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MODEL BYELAWS – SET 2

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**THE LONDON BOROUGH OF TOWER HAMLETS COUNCIL**

**BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS  
AND OPEN SPACES**

ARRANGEMENT OF BYELAWS

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Byelaws made under section 15 of the Open Spaces Act 1906 and sections 12 and 15 of the Open Spaces Act 1906 by the London Borough of Tower Hamlets with respect to pleasure grounds, public walks and open spaces.

## **PART 1**

### **GENERAL**

#### **General Interpretation**

1. In these byelaws:

“the Council” means the London Borough of Tower Hamlets;

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

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

“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.

#### **Application**

2. These byelaws apply to all of the grounds listed in Schedule 1 unless otherwise stated.

#### **Opening times**

- 3. (1) No person shall enter or remain in the ground except during opening hours.
- (2) “Opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.
- (3) Byelaw 3(1) applies only to the grounds listed in Schedule 2.

## **PART 2**

### **PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC**

#### **Protection of structures and plants**

4. (1) No person shall without reasonable excuse remove from or displace 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.
- (2) No person shall 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; or
  - (c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

#### **Unauthorised erection of structures**

5. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

#### **Climbing**

6. No person shall 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**

7. No person shall 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**

8. No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.
  - (a) Feeding of wild life (e.g. pigeons, squirrels, rats) is prohibited unless with the expressed permission of the local authority, at which permission is given for feeding of ducks.

## **Gates**

9. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.
- (2) Byelaw 10(1) applies to any gate to which is attached, or near to which is displayed, a conspicuous notice stating that leaving the gate open is prohibited.

## **Camping**

10. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping [except in a designated area for camping].

## **Fires**

11. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 11(1) shall not apply to:
  - (a) the lighting of a fire at any event for which the Council has given permission that fires may be lit.
  - (b) The lighting or use, in such a manner as to safeguard against damage, danger to any person, of a properly constructed camping stove, in a designated area for camping, or of a properly constructed barbecue, in a designated area for barbecues

## **Missiles**

12. No person shall 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**

13. No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.

## **PART 3**

### **HORSES, CYCLES AND VEHICLES**

#### **Interpretation of Part 3**

14. In this Part:

“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.

#### **Horses**

15. (1) No person shall ride on or in a carriage drawn by a horse except in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

#### **Cycling**

16. No person shall 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, nor in such a way which may endanger the public..

#### **Motor vehicles**

17. (1) No person shall 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.
- (2) Where there is a designated route for motor cycles, motor vehicles or trailers, it shall not be an offence under this byelaw to bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.

#### **Overnight parking**

18. No person shall 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..

## **PART 4**

### **PLAY AREAS, GAMES AND SPORTS**

#### **Interpretation of Part [4]**

19. In this Part:

“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;

“golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area or putting course;

“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.

#### **Children’s play areas**

20. No person aged 14 years or over shall 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.

#### **Children’s play apparatus**

21. No person aged 14 years or over shall 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, etc**

22. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

#### **Ball games**

23. No person shall 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.



24. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 3 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

#### **Cricket**

25. No person shall throw or strike a cricket ball with a bat except in a designated area for playing cricket.

#### **Archery**

26. No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.

#### **Field sports**

27. No person shall 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 or on land set aside by the Council for that purpose.

#### **Golf**

28. No person shall drive, chip or pitch a hard golf ball.

### **PART 5**

#### **WATERWAYS**

##### **Interpretation of Part [5]**

29. In this Part:

“boat” means any yacht, motor boat or similar craft but not a model or toy boat;

“power-driven” means driven by the combustion of petrol vapour or other combustible substances;

“waterway” means any river, lake, pool or other body of water and includes any fountain.

##### **Bathing**

30. No person shall without reasonable excuse bathe or swim in any waterway.

##### **Ice skating**

31. No person shall step onto or otherwise place their weight upon any frozen waterway.

### **Model boats**

32. No person shall operate a power-driven model boat on any waterway except in a designated area for model boats.

### **Boats**

33. No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council

### **Fishing**

34. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for fishing and with prior consent of the Council and in accordance with the rules governing such consent.

