of Section 249 of the Local Government Act, 1933, at a meeting of the Council held on the 16th day of February, 1968.

The penalty clause contained in the byelaws mentioned in the Schedule hereto and made by the Council of the Administrative County of Oxford on the dates therein indicated are hereby repealed and there shall be substituted therefor in each case the following penalty clause:

Any person offending against this byelaw shall be liable on summary conviction to a fine not exceeding £20.

Schedule

<i>Byelaw</i>	<i>Date made</i>
Obscene, etc., language or gesture	9 November, 1892
Prevention of nuisances in the Bicester Urban District	12 November, 1947
Prevention of nuisances in the Witney Urban District	28 April, 1950
Prevention of nuisances in the Thame Urban District	12 November, 1954
Noisy conduct at night	18 May, 1956
Nuisance caused by noisy animals	16 November, 1956

AS WITNESS the Common Seal of the Oxfordshire County Council

Sealed by Order

GERALD GALE BURKITT

Clerk of the Council
COUNTY HALL, OXFORD.
16th February, 1968.

*The Common
Seal of the Oxford-
shire County
Council.*

The Secretary of State this day confirmed the foregoing byelaw and fixed the date on which it is to come into operation as the first day of June, 1968.

N. CAIRNCROSS
An Assistant Under Secretary of State.

WHITEHALL,
2nd May, 1968.

*Checked into office
file - opus
21/90*

OXFORDSHIRE COUNTY COUNCIL.

NOTICE IS HEREBY GIVEN that the following BYE-LAW,—made by the Oxfordshire County Council under the powers conferred by the Local Government Act 1888 section 16 for the good rule and government of the Administrative County of Oxford,—IS IN FORCE within the said County but not within any Borough therein.

BYE-LAW.

Every Person who shall use any OBSCENE, PROFANE, ABUSIVE OR INSULTING LANGUAGE OR GESTURE upon or adjacent to any Highway or Place of public resort to the annoyance, interruption, obstruction or fear of any other person or persons passing or being thereon, or near thereto, shall be liable to a Penalty not exceeding *Two Pounds* for each offence.

*Penalty increased
to £20 June '68*

By Order of the County Council.

THOMAS M. DAVENPORT

Clerk of the County Council.

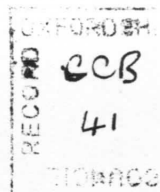
County Hall,
Oxford.

9/11/92

*Report
Jan 91 checked
correct*

*Penalty Clause repeated 1968
ref CCB59*

Oxfordshire County Council



BYELAW for the good rule and government of the County of Oxford and for the Prevention of Nuisances, made by the Council of the Administrative County of Oxford in pursuance of Section 249 of the Local Government Act, 1933, at a meeting of the Council held on the 18th day of May, 1956.

Application of Byelaw. This byelaw shall apply throughout the Urban and Rural Districts in the County of Oxford.

1. No person shall in any street or public place, between the hours of 10.0 p.m. and 6.0 a.m., wantonly and continuously shout or otherwise make any loud noise to the disturbance or annoyance of residents.
2. Every person who shall offend against this byelaw shall be liable on summary conviction to a fine not exceeding for a first offence 40/- (Forty Shillings) and for a subsequent offence not exceeding £5 (Five Pounds).

AS WITNESS the Common Seal of the Oxfordshire County Council.

Sealed by Order.

C. B. Smith
Clerk of the Council.



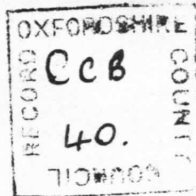
COUNTY HALL, OXFORD.
18th May, 1956.

I hereby confirm the foregoing byelaw and fix the date on which it is to come into operation as 1st October, 1956.

[Signature]
One of Her Majesty's Principal Secretaries of State.

*I speak for 91
which will acc*

Penalty clause repealed 1968 - see CCBS9



Oxfordshire County Council

BYELAW for the good rule and government of the County of Oxford and for the Prevention and Suppression of Nuisances, made by the Council of the Administrative County of Oxford in pursuance of Section 249 of the Local Government Act, 1933, at a meeting of the Council held on the 16th day of November, 1956.

Application of Byelaw. This Byelaw shall apply throughout the Urban Districts of Bicester, Thame, and Witney, and the Rural Districts of Bullingdon, Henley, Ploughley and Witney in the County of Oxford.

