

August 2010.

DELAMERE PARK
MANAGEMENT LTD.

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BYE - LAWS

FOR THE USE OF FACILITIES ON DELAMERE PARK

The facilities owned and managed by DPML of Delamere Park are provided for the exclusive use of Plot holders of Delamere Park and their accompanied guests as indicated below.

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1. DEFINITIONS

1.1 Community Group Framework –

A Community Group is a group of residents with a common interest using DPML facilities with the aim of enhancing their life and well being and/or that of other residents. Non-residents may take part in Community Group activities so long as they do so legitimately.

1.1.1 Group Leader -

Each Group shall notify the Trustees of those responsible for running the Group and nominate a representative to be the primary point of contact for the Trustees and DPML staff.

1.1.2 Contact Structure –

Each Community Group shall publish and maintain a contact structure so that residents shall have easy access to the Group.

1.1.3 Finances and Inventory –

Each Community Group shall provide the Trustees with an annual Financial Statement in a form appropriate to its size and activities.

Any Community Group that stores equipment on DPML premises shall provide to the Trustees an inventory of that equipment and its value.

1.1.4 **Community Group Rules –**

Each Community Group shall receive a copy of this framework and, if it deems necessary, establish its own rules of operation, appropriate to its activities but nothing in those rules shall be inconsistent with anything in this framework. A copy of any such rules shall be provided to the Trustees.

1.1.5 **Use of DPML Facilities –**

All bookings for the use of DPML facilities shall be made through DPML reception.

1.1.6 **Community Group Representative –**

DPML and each Community Group shall appoint a representative to attend the bi-monthly Community Group Representative meetings to represent their interest.

1.1.7 **Community Group Closure –**

Any Community group that agrees to cease its activities shall advise DPML of its decision.

Any remaining Community Group funds shall be dealt with in accordance with its own Rules or as the members decide. The members shall at all times be responsible for any shortfall in a Group's funds.

1.2 **DPML Facilities -**

- i. The Club premises containing the Lounge Bar, Sports Bar, Function Room, Swimming Pool, Changing Rooms and Toilets, Squash Courts, Office, Reception Areas and Storage Room.
- ii. Outside Patio Areas.
- iii. Tennis Courts.
- iv. The Lodge and adjoining Young Persons Building.
- v. Cricket Net and Children's Outdoor Play Area.
- vi. Amenity Lands.
- vii. The Residents Club Car Park.

1.3 **Plot Owners-**

A Plot Owner is any person or persons shown on the current Title Deeds as the Title Holder of a property situated on Delamere Park.

1.4 **Resident-**

A Resident is any person (including Plot Owners or tenants) who lives on Delamere Park.

1.5 **Guest-**

A Guest is any person not normally residing on Delamere Park who has been invited by a Resident to participate in the use of DPML facilities in accordance with these Bye-Laws.

2 **GENERAL RULES**

- 2.1 **SMOKING IS STRICTLY PROHIBITED WITHIN ALL INDOOR CLUB PREMISES, INCLUDING BARS AND FUNCTION ROOM.**
- 2.2 The Squash Courts, Swimming Pool and Tennis Courts are available for use by Residents and their accompanied guests from 10.00 am to 10.00 pm every day except **Christmas Day, Boxing Day, New Year's Day or if closed for repairs or maintenance.**
Residents must ensure that when visiting the Club premises they sign in their guests either at Reception or in the Bar.
- 2.3 The facilities are provided for Residents of properties on Delamere Park for which the appropriate contributions have been paid up to date.