### **Blocking of watercourses**

35. No person shall 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.

## **PART 6**

### **MODEL AIRCRAFT**

#### **Interpretation of Part 6**

36. In this Part:

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel;

“power-driven” means driven by:

- (a) the combustion of petrol vapour or other combustible substances;
- (b) 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 in length; or
- (c) one or more electric motors or by compressed gas.

“radio control” means control by a radio signal from a wireless transmitter or similar device.

## **General prohibition**

37. No person shall 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.

## **PART 7**

### **OTHER REGULATED ACTIVITIES**

#### **Provision of services**

38. No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.

(1) Filming, video-recording, taking of photographs

No professionals (including students) are allowed to undertake filming, video-recording, taking of photographs without the consent of the Council.

#### **Excessive noise**

39. (1) No person shall, after being requested to desist by any other person 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.
- (2) Byelaw 39 does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

#### **Public shows, performances, political rallies and religious meetings**

40. No person shall without the consent of the Council hold or take part in any public show, performance, political rallies or religious meetings.

#### **Aircraft, hang gliders and hot air balloons**

41. No person shall 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.

### **Kites**

42. No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.

### **Metal detectors**

43. (1) No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

### **Fundraising, and soliciting or gathering money**

44. No person shall without the consent of the Council solicit or gather money for any cause whether or not such cause is charitable.

## **PART [8]**

### **MISCELLANEOUS**

#### **Obstruction**

45. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his 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 ground.

#### **Savings**

46. (1) It shall not be 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.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously 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.

#### **Removal of offenders**

47. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

## **Penalty**

48. 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.

## **Revocation**

49. The byelaws made by the London Borough of Tower Hamlets on *insert date* and confirmed by the Secretary of State for the Home Office *insert date of confirmation* relating to the ground are hereby revoked.

# SCHEDULES

*This list is currently being verified against the Council's property records*

## SCHEDULE 1

### GROUND TO WHICH BYELAWS APPLY

The grounds referred to in byelaw 2 are:

Abbott Road Gardens	Glamis Adventure Playground
Ackroyd Drive Open Space	Globe Road Open Space
Albert Gardens	Gosling Gardens
All Saints Church Yard	Great Eastern Slipway
Allen Gardens	Grove Hall Park
Allen Gardens Play Area	Hellings Street
Altab Ali Park	Ion Square Gardens
Alton Street Open Space	Island Gardens
Approach Road/Old Ford Road O. S.	Jesus Green
Arbour Square Gardens	Johnson's Drawdock
Archibald Open Space	Jolly's Green
Bartlett Park	King Edward Memorial Park
Baxendale Street Gardens	Kings Wharf
Beaumont Square Gardens	Langdon Park
Belgrave Open Space	Lenanton Steps
Bethnal Green Gardens	Leven Road Open Space
Bonner Hall Gate	Mallon Gardens
Boundary Gardens	Marsh Wall/East Ferry Road
Bow Churchyard	Mast House Terrace Playarea
Braithwaite	Meath Gardens
Bromley Recreation Ground	Mellish Street
Burdett Road Bus Terminus	Mercers Burial Ground
Canrobert Street Open Space	Middleton Green
Cantrell Road Open Space	Mile End Park
Carlton Square	Millwall Park
Carlton Square Gardens	Mudchute Farm
Cavell Street Gardens	Museum Gardens
Christchurch Gardens	Paradise Gardens
Cotton Street/Bazely Street	Pennyfields Open Space
Devons Road Ambulance Station - Grass Verge	Pollard Square
Dockers Tanner Road	Poplar High Street/Preston's Road
Fern Street Open Space	Poplar Parkway
Ford Square	Poplar Recreation Ground