1. No person shall keep within any house, building, or premises any noisy animal which shall be or cause a nuisance to residents in the neighbourhood.


PROVIDED THAT no proceedings shall be taken against any person for an offence against this Byelaw unless the nuisance be continued after the expiration of a fortnight from the date of the service on such person of a notice alleging a nuisance, signed by not less than three householders residing within hearing of the animal.

2. Any person offending against this Byelaw shall be liable on summary conviction to a fine not exceeding for a first offence 40/- (Forty Shillings) and for a subsequent offence not exceeding £5 (Five Pounds).

Penalty increased to £20 June 68

AS WITNESS the Common Seal of the Oxfordshire County Council.

Sealed by Order.

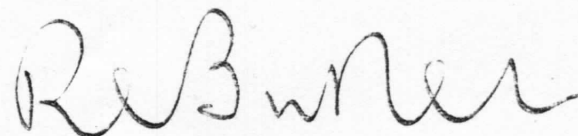

Clerk of the Council.



COUNTY HALL, OXFORD.
16th November, 1956.

I hereby confirm the foregoing byelaw and fix the date on which it is to come into operation as the 1st March, 1957.

Report sent 9.1 checked with O.C.C.



Oxfordshire County Council

BYELAW for the good rule and government of the County of Oxford and for the prevention of nuisances, made by the Council of the Administrative County of Oxford in pursuance of Section 249 of the Local Government Act, 1933, at a meeting of the Council held on the 11th day of November, 1969.

Application of Byelaw. This byelaw shall apply throughout the Urban and Rural Districts in the County of Oxford.

1. Any person who by operating or causing or suffering to be operated any wireless set, gramophone, amplifier or similar instrument—
 - (a) in or on any street or public place or in or in connection with any shop, business premises or other place which adjoins any street or public place and to which the public are admitted, makes or causes or suffers to be made any noise which is so loud and so continuous or repeated as to give reasonable cause for annoyance to other persons, or
 - (b) in any other premises makes or causes or suffers to be made any noise which is so loud and so continuous or repeated as to cause an annoyance to occupiers or inmates of any premises in the neighbourhood,

shall be guilty of an offence:

Provided that:

- (i) no proceedings shall be taken under this byelaw against any person in respect of anything done in any premises referred to in paragraph (b) thereof unless the nuisance does not cease before the expiration of a fortnight from the date of the service on that person of a notice alleging a nuisance, signed by not less than three householders residing within hearing of the instrument in question,
 - (ii) this byelaw shall not apply to any wireless set, gramophone, amplifier or similar instrument used by a police constable in the execution of his duty.
2. In this byelaw the expression 'public place' includes any park, pleasure ground or other like place to which the public are admitted.
3. Any person offending against this byelaw shall be liable on summary conviction to a fine not exceeding £20.
4. The byelaw as to the nuisance caused by any wireless loudspeaker, gramophone, amplifier or similar instrument which was made by the Council of the Administrative County of Oxford on the 26th July, 1957, and confirmed by the Secretary of State on 13th September, 1957, is hereby repealed.

AS WITNESS the Common Seal of the Oxfordshire County Council.

Sealed by Order.

GERALD GALE BURKITT

Clerk of the Council.

COUNTY HALL, OXFORD.

11th November, 1969.



The Secretary of State this day confirmed the foregoing byelaw and fixed the date on which it is to come into operation as the first day of March 1970.

PHILIP WOODFIELD

L.S.

An Assistant Under Secretary of State.

HOME OFFICE,
WHITEHALL.

6th February, 1970.

Oxfordshire County Council

BYELAW for the good rule and government of the County of Oxford and for the prevention of nuisances, made by the Council of the Administrative County of Oxford in pursuance of Section 249 of the Local Government Act, 1933, at a meeting of the Council held on the 17th day of February, 1970.

Application of Byelaw. This byelaw shall apply throughout the Urban and Rural Districts in the County of Oxford.

(1) No person shall: (a) drive or lead, or cause to be driven or led, in any street or public place, any bull exceeding the age of twelve months, unless it be properly secured and kept under proper control; or, (b) being the occupier of any field or enclosure through which there is a public path, permit any such bull to be at large in such field or enclosure.