- 2.4 Non-use of the facilities does not release plot owners from their legal obligations to pay contributions up to date.
- 2.5 Any Resident in breach of any of the Bye-Laws, or having monies outstanding to DPML shall be liable to have their right to use any of the facilities suspended for an indefinite period by order of the Trustees / Directors. Monies owed includes any costs that may be incurred as a result of the breach of the Bye-Laws e.g. to make good any damage that may have occurred, for which the Plot Holder shall be deemed liable by the Trustees/Directors. Such suspension will not free Plot holders from their legal obligations to pay contributions up to date.
- 2.6 The Trustees / Directors of DPML will have the overall responsibility for the implementation of the Bye-laws. The day-to-day responsibility will be in the hands of the employees of DPML but it is the responsibility of all Residents to abide by and assist in the enforcement of these Bye-laws.
- 2.7 The hire of the facilities by non-residents or by any outside organisation will be allowed only with the written permission of the Trustees or the Estate Manager. In considering such requests the Trustees/Estate Manager will always give priority to the needs of Residents.
- 2.8 The Sports Bar cannot be booked exclusively for any function or activity during bar opening hours. The Lounge Bar may be used in conjunction with the Function Room for any social event organised for/by the Residents of Delamere Park at the discretion of the Trustees / Estate Manager.
- 2.9 Guests may use the facilities only if accompanied by a Resident. Members of a visiting sports team or User Group/Club, may also have use of the Lounge Bar after the match (see section 3), as long as they are accompanied by a Delamere Park resident.
- 2.10 Non- Resident children under the age of 12 will be allowed to use the facilities as guests of a Resident providing that:
- i. They are signed in as a guest by an adult resident who accepts responsibility for their safety and behaviour.
 - ii. They adhere to the specific bye laws regarding the various activities.
- 2.11 DPML does not accept responsibility for loss or damage to personal property, however caused. Any property left on the premises will be retained as long as practicable, with the exception of clothing or towels that may be disposed of after seven days.
- 2.12 Only two guests per Resident are allowed to use the facilities. Additional numbers may be allowed with the permission of the Trustees / Directors or the staff on duty at the time.
- 2.13 No person shall act in a manner which causes, or is likely to cause damage to premises, property, or equipment belonging to DPML. Any person, including children, causing damage will be liable to pay for the cost of repair to or replacement of such property or equipment.
- 2.14 No person shall act in a manner, which causes, or is likely to cause injury or annoyance to any other persons using the facilities or neighbouring Residents.
- 2.15 No animals will be permitted into the Clubhouse, with the exception of guide dogs.

- 2.16 Any complaints relating to the facilities or the staff, should be reported to the Trustees / Estate Manager in writing.
- 2.17 In the event of a dispute of the interpretation of the above rules the decision of the staff on duty is final.

3 **BAR and KITCHEN RULES**

- 3.1 The opening / closing times of the Bars will be determined by the Trustees / Directors and displayed on a notice board on the Licensed Premises.
- 3.2 The Bars must be vacated as soon as possible after the normal drinking up time but no later than 30 minutes after closing time.
- 3.3 **Young Persons**
- i. Young Persons up to the age of 14 are allowed into the Lounge and Sports Bars whilst accompanied by an adult until 9.00 p.m. when they must leave. If such Young Persons are watching sports event on TV they may, at the discretion of the bar staff, remain until the end of the event.
 - ii. Young Persons between the ages of 14 and 18 are allowed into the Lounge and Sports Bars whilst accompanied by an adult.
 - iii. Young Persons up to age 18 attending a private function in the Park Room may remain in that room until the end of the function.
 - iv. Failure to adhere to these rules or unacceptable behaviour will result in the bar staff requiring the Young Person and their accompanying adult to leave the club premises immediately.
 - v. Young Persons up to age 16 may not purchase drinks, order food or come within 1 metre of the Bar within licensing hours (other than to pass through to the pool table area). They are not permitted to consume alcoholic drinks.
 - vi. Use of the pool table will be restricted to children of minimum age 12 years, provided they can display a competent use of equipment and are tall enough to play without using a chair or other assistance.
 - vii. Nobody under the age of 16 years will be permitted to use the dartboard.
- 3.4 Persons using the Bar are required to dress in accordance with accepted standards. Persons after participating in a sporting activity are required to shower and change if they are likely to remain in the Bars.
- 3.5 All guests must sign the 'Visitors Book', only 3 guests per resident, additional numbers can only be allowed with the permission of the Bar Manager.
- 3.6 The kitchen at the rear of the bar area is the responsibility of the Community or User Group utilising the facility (or Bar Manager and staff when applicable). Community groups wishing

to use this facility must obtain advanced permission from the Bar Manager or Estate Manager and in using the kitchen, accept that DPML will not be responsible for any injury or damage they may suffer or cause to others arising from their use of the facility.

4. **RECEPTION**

- 4.1 There will normally be a member of staff on duty from 10.00am to 10.00pm.
- 4.2 Residents should endeavour to use their security pass when entering the premises, and may be asked their name and address if they fail to do so. Residents bringing guests must enter the full names and addresses of their visitors in the Club Visitors Book and to sign them in.
- 4.3 Young residents may on entering the premises, be asked their name and address, their reason for entering the premises and the names and addresses of any guests that they may be bringing in with them must be recorded in the Visitors Book. (For guests under the age of 12 see 2.10)
- 4.4 No loitering or games are to be played in this area.