Furze Green Open Space	Prospect Park
Raines Mansions	Stonebridge Wharf
Ravenscroft Park	Stoneyard Lane Open Space
Rectory Gardens	Swedenborg Gardens
Rope Walk Gardens	The Oval
Ropemakers Fields	Three Colt Street/Mitre Site
Rounton Road Open Space	Tower Hamlets Cemetery
Royal Mint Square	Trafalgar Gardens
Schoolhouse Kickabout Area	Tredegar Square
Selwyn Green	Trinity Gardens
Shacklewell Street 10'Clock Club	Trinity Square Gardens
Shacklewell Street Ball Games Area	Twelve Trees Crescent
Shandy Park	Vallance Road Gardens
Sidney Square Gardens	Vaughan Way Open Space
Sir John McDougal Gardens	Victoria Park
Spitalfields Farm	Virginia Gardens
St Annes Churchyard	Wapping Gardens
St Bartholomews Gardens	Wapping Green
St Dunstan's Churchyard	Wapping Rose Gardens
St George's in the East	Wapping Woods
St James Gardens	Warner Green Open Space
St Johns Churchyard	Waterside Gardens
St Johns Park	Weavers Fields
St Matthews Church Garden	West India Dock Road
St Matthias Church	White Horse Lane Open Space
Stepney Clock Tower	Whitehorse Road Park
Stepney Green Gardens	Wyvis Street Open Space
Stepney Green Park	York Square Gardens

## SCHEDULE 2

### GROUNDS REFERRED TO IN CERTAIN BYELAWS

#### OPENING TIMES (BYELAW 3(1))

The grounds referred to in byelaw 3(1) are:

Albert Gardens
Arbour Square Gardens
Bethnal Green Gardens
Carlton Square

Grove Hall Park
King Edward Memorial Park
Museum Gardens
Paradise Gardens
Poplar Recreation Ground
Tower Hamlets Cemetery
Tredegar Square
Trinity Square Gardens
Victoria Park
Wapping Gardens
Wapping Rose Gardens
York Square Gardens

Opening times are dawn until dusk.

### SCHEDULE 3

#### **RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 24)**

Any person using a designated area for playing ball games is required by byelaw 24 to comply with the following rules:

- (1) No person shall play any game other than those ball games for which the designated area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use of the designated area has been granted to a person or group of persons by the Council for a specified period, no other person shall play in that area during that period.
- (4) Subject to paragraph (5), where the designated area is already in use by any person, any other person wishing to play in that area must seek their permission to do so.
- (5) Except where they have been granted exclusive use of the designated area for more than two hours by the Council, any person using that area shall vacate it if they have played continuously for two hours or more and any other person wishes to use that area.
- (6) No person shall play in the designated area when a notice has been placed in a conspicuous position by the Council prohibiting play in that area.



## **APPENDIX 2 – Consultation**

Cabinet Members were consulted through Council procedures.

An email consisting of a copy of the New Byelaws and an explanation of the Council's intention to update its Parks Byelaws was sent to the following organisations:

- The Crown Estates
- The Diocese of London
- The Friends of Allen Gardens
- The Friends of Arnold Circus
- The Friends of Bartlett Park
- The Friends of Ropemakers Fields
- The Friends of Tower Hamlets Cemetery Park
- The Friends of Weavers Fields
- Mudchute Park and Farm
- Spitalfields City Farm

Acknowledgements of receipt of the document but no comments were received from, The Crown Estate, The Diocese of London and Mudchute Park and Farm. The Friends of Bartlett Park suggested minor comments to the New Byelaws. There were no comments from the other organisations.

As stated in section 6, once formally adopted by the Council the New Byelaws must be sealed then advertised. For at least one month after the date of the publication of the advertisement, a copy of the New Byelaws must be held on deposit at the Council offices for inspection by the public. During this one month period objections or representations can be made directly to the DCLG. After the consultation period has expired the New Byelaws may be confirmed by the DCLG. Where objections have been received confirmation of the New Byelaws will take longer, because the Council may need to respond to these to the DCLG before the decision to confirm the New Byelaws is made by them.