Provided that paragraph (a) of this byelaw shall not apply to any bull which is being driven with cows or heifers by a responsible person in any street or public place from one field or enclosure to another field or enclosure where such fields or enclosures are in the occupation of the same person, and that paragraph (b) of this byelaw shall not apply to any bull which is at large in any field or enclosure in which cows or heifers are also at large.

(2) Any person offending against this byelaw shall be liable on summary conviction to a fine not exceeding £20.

AS WITNESS the Common Seal of the Oxfordshire County Council

Sealed by Order

GERALD GALE BURKITT

Clerk of the Council



County Hall,
Oxford

17th February, 1970

The Secretary of State this day confirmed the foregoing byelaw and fixed the date on which it is to come into operation as the first day of June 1970.

PHILIP WOODFIELD

An Assistant Under Secretary of State

L.S.

Home Office
Whitehall
14th May, 1970

*Checked with old
St. 11 = 90
21 90*

SOUTH OXFORDSHIRE DISTRICT COUNCIL

DOGS FOULING FOOTWAYS

Attention is drawn to the byelaws in force throughout the District which provide that persons who allow dogs in their charge to foul the footway are liable upon conviction to a fine not exceeding FIFTY POUNDS.

St George's House
St George's Road
Wallingford

October 1978

SOUTH OXFORDSHIRE DISTRICT COUNCIL

KEEP

B R Brewster DPA (Lond)
District Secretary

St George's House
St George's Road
Wallingford
OX10 8JZ

PM/RS

Tel: Wallingford 35351

16 June 1981

To: All Parish Councils/Parish Meetings

Dear Sir/Madam

BYELAW - DOGS FOULING FOOTWAYS AND GRASS VERGES

I attach a copy of a Byelaw in connection with dogs fouling footways and grass verges which was sealed by my Council on 26 March 1981. The Byelaw has been confirmed by the Home Office and will come into operation on 17 June 1981.

Yours faithfully

B R Brewster

District Secretary

*Checked with
H. H. H. 17/6/81
H. H. H. 17/6/81
H. H. H. 17/6/81*

Enc.

SOUTH OXFORDSHIRE DISTRICT COUNCIL

BYELAW

made under Section 235 of the Local Government Act 1972 for good rule and government, by the South Oxfordshire District Council with respect to dogs fouling footways and grass verges.

Extent of Byelaw This byelaw shall extend to the area administered by the South Oxfordshire District Council.

1. No person in charge of a dog shall allow the dog to foul a footway or grass verge (being a footway or grass verge to which this byelaw applies) by depositing its excrement thereon:

Provided that in proceedings for an offence against this byelaw it shall be a defence for the person charged to prove that he took all reasonable precaution and exercised all due diligence to avoid the commission of the offence.

2. This byelaw applies to:

- (a) The footway of any highway or of any public place; and
- (b) A grass verge which is not more than 3 metres wide and is
 - (i) adjacent to the carriageway or footway of a highway, and
 - (ii) managed by a local authority and maintained in good order.

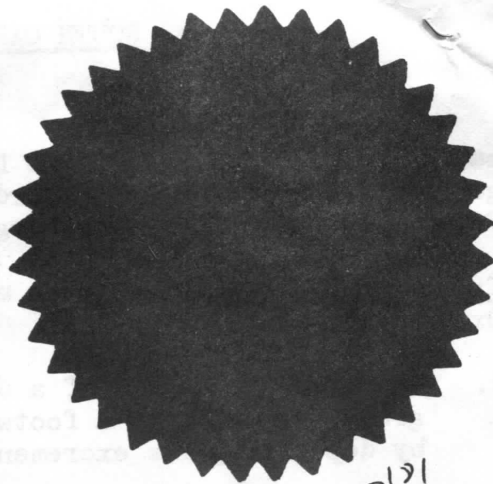
3. For the purposes of this byelaw the owner of the dog shall be deemed in charge thereof, unless the Court is satisfied that at the time when the dog fouled the footway or grass verge it had been placed in or taken into the charge of some other person.
4. Any person offending against this byelaw shall be liable on summary conviction to a fine not exceeding £50.
5. The byelaws for good rule and government dealing with the fouling of footways by dogs described in the schedule hereto made by the Councils named in the schedule and in turn confirmed by the Home Office on the dates therein indicated are hereby repealed:-