5. **FUNCTION ROOM AND LODGE**

- 5.1 The Function Room is intended for the use of Residents' organised activities.
The Lodge is intended for the use of Residents organised activities that are not regulated by the Licensing Act 2003.
Community Groups as registered with DPML will have priority in booking these rooms
- 5.2 All Community Groups must notify DPML of their requirements for the Function Room and Lodge on a quarterly basis.
- 5.3 The Function Room may be hired for private parties by Residents. They must comply with the rules governing the hiring of the room, which are available from Reception.
- 5.4 The Trustees or Estate Manager retain the right to refuse any request for booking the Function Room or Lodge.
- 5.5 The Function Room may be hired by persons giving classes for which a fee is paid.
For all contact and hazardous activities, such as Judo and the like, Residents must be aware that the activity concerned is undertaken at entirely their own risk and that Delamere Park Management Ltd. and / or Delamere Park Residents' Club are not liable in respect of any injuries sustained. Any external instructor for such activities must provide evidence of current liability insurance before coming onto club premises, and it is their responsibility to bring it to the attention of participants that DPML is not responsible for any injuries sustained during the activity. These classes must be primarily for Residents and a room hire charge will be made.
- 5.6 **All users of these facilities are responsible for;-**
 - i. Placing, removing and storing of items of furniture and equipment in their designated areas after use.
 - ii. Ensuring that everyone is aware of the fire exits and that they are not blocked during, or after activities.
 - iii. Ensuring that the Lodge, Function Room, Storeroom, Kitchen and Cupboards have been left in a clean and tidy condition after use.

- iv. Making good or being financially responsible for any damage to any property belonging to DPML whilst using the Function Room or Lodge. A returnable deposit will be required at the time of booking.

6. **SWIMMING POOL**

- 6.1 The Swimming Pool is **NOT SUPERVISED**.
- 6.2 DPML accept no responsibility for the safety and welfare of any persons using the swimming pool.
- 6.3 Parents or Guardians are responsible for their children and guests when using the pool. **Children under 12 years of age must be accompanied by an adult.**
- 6.4 Non- swimmers must not use the pool unless accompanied by a responsible person **who is capable of making a rescue if necessary**. No ball games shall be played in the swimming pool area.
- 6.5 No inflatable objects shall be used in the pool except for recognised swimming aids which must be removed from the water when not in use.
- 6.6 Running, horseplay or any dangerous games are not permitted in the pool area.
- 6.7 Any persons seen behaving in an irresponsible or dangerous manner, will be evicted from the swimming pool area.
- 6.9 Pushchairs and prams are not allowed in the pool area.
- 6.10 Outdoor shoes must not be worn in the pool area.
- 6.11 The Swimming Pool may be booked by a recognised Community Group for swimming or other classes with permission of the Trustees / Estate Manager. The pool may also be booked by a non-resident so long as it adheres to the bye-laws outlined in 5.4 and 5.5 above.

7. **SQUASH AND TENNIS**

- 7.1 The Squash and Tennis Courts may be used in accordance with the rules and guidelines particular to each sport as issued from time to time. The facilities may be used for other purposes with the approval of either the Estate Manager or Trustees.
- 7.2 Black-soled shoes must not be worn for either sport. Only appropriate footwear with soft non-marking soles will be allowed for both. In the case of squash, non-marking squash balls must be used. Squash players must change into their squash shoes **after** arrival in the Clubhouse.
- 7.3 Guests will only be allowed to participate in these sports if accompanied by their hosts **at all times**.

8. **BOOKING SYSTEMS – TENNIS and SQUASH**

- 8.1 Courts must be booked via the Receptionist including those available and taken at time of play as detailed below. Bookings will not be taken in any other person's name.