## APPENDIX 3

### Gap analysis of proposed New Byelaws

Offence / Issue	Is it covered in Existing Byelaws?	Is it covered in New Byelaws?	Is it covered in relevant primary legislation?
Assault on public or staff	No	No	Offences Against the Persons Act 1861
Ball games in non ball games area	Yes (41)	Yes (23-24)	
Barbeques (other than designated areas)	No	Yes (11)	
Causing a disturbance/ annoyance	Yes (34, 32, 44)	Yes (40, 45)	
Commercial activity	Yes (36,37,40)	Yes (39)	
Cycling	Yes (13,14)	Yes (16)	
Damage to plants, benches etc	Yes (3, 5)	No	Criminal Damage Act 1971: Section 1
Dangerous Dogs	Yes (23)	No	Dangerous Dogs Act 1991
Defecating/ urinating in public	No	No	Decency offences – Police Powers – ASBO’s section 235 of the Local Government Act 1972
Digging holes	Yes (3)	Yes (4.1b)	
Dog control	Yes (21-24)	No	Clean Neighbourhoods and Environment Act 2005: Section 55-67
Drinking	No	No	Licensing Act 1872: Section 12
Fly posting	Yes (2)	No	Clean Neighbourhoods and Environment Act 2005: Part 4, Section 31; Anti-social Behaviour Act 2003, Part 6 224 & 225 Town and Country Planning Act
Fly tipping	Yes (27)	No	Environmental Protection Act 1990: Part 4, Section 33; Clean Neighbourhood and Environment Act 2005; Anti-Social Behaviour Act 2003
Graffiti (unless designated area for graffiti)	No	No	Clean Neighbourhoods and Environment Act 2005: Part 4 ; Criminal Damage Act 1971: Section 1
Grazing of animals	Yes (25, 26)	Yes (7)	
Incitement	No	No	Public Order Act 1986; Race relations Act 1997; Protection from Harassment Act 1997
Indecent exposure	No	No	Sexual Offences Act 2003: Part 1, Section 66 Vagrancy Act 1824: Section 4
Litter	Yes (27)	No	Environmental Protection Act 1990: Part 4, Section 87
Meeting or Assemblies	Yes (38)	No	Public Order Act 1986: Part 2, Section 14; Anti-Social Behaviour Act 2003
Model Planes	Yes (12)	Yes (37-38)	
Persistent Offending	No	No	Crime and Disorder Act 1998
Playing music	Yes (39)	Yes (40)	
Public nudity	No	No	Sexual Offences Act 2003: Part 1, Section 66

<b>Offence / Issue</b>	<b>Is it covered in Existing Byelaws?</b>	<b>Is it covered in New Byelaws?</b>	<b>Is it covered in relevant primary legislation?</b>
Rioting	No	No	Public Order Act 1986: Section 1
Setting fires	Yes (31)	Yes (11)	Fireworks covered by Explosives Act 1875: Section 80
Sexual activity/cruising/soliciting	No	No	Sexual Offences Act 2003: sections 66, 67 and 71
Sleeping rough	Yes (35-36)	No	Vagrancy Act 1824: Section 4
Stray dogs	No	No	Environmental Protection Act 1990: Part 8, Sections 149-151
Theft of plants, benches etc	Yes (2, 3)	Yes (4.1)	Theft Act 1968, Wildlife & Countryside Act 1981
Theft from people in park	No	No	Theft Act 1968
Using play equipment when over-age	No	Yes (20-21)	
Vandalism	Yes (2)	No	Criminal Damage Act 1971
Vehicles – prohibition to take a vehicle into park without consent of the landlord	Yes (13,17,18)	Yes (17)	

## APPENDIX 4

### Table showing comparison of Existing Byelaws with the proposed New Byelaws, including details of suggested amendments to the New Byelaws