SCHEDULE

Byelaw made by and date

<u>No</u>	<u>Council</u>	<u>Date</u>	<u>Date confirmed by Home Office</u>	<u>Area of application</u>
-	Henley on Thames Borough Council	29 November 1949	24 February 1950	Borough of Henley on Thames
2	Wallingford Borough Council	9 May 1962	2 August 1962	Borough of Wallingford
12	Berkshire County Council	18 July 1966	3 October 1966	Rural District of Wallingford
-	Oxfordshire County Council	11 November 1969	6 February 1970	Urban District of Thame Rural District of Bullington Rural District of Henley

The Common Seal of the South
Oxfordshire District Council
was hereunto affixed this
26 day of March 1981
in the presence of :-



26/3/81

B. K. Brerke

District Secretary
Chief Executive

The Officer appointed for this purpose

The foregoing byelaw is hereby confirmed by the Secretary of State and shall come into operation on 17 June 1981.

G. I. de DENEY

Signed by authority of the
Secretary of State

(G I de DENEY)
An Assistant Under Secretary
of State

Home Office
LONDON SW1

2 June 1981

It is hereby confirmed that this printed copy of the Bye-law is a true copy of the original as confirmed by the Secretary of State.

B. K. Brerke

Signed
District Secretary

Dated 9 June 1981



South Oxfordshire
District Council

BYELAWS

RELATING TO PLEASURE FAIRS

SOUTH OXFORDSHIRE DISTRICT COUNCIL

BYELAWS: PLEASURE FAIRS

Byelaws for the regulation of the hours during which pleasure fairs may be open to the public: for the securing of safe and adequate means of ingress to and egress from pleasure fairs; for the prevention and suppression of nuisances and for the preservation of sanitary conditions, cleanliness, order and public safety at pleasure fairs; for the prevention of outbreaks of fire which might endanger stands, stalls or other structures, including caravans used or intended for use as sleeping accommodation, used in connection with any pleasure fair; made by the South Oxfordshire District Council in pursuance of Section 75 of the Public Health Act 1961 (as amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1976).

1. These byelaws shall not apply to:-

- a. a pleasure fair at which the only entertainment to which Section 75 of the Public Health Act 1961 applies consists of ten-pin bowling-alleys or of ten-pin bowling-alleys together with automatic machines intended for entertainment or amusement not exceeding in number one-third of the number of bowling-alleys provided, or
- b. any part of a pleasure fair in respect of which a licence is for the time being in force for public music or dancing or other entertainment of the like kind, or
- c. any place which is not for the time being used wholly or mainly for providing, whether or not in combination with any other entertainment, any entertainment to which Section 75 of the Public Health Act 1961 applies.

2. In these byelaws:-

a. "Manager" means the person having control of a pleasure fair, whether being the owner or lessee or some other person;

b. "juvenile riding contrivance" means a riding contrivance designed, constructed and provided for use by children;

c. a reference to a caravan, stand, stall or structure is a reference to a caravan, stand, stall or structure used or intended to be used for the purposes of or in connection with any pleasure fair, and any additional living quarters placed against or attached to a caravan shall be treated as part of that caravan.

3.(1) The manager shall not keep the pleasure fair open to the public between the hours of 11 pm and 9 am.

(2) On Saturdays and Bank Holidays the hour of 11.45 pm shall be substituted for the hour of 11 pm.

(3) The Council may, by resolution, fix a later hour in substitution for the hour of 11.45 pm in this byelaw for the closing of pleasure fairs or specified classes of pleasure fairs on specified dates or during specified periods.

4.(1) The manager shall give to the Chief Environmental Health Officer of the council at least 5 days prior notice in writing of the intention to hold a pleasure fair specifying the dates and the place at which such a pleasure fair is to be held.

(2) The notice to be given under this byelaw shall be in addition to and not in substitute for any notice required to be given under any other enactment.

(3) In this byelaw "proper officer" means the Chief Environmental Health Officer appointed for the purpose by the council.

5.(1) The manager shall take any necessary steps to provide a sufficient number of entrances to and exits from a pleasure fair and he shall, while the public are at the pleasure fair, keep every exit open and free from obstruction.

(2) The exits from a pleasure fair need not be kept open:-

a. in any case where the doors are secured only by suitable panic bolts or other safety devices of a similar nature which enables them to be immediately opened from the inside;

b. in any case where an attendant is on duty at the exit.