- 8.2 Courts will be available for booking by Residents only.
- 8.3 A regulated booking system is in place and details are available at Reception.
- 8.4 If any court is booked but not taken within 10 minutes of the commencement of the session it shall be freely available for immediate booking and play by any Resident.
- 8.5 The Tennis / Squash sections will be allowed to block book for matches as agreed with the Trustees. Residents will be advised by Reception of any matches.
- 8.7 Courts may not be booked by residents under the age of 16 years for play after 7.00pm on any night. They may play at these times however, either with an adult Resident(s) or if courts are available at time of play.
- 8.8 *Keys to the Tennis Courts are available for Residents only at Reception and must be signed for and returned to Reception after use of the courts and relocking the gate.*
- 8.9 The Tennis Courts Lights are regulated by a coin operated meter and must be used after dusk.
- 8.10 The Squash Court Lights are regulated by a coin operated meter and must be used at all times.

9 **YOUNG PERSONS BUILDING**

The building is currently used by the Squirrels Preschool Group, the Toddler Group, and may be used by any other Community Group, for activities that are not regulated by the Licensing Act 2003, providing a prior booking has been made .

10 **AMENITY LANDS**

- 10.1 These are provided for the use of all Residents, Therefore all Residents are requested to ensure continued enjoyment of these lands by everyone on Delamere Park.
- 10.2 It is prohibited to dump rubbish, plant trees or shrubs, place building materials / skips or vehicles of any kind causing amenity areas to become difficult to be maintained by DPML.
- 10.3 Dogs should not be allowed to roam freely on amenity land and must be under the control of their owners at all times.
- 10.4 No person in charge of a dog shall allow it to foul the amenity lands and are responsible for removal of the excrement using the dog bins provided or take it home for disposal in the domestic refuse bin.
- 10.5 The Green is provided for general recreation and potentially dangerous activities such as practising golf shots, riding motor- cycles, horse riding etc. are prohibited.
- 10.6 Street lighting, road signs, foot- paths and roads are the responsibility of Cheshire West and Chester Council to whom complaints should be directed.

11 CAR PARK

- 11.1 The Car Park is for the convenience of Residents and guests when using the Club facilities.
- 11.2 The Car Park is not a long term car park. Residents are requested not to leave their cars longer than 12 hours except at the discretion of the Trustees or Estate Manager, and then only in exceptional circumstances.
- 11.3 For reasons of safety, riding of bicycles, roller skating, skate boarding, ball games or any other recreational activities are prohibited at all times.
- 11.4 DPML accept no responsibility for theft or damage resulting from the use of the car park.
Residents using this facility do so at their own risk.
- 11.5 Cobblestones and kerbstones have been laid on the car park to slow down vehicles. Although the car park is usually well lit, Residents are requested to take extra care in this area.

12 NOTICE BOARDS

- 12.1 Notices in the building should be placed on the boards provided, not on doors etc.
- 12.2 Some Community Groups have their own boards, and should use those, leaving general notice boards clear for other users.
- 12.3 The glass fronted notice board on the right hand side of the entrance is for DPML, Cheshire West & Chester Council and Cuddington Parish Council notices.

13 CRICKET NET

- 13.1 Any resident aged 16 years and over may use the net unaccompanied following the rules set out below.
- 13.2 Children under 16 may use the net only if accompanied at all times by an adult over the age of 18 who will be responsible for their safety and behaviour whilst using the net.
- 13.3 The key may be collected and signed for at Reception and must be returned after use.
The key holder is responsible for the use of the net.
- 13.4 No person under the age of 16 years may use a standard (hard) cricket ball at the net unless they are accompanied by a responsible adult over the age of 18 and the parent or guardian of the person concerned has given a written undertaking that they do so at their own risk. It is the responsibility of the parent or guardian to ensure that adequate protective equipment is worn at all times when receiving or bowling at the net.
- 13.5 In line with the guidance issued by the England and Wales Cricket Board, any person under the age of 18 using a standard (hard) ball must wear a protective helmet.
- 13.6 During inclement weather, the Receptionists may, at their discretion, decline to give out the key.

No liability devolves upon Delamere Park Management Ltd in respect of any injury or damage to property sustained as a result of using the net.

These Bye - Laws are effective immediately and will remain effective until due notice is given by the Trustees detailing any amendments or changes.

The Trustees wish to point out that all Residents have the right, and the responsibility, to ensure that their fellow Residents are abiding by, and adhering to, the above Bye-Laws.

The Trustee / Directors request that all householders retain their copies of the Bye-Laws and that they are passed on to any subsequent purchasers of their property.

The Trustees / Directors reserve the right to amend the above Bye-Laws at their discretion.

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