New Byelaws	Notes / Comments
<p><i>(Possible suggested amendments to the model byelaws have been underlined)</i></p>	<ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
<p><b><u>PART 1 - GENERAL</u></b></p> <p><b>General Interpretation</b></p> <p>1. In these byelaws:</p> <p>“the Council” means the London Borough of Tower Hamlets;</p> <p>“the ground” means any of the grounds listed in the Schedule /Schedule [1];</p> <p>“designated area” means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices placed in a conspicuous position;</p> <p>“invalid carriage” means a vehicle, whether mechanically propelled or not,</p> <p style="padding-left: 40px;">(a) the unladen weight of which does not exceed 150 kilograms,</p> <p style="padding-left: 40px;">(b) the width of which does not exceed 0.85 metres, and</p> <p style="padding-left: 40px;">(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.</p> <p><b>Application</b></p> <p>2. These byelaws apply to all of the grounds listed in Schedule 1 unless otherwise stated.</p>	<p>Replaces and updates ‘definitions’ section of Existing Byelaw 1. The new ‘General Interpretation’ section provides clarity and defines terms which are repeated several times in the text of the New Byelaws.</p>
<p><b>3. Opening Times</b></p> <p>3. (1) No person shall enter or remain in the ground except during opening hours.</p> <p>(2) “Opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.</p>	<p>Replaces and updates wording of Existing Byelaw 9.</p>

<b>New Byelaws</b>  <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
(3) Byelaw 3(1) applies only to the grounds listed in Schedule 2.	
<p><b><u>PART 2 - PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC</u></b></p> <p><b>4. Protection of structures and plants</b></p> <p>(1) No person shall without reasonable excuse remove from or displace within the ground:</p> <p>(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</p> <p>(b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.</p> <p>(2) No person shall walk on or ride, drive or station a horse or any vehicle over:</p> <p>(a) any flower bed, shrub or plant;</p> <p>(b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or</p> <p>(c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.</p>	<p>Refers to Existing Byelaws 2, 3, 5, 11 and 17 and replaces with updated wording.</p>
<p><b>5. Unauthorised erection of structures</b>            No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.</p>	<p>Updates wording of Existing Byelaw 11.</p>
<p><b>6. Climbing</b>            No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.</p>	<p>Updates wording of Existing Byelaw 4</p>
<p><b>7. Grazing</b>            No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.</p>	<p>This replaces Existing Byelaws 25 and 26</p>
<p><b>8. Protection of wildlife</b>            No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.</p>	<p>This would be a new byelaw. It refers to Existing Byelaw 20, 25-27. Fishing is addressed in a separate heading under byelaw 34.</p>

<b>New Byelaws</b>  <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
<p><u>(a) Feeding of wild life (e.g. pigeons, squirrels, rats) is prohibited unless with the expressed permission of the local authority, at which permission is given for feeding of ducks.</u></p>	<p><u>(a) Feeding of wild life (e.g. pigeons, squirrels, rats) is prohibited unless with the expressed permission of the local authority, at which permission is given for feeding of ducks.</u>  In recent years feeding of wildlife in parks has become more common. The following byelaw has been suggested for inclusion to address the growing issues (these possible additional byelaw are not found in DCLG Model Byelaw 2):  Feeding of wildlife encourages vermin in the park and has a detrimental effect in parks. This byelaw has been added to respond to incidences encountered by Park Rangers.</p>
<p><b>9. Gates</b></p> <p>(1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.</p> <p>(2) Byelaw 10(1) applies to any gate to which is attached, or near to which is displayed, a conspicuous notice stating that leaving the gate open is prohibited.</p>	<p>This would be a new byelaw.</p>
<p><b>10. Camping</b>  No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping [except in a designated area for camping].</p>	<p>Updates wording and replaces Existing Byelaw 8.</p>
<p><b>11. Fires</b></p> <p>(1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.</p> <p>(2) Byelaw 11(1) shall not apply to:</p> <p>(a) The lighting of a fire at any event for which the Council has given permission that fires may be lit.</p> <p>(b) <u>The lighting or use, in such a manner as to safeguard against damage, danger to any person, of a properly constructed camping stove, in a designated area for camping, or of a properly constructed barbecue, in a designated area for barbecues</u></p>	<p>This would be a new byelaw. It makes reference to Existing Byelaw 31, on the misuse of fireworks and bonfires. This byelaw updates wording and expands on the Existing Byelaw, providing powers to address the misuse of fireworks and the use of flammable materials.</p> <p><u>The lighting or use, in such a manner as to safeguard against damage, danger to any person, of a properly constructed camping stove, in a designated area for camping, or of a properly constructed barbecue, in a designated area for barbecues –</u>  In recent years it has become more common for residents to use the parks and open spaces for barbecues. However there is no power to enforce against this activity in locations where this may be a hazard or a nuisance or regulate</p>