(3) This byelaw shall not be deemed to require that any exits from a pleasure fair which are not provided for public use shall remain open while the public are at the pleasure fair.

6. The manager shall, in the distribution of booths, stalls, and other erections at a pleasure fair, secure that a sufficient number of gangways of adequate width are provided; and shall while the public are at the pleasure fair keep such gangways free from obstruction. Provided that such distribution shall at all times permit access for fire brigade appliances to deal with any fires occurring at the pleasure fair or any adjoining property.

7. Any person having control of any booth, tent or other closed structure at a pleasure fair shall provide adequate exits therefrom; and shall if there are stalls or other erections or seating accommodation within the structure secure that a sufficient number of gangways of adequate width are provided. Such persons shall

while the public are within the structure keep such exits and gangways free from obstruction.

8. Any person having control of any booth, tent or other closed structure at a pleasure fair in which more than 30 persons can be accommodated shall cause to be exhibited over each exit from the booth, tent or other closed structure a notice bearing the word "EXIT" in letters of sufficient size to ensure it is legible at the maximum viewing distance.

9. No persons shall place or cause to be placed any obstruction in an exit or gangway provided in accordance with the foregoing byelaws while the public are at the pleasure fair or within the structure as the case may be.

10.(1) Any person having control of any part of the pleasure fair or of any booth, tent or enclosure at a pleasure fair in which seating is provided for more than 30 persons shall cause all the chairs or seats provided for the use of the public to be fastened together in lengths of not less than 4 chairs or seats or to the floor.

(2) This byelaw shall not apply:

a. where the chairs are placed in boxes or separate enclosures providing seating for not more than 12 persons;

b. to any part of a pleasure fair used as a restaurant, cafe or similar establishment.

11. Any person having control of any booth, tent, stall, merry-go-round, roundabout, switchback railway, swing or other similar structure at a pleasure fair shall take all reasonable steps to secure that the structure and any platform, seating accommodation or other structure used in connection therewith is of such material and design and so constructed and maintained that it is not liable, when used

for the purpose and in the manner for which it is intended, to cause injury to any person attending the pleasure fair.

12.(1) The manager shall cause every merry-go-round, roundabout, swing, switchback railway or other mechanical riding or driving contrivance at a pleasure fair:-

- a. to be securely erected;
- b. to be so placed that between every moving part of the contrivance which is not fenced or screened from any area to which members of the public not using the contrivance are permitted to have access and
 - i. any moving part of any other such contrivance there shall be a space of at least 6 metres;
 - ii. any other structure there shall be a space of at least 3 metres.

(2) In this byelaw:-

- a. nothing in paragraph (b) of this byelaw shall prevent the placing of a stationary platform at the side of any such contrivance against any wall or partition of a building or against any boundary wall or boundary fence not adjoining a highway;
- b. paragraph (b) of this byelaw shall not apply to the space between two or more slow moving juvenile riding contrivances or to any coin operated kiddy ride.

In this byelaw "moving part" in relation to a contrivance means any part of the contrivance, including any vehicle or device incidental thereto used for the carriage of passengers, which moves or is capable of moving during the operation of the contrivance.

13. Any person having control of any merry-go-round, roundabout, swing, switchback railway or other mechanical riding or driving contrivance at a pleasure fair shall ensure that displayed on or near the device in question is a certificate granted by a competent engineer within the preceding 12 months to the effect that the contrivance has been inspected and found to be in a condition such as not to present a danger to the public.

14. Any person having control of any merry-go-round, roundabout, swing, switchback railway or other mechanical or driving contrivance at a pleasure fair shall ensure that it is operated by a responsible person aged 18 years or over.

Provided that

a. a slow moving juvenile riding contrivance which is not controlled by the passengers may be operated by a responsible person aged 16 years or over, and

b. nothing in this byelaw shall apply to coin operated juvenile riding contrivances constructed for use by not more than 4 persons.

15. Any persons having control of any merry-go-round, roundabout, swing, switchback railway or other mechanical riding or driving contrivance at a pleasure fair shall ensure that it is not operated when weather conditions are such as to jeopardise the safety of persons using the contrivance.

16. The manager shall provide and maintain in good working order, the appropriate means for fighting fire which shall, while the public are at the pleasure fair be so placed as to be readily available for use.