<b>New Byelaws</b>  <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
	safe use under Existing Byelaws. After further consideration and taking on Members comments, the amended Byelaw 11 (Fires) now includes wording inserted from the Model Byelaws allowing for barbecues in designated areas.
<b>12. Missiles</b> No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.	This refers to Existing Byelaw 12 and addresses missiles as a separate byelaw.
<b>13. Interference with life-saving equipment</b> No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.	This would be a new byelaw. In Victoria Park there is a lake and there is life saving equipment around the lake. This byelaw is designed to protect the safety of persons using the park. This byelaw would give officers enforcement powers against people misusing the equipment.
<p><b><u>PART 3 - HORSES, CYCLES AND VEHICLES</u></b></p> <p><b>Interpretation of Part 3</b></p> <p>14. In this Part:            “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;</p> <p>“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;</p> <p>“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;</p> <p>“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.</p>	Definitions have been added in the new byelaw for clarity.
<b>15. Horses</b> (1) No person shall ride on or in a carriage drawn by a horse except in the exercise of a lawful right or privilege.	This would be a new byelaw. Previously horses were addressed under existing byelaws 13-14, which included cycling and driving vehicles, also section on ‘horses, dogs and other animals’ (existing byelaws 19-26). The latter two activities are now addressed separately in the new byelaws (byelaws 16 and 17 respectively). Dogs are not addressed in the New Byelaws as they



<b>New Byelaws</b>  <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
<p>(2) Where horse-riding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.</p>	<p>are covered by other existing primary legislations e.g. Clean Neighbourhoods and Environment Act 2005.</p> <p>Mudchute Farm for example is an area for designated horse riding. This byelaw provides an enforcement power for the use of horses in areas not designated for horse riding.</p> <p><u>Ride on or in a carriage drawn by a horse</u> - wording has changed to include horse drawn carriage in the likelihood of incidences that may be encountered within larger parks and open spaces.</p>
<p><b>16. Cycling</b> No person shall 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, <u>nor in such a way which may endanger the public.</u></p>	<p>Previously cycling was addressed under Existing Byelaws 13-14, which included horse riding and driving vehicles. The latter two activities are now addressed separately in the New Byelaws (byelaws 15 and 17 respectively).</p> <p><u>nor in such a way which may endanger the public</u> has been added for reasons of public safety.</p>
<p><b>17. Motor vehicles</b></p> <p>(1) No person shall 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.</p> <p>(2) Where there is a designated route for motor cycles, motor vehicles or trailers, it shall not be an offence under this byelaw to bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.</p>	<p>Replaces and updates wording of Existing Byelaws which refer to motor vehicles (Byelaws 13-18 inclusively).</p>
<p><b>18. Overnight parking</b> No person shall 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.</p>	<p>This would be a new byelaw. This makes references to Existing Byelaw 17.</p>