17.(1) Any person having control of any part of the pleasure fair or of any booth, tent or structure shall take any necessary steps to secure that the tent, booth and any scenery, drapery, artificial flowers, properties, hangings, curtains or other materials of a similar kind used therein

are rendered flame-resistant and are so maintained.

(2) Nothing in this byelaw shall require drapery, hangings or curtains made of heavy woollen or other inherently non-flammable or durably flame-proofed material to be rendered flame-resistant.

18. No person having control of any booth, tent, stall or structure at a pleasure fair shall while the pleasure fair is open to the public leave unattended in any such booth, tent, stall or structure any paraffin stove or light or any form of heating or lighting having a flame or any exposed heating element.

19.(1) The manager shall secure that any hay, straw or other like substance kept at the pleasure fair is stored either in a fire resisting receptacle or in some place at a reasonable distance from any part of the pleasure fair to which the public have access.

(2) This byelaw shall not apply to such quantity of hay, straw or other substance as may be required for immediate use.

20. Any person having control of a caravan, stand, stall or structure shall

a. secure that any flammable gas shall be stored in a safe place and that the quantity so stored shall be as small as practicable having regard to the purposes for which gas is being used;

b. secure that any flammable gas cylinder shall be removed from the caravan, stand, stall or structure as soon as practicable after its contents have been expended;

c. not use or permit to be used any flammable gas for the purpose of inflating balloons.

21. The manager, and any person having control of any part of a pleasure fair, shall take steps as may be reasonably necessary to prevent a risk of electric shock or fire caused by electricity at a pleasure fair.

22. Any person having control of a shooting gallery shall provide and maintain such backstops and screening as may be reasonably necessary to protect any person attending the pleasure fair from shots fired by persons using the shooting gallery.


23. Any person, having control of any animal which, if at large, would be likely to cause danger to the public attending the pleasure fair, shall take all reasonable steps to secure or cage the animal in such a manner as not to be a cause of danger while the public are at the pleasure fair.

24. The manager of a pleasure fair not being a pleasure fair the whole of which is comprised within a building or buildings shall, where adequate public sanitary accommodation is not already available within reasonable distance of all parts of such pleasure fair, take any necessary steps:-

a. to provide in suitable situations sufficient and suitable sanitary conveniences for persons employed in or about the pleasure fair and for the public attending the pleasure fair;

b. to label separate conveniences for men and women respectively in such proportion as may be appropriate;

c. to maintain the conveniences in good repair and in a reasonably clean and wholesome condition;
and



d. to cause the conveniences and the labels provided in accordance with this byelaw to be adequately illuminated during the hours of darkness while the public are at the pleasure fair.

25. The manager shall take any necessary steps to provide:-

a. a sufficient supply of wholesome water for the use of persons employed in or about the pleasure fair; and

b. where the circumstances so required, means for the disposal of any impure or waste liquid.

26. Any person occupying any part of a pleasure fair shall, as respects that part, and the manager shall, as respects any part of the premises not occupied by some other person:-

a. so far as practicable cause that part to be kept in a clean condition;

b. as often as is reasonably necessary and practicable cause any refuse or litter within that part to be collected and deposited in a suitable receptacle.

27. The manager shall cause all refuse and litter to be collected at suitably frequent intervals from all such receptacles as are mentioned in the foregoing byelaw and to be removed from the pleasure fair.

28. On the vacation of the site on which a pleasure fair has been held or any part thereof the manager shall remove or cause to be removed any refuse or litter remaining thereon, so as to leave it in a clean and tidy condition.

29.(1) No person having control of a caravan used or intended for use as sleeping accommodation shall place such a caravan other than where there is an unobstructed space of not less than 2 metres between such caravan and

- a. any other such caravan;
- b. any window or door of any house or building which has sleeping accommodation on any upper floor;
- c. any stand, stall or structure.

(2) For the purposes of this byelaw any steps placed against a caravan for the purpose only of giving access to that caravan shall not be treated as an obstruction.

30.(1) No person having control of any stand, stall or structure shall place such a stand, stall or structure other than where there is an unobstructed space of not less than 2 metres between such stand, stall or structure and

- a. any caravan used or intended for use as sleeping accommodation;
- b. any window or door of any house or building which has sleeping accommodation on any upper floor.

(2) For the purposes of this byelaw any steps placed against a caravan for the purpose of giving access to that caravan shall not be treated as an obstruction.

31.(1) No person shall place in any part of a pleasure fair any motor vehicle or any wood, paper, straw, cartons, boxes, packing materials, fabric, rags or similar combustible materials, or any petroleum spirit, paraffin or similar substance at a distance of less than 2 metres from

a. any caravan used or intended for use as sleeping accommodation;

b. any window or door of any house or building which has sleeping accommodation on any upper floor.

(2) This byelaw shall not apply to the placing of a motor vehicle nearer than 2 metres from a caravan for as long as may be necessary for the purpose of towing the caravan.

32. Any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding £20.

THE COMMON SEAL of
the SOUTH OXFORDSHIRE
DISTRICT COUNCIL was
hereunto affixed the Ninth
day of December 1977 in the
presence of:-

J B CHIRNSIDE

.....

Chief Executive
(The Officer appointed for
the purpose)

The Common Seal
of the South Oxfordshire
District Council

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the date hereof.

(R F D SHUFFREY)

Signed by authority of the
Secretary of State

An Assistant Under Secretary
of State

Home Office
LONDON SW1

10 March 1978

It is hereby confirmed that this printed copy of the byelaws is a true copy of the original as confirmed by the Secretary of State

Signed

B. R. Branch

District Secretary

Dated

4 April 1978

SOUTH OXFORDSHIRE DISTRICT COUNCIL

BYELAWS MADE UNDER SECTION 235 OF THE LOCAL GOVERNMENT ACT 1972
BY THE COUNCIL OF THE SOUTH OXFORDSHIRE DISTRICT FOR THE
GOOD RULE AND GOVERNMENT OF THE DISTRICT OF SOUTH OXFORDSHIRE
AND FOR THE PREVENTION AND SUPPRESSION OF NUISANCES

STRAW AND STUBBLE BURNING

EXTENT OF BYELAWS

1. These byelaws shall extend to the District of South Oxfordshire.

RESTRICTIONS ON BURNING

2. No person shall, on agricultural land, commence to burn any straw or stubble remaining on such land after the harvesting of any cereal crop which has been grown thereon, or knowingly cause or permit the commencement of burning of such straw or stubble at any time -
 - (a) during the period beginning one hour before sunset and ending at sunrise; or
 - (b) on any Saturday, Sunday or bank holiday.
3. No person shall commence to burn or knowingly cause or permit the commencement of burning of such straw or stubble unless the area in which it is intended to burn such straw or stubble is more than 150 metres from any other area where such straw or stubble is being burned.
4. (1) No person shall commence to burn or knowingly cause or permit the commencement of burning of any area of such straw or stubble unless that area -
 - (a) does not exceed 10 hectares; and
 - (b) is bounded on all sides and at every place where the area to be burned must be distanced from any point or object in accordance with sub-paragraphs (c) and (d) below by a firebreak not less than 5 metres in width; and
 - (c) is not less than 15 metres from -
 - (i) the trunk of any tree;
 - (ii) any hedgerow;
 - (iii) any fence not belonging to the occupier of land upon which the straw or stubble is to be burned the greater part of which is constructed of combustible material;
 - (iv) any pole which is or may be used to carry telegraph wires; and
 - (d) is not less than 25 metres from -
 - (i) any residential building;
 - (ii) any structure having a thatched roof;

- (iii) any building, structure, fixed plant or machinery the greater part of which is constructed of combustible material or glass or both;
 - (iv) any scheduled monument the greater part of which is constructed of combustible material;
 - (v) any stack of hay or straw;
 - (vi) any accumulation of combustible material other than straw removed in the construction of a firebreak;
 - (vii) any standing cereal, oil seed or pulse crop;
 - (viii) any woodland or nature reserve.
- (2) Any straw which is -
- (a) between any object from which the area to be burned must be distanced in accordance with sub-paragraph (c) of paragraph (1) above and any firebreak; and
 - (b) within 15 metres of the area to be burned

shall so far as is reasonably practicable be removed to a distance of not less than 25 metres from such object or incorporated into the soil prior to the commencement of burning.

- (3) Any straw which is -
- (a) between any object from which the area to be burned must be distanced in accordance with sub-paragraph (d) of paragraph (1) above and any firebreak; and
 - (b) within 25 metres of the area to be burned

shall so far as is reasonably practicable be removed or incorporated into the soil prior to the commencement of burning.