<b>New Byelaws</b>  <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
<p><b><u>PART 4 - PLAY AREAS, GAMES AND SPORTS</u></b></p> <p><b>Interpretation of Part [4]</b></p> <p>19. In this Part:  “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;</p> <p>“golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area or putting course;</p> <p>“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.</p>	<p>Definitions of key terms have been included for clarity.</p>
<p><b>20. Children’s play areas</b>  No person aged 14 years or over shall 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.</p>	<p>This replaces and updates wording to Existing Byelaw 6.</p>
<p><b>21. Children’s play apparatus</b>  No person aged 14 years or over shall 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.</p>	<p>This replaces and updates wording to Existing Byelaw 42 with regards to the use of apparatus and also refers to Existing Byelaw 6, restriction of open space reserved for children under the age of 14 years.</p>
<p><b>22. Skateboarding, etc</b>  No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.</p>	<p>This would be a new byelaw.</p>
<p><b>23 to 24. Ball games</b></p> <p>23. No person shall play ball games outside a designated area for playing ball games in such a manner:</p> <ul style="list-style-type: none"> <li>(a) as to exclude persons not playing ball games from use of that part;</li> <li>(b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or</li> </ul>	<p>This would be a new byelaw, which makes reference to Existing Byelaw 41 within ‘Games, drilling etc’ section, where it broadly refers to no person shall play any game or take part in any sport or entertainment without consent of the Council. This byelaw specifically addresses ball games only.</p>

<b>New Byelaws</b> <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
<p>(c) which is likely to cause damage to any tree, shrub or plant in the ground.</p> <p>24. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 3 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.</p>	
<p><b>25. Cricket</b>  No person shall throw or strike a cricket ball with a bat except in a designated area for playing cricket.</p>	This would be a new byelaw. Cricket is excluded from the definition of 'ball games'.
<p><b>26. Archery</b>  No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.</p>	This would be a new byelaw to prevent this sport taking place as there is no suitable safe location set aside for archery.
<p><b>27. Field sports</b>  No person shall 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 or on land set aside by the Council for that purpose.</p>	This would be a new byelaw, which makes reference to Existing Byelaw 41 within 'Games, drilling etc' section), where it refers to no person shall play any game or take part in any sport or entertainment without consent of the Council
<p><b>28. Golf</b>  No person shall drive, chip or pitch a hard golf ball.</p>	This would be a new byelaw. There are no golf courses within the borough. This byelaw seeks to give a direct power to prevent people being injured by golf.
<p><b><u>PART 5 – WATERWAYS</u></b></p> <p><b>Interpretation of Part [5]</b></p> <p>29. In this Part:  “boat” means any yacht, motor boat or similar craft but not a model or toy boat;</p> <p>“power-driven” means driven by the combustion of petrol vapour or other combustible substances;</p> <p>“waterway” means any river, lake, pool or other body of water and includes any fountain.</p>	Definitions of key words have been added for clarity.
<p><b>30. Bathing</b>  No person shall without reasonable excuse bathe or swim in any waterway.</p>	This would be a new byelaw. This relates to Existing Byelaw 41 and now addresses the prohibition of Bathing as a separate byelaw. There are lakes/ponds in some parks, however no regulation to prevent people entering them, especially during hot weather.

<b>New Byelaws</b>  <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
<b>31. Ice skating</b> No person shall step onto or otherwise place their weight upon any frozen waterway.	This replaces and updates wording of Existing Byelaw 7.
<b>32. Model boats</b> No person shall operate a power-driven model boat on any waterway except in a designated area for model boats.	This would be a new byelaw. This relates to Existing Byelaw 41 and now addresses the prohibition of Model Boats as a separate byelaw.
<b>33. Boats</b> No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council	This would be a new byelaw. This relates to Existing Byelaw 41 and now addresses Boats as a separate byelaw.
<b>34. Fishing</b> No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for fishing <u>and with prior consent of the Council and in accordance with the rules governing such consent.</u>	This would be a new byelaw. Previously fishing was addressed alongside a number of issues under 'games, drilling, etc' (byelaw 41) and byelaw 26. Now it is addressed as a separate byelaw.  <u>and with prior consent of the Council and in accordance with the rules governing such consent</u> has been added to assist clarity. Also, the designated areas for fishing are small areas and have the likelihood of being over-fished if there are too many people fishing at the same time. It will also enable the Council to address issues related to camping and the use of specialist fishing equipments.
<b>35. Blocking of watercourses</b> No person shall 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.	This refers to Existing Byelaw 27 and addresses blocking of watercourses as a separate byelaw.
<b><u>PART 6 - MODEL AIRCRAFT</u></b>  <b>Interpretation of Part 6</b>  36. In this Part: "model aircraft" means an aircraft which weighs not more than 7 kilograms without its fuel;  "power-driven" means driven by: (a) the combustion of petrol vapour or other combustible substances; (b) jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not	This is new and includes definition of key terms for clarity.