5. (1) No person who has commenced to burn or knowingly caused or permitted the commencement of burning of such straw or stubble shall without reasonable excuse cause or permit (whether knowingly or not) a fire to cross a firebreak to any area where burning has not otherwise been commenced.
- (2) Without prejudice to the generality of the words "reasonable excuse" within paragraph (1) above, it shall be a reasonable excuse within that paragraph if a person shows that the construction of the firebreak was such that he could not reasonably have foreseen that the fire would travel across it.

6. No person shall burn or knowingly cause or permit the burning of any area of such straw or stubble unless during the whole time the material is burning, the operation is under the supervision of at least two responsible persons present at the burning of that area, of whom one is in charge of the operation and is experienced in the burning of straw and stubble.

7. No person shall commence to burn or knowingly cause or permit the commencement of burning of such straw or stubble on any day unless not less than one hour's notice has been given on that day to the Chief Environmental Health Officer of the South Oxfordshire District Council.

8. No person shall, without reasonable excuse, burn or knowingly cause or permit the burning of any area of such straw or stubble unless during the whole of the time the material is burning the following means for fighting fire are available at the burning of that area, that is to say -

- (a) not less than 500 litres of water in one or more mobile containers together with a means of dispensing the water for firefighting purposes; and
- (b) not less than five implements suitable for use for firebeating purposes.

9. The occupier of the land on which such straw or stubble has been burned shall not, without reasonable excuse, permit any ash or carbonised residues, not incorporated into the soil of the land, to remain for a period of more than 36 hours after the commencement of the burning on an area on which straw or stubble has been burned.

DEFENCE

10. In proceedings against any person for an offence under byelaw 3 or 6 above it shall be a defence for that person to prove that he had taken all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

PENALTY

11. Any person contravening any of these byelaws shall be liable on summary conviction of a fine not exceeding £2,000.

INTERPRETATION

12. In these byelaws -

"combustible material" means material capable of undergoing combustion;

"combustion" means consumption by oxidation with the production of heat; usually with incandescence or flame or both;

"council" means the South Oxfordshire District Council

"nature reserve" has the same meaning as in section 15 of the National Parks and Access to the Countryside Act 1949;

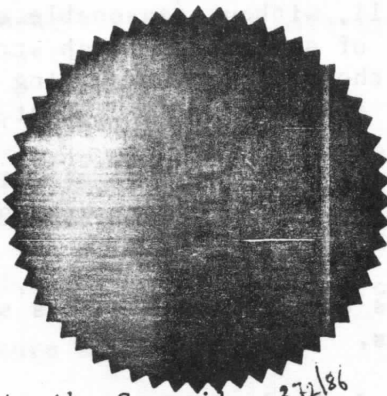
"scheduled monument" has the same meaning as in section 1 of the Ancient Monuments and Archaeological Areas Act 1979; and

"firebreak" means an area of ground of which the surface consists wholly or mainly of any substance other than combustible material.

(REVOCATIONS)

13. The byelaws made by the South Oxfordshire District Council on 23 May 1984 and confirmed by the Secretary of State on 3 July 1984 are hereby revoked.)

THE COMMON SEAL OF SOUTH)
OXFORDSHIRE DISTRICT COUNCIL)
was hereunto affixed this 1)
day of *May* 1986 under)
the authentication of:)



[Signature]

Secretary to the Council *372/86*
The Officer appointed for this purpose

The foregoing byelaw(s) ~~is~~ are hereby confirmed by the Secretary of State
and shall come into operation on the *2nd* day of *July* 19*86*.

Signed by authority of the Secretary of State

[Signature]

M. E. HEAD

An Assistant Under-Secretary of State

17 JUN 1986

HOME OFFICE
LONDON SW1.

It is hereby confirmed that this printed copy of the byelaws is a true copy of the original as confirmed by the Secretary of State.

J B Chirnside

Signed:

Secretary to the Council

Dated 6 July 1986

NOTE: The following does not form part of the byelaws:

The Chief Environmental Health Officer is available at Council Offices, Crowmarsh.
Telephone Wallingford 35351 Monday to Thursday
8.30 am - 5 pm and Friday 8.30 am - 4.30 pm.