<b>New Byelaws</b>  <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
<p>(c) exceeding 2.54 centimetres in length; or one or more electric motors or by compressed gas.</p> <p>“radio control” means control by a radio signal from a wireless transmitter or similar device.</p>	
<p><b>General prohibition</b>  37. No person shall cause any power-driven model aircraft to:</p> <p>(a) take off or otherwise be released for flight or control the flight of such an aircraft in the ground; or</p> <p>(b) land in the ground without reasonable excuse.</p>	<p>This would be a new byelaw. This updates wording and replaces Existing Byelaw 12 which currently refers to ‘any aircrafts’. The Council does not have a designated area for model aircrafts. There is a general prohibition for use of model aircrafts.</p>
<p><b><u>PART 7 - OTHER REGULATED ACTIVITIES</u></b></p> <p><b>38. Provision of services</b>  No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.</p> <p><u>(1) Filming, video-recording, taking of photographs - No professionals (including students) are allowed to undertake filming, video-recording, taking of photographs without the consent of the Council.</u></p>	<p>Replaces and updates wording of Existing Byelaws 36, 37 and 40. Provides enforcement powers to prevent trading.</p> <p>In recent years filming, video-recording, taking of photographs has become more common. The following byelaw has been suggested for inclusion to address the growing issues (this additional byelaw is not found in DCLG Model Byelaw 2):</p> <p><u>(1) Filming, video-recording, taking of photographs - No professionals (including students) are allowed to undertake filming, video-recording, taking of photographs without the consent of the Council.</u></p> <p>This has been added to respond to incidents experienced by the Park Rangers, for example in Victoria Park. There are also implications in relation to safeguarding of children and vulnerable adults.</p>
<p><b>39. Excessive noise</b>  (1) No person shall, after being requested to desist by any other person 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:</p>	<p>Updates wording and replaces Existing Byelaw 39.</p>

<b>New Byelaws</b>  <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b>
<p>(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.</p> <p>(2) Byelaw 40) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.</p>	<ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
<p><b>40. Public shows, performances, <u>political rallies or religious meetings.</u></b>  No person shall without the consent of the Council hold or take part in any public show, performance, <u>political rallies or religious meetings.</u></p>	<p>This would be a new byelaw to provide power to control unauthorised public show or performance in parks and open space.</p> <p><u>Political rallies or religious meetings</u> have been added following request by Members. We receive applications for activities that cannot be defined as public shows or performances and therefore it is important to have a mechanism for controlling scheduling of such events so sites can be managed accordingly.</p>
<p><b>41. Aircraft, hang gliders and hot air balloons</b>  No person shall 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.</p>	<p>This would be a new byelaw. It refers to Existing Byelaw 12 with regards to aircraft, but the new byelaw now includes hand gliders, helicopter and hot air balloon.</p>
<p><b>42. Kites</b>  No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.</p>	<p>This would be a new byelaw. This byelaw will provide power to control the use of large kites as their means of propulsion in ‘kite boarding’, which can travel at high speeds and have difficulty stopping in strong winds, thus likely to cause danger to other park users.</p>
<p><b>43. Metal detectors</b>  (1) No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.</p>	<p>This would be a new byelaw to provide powers to protect e.g. areas consisting of carefully cultivated turf and flower beds, and wildlife areas.</p>
<p><b>44. <u>Fundraising, and soliciting or gathering money</u></b>  <u>No person shall without the consent of the Council solicit or gather money for any cause whether or not such cause is charitable.</u></p>	<p>This would be a new byelaw that is not found in the DCLG Model Byelaws. This has been added following comments on prohibiting activities such as fundraising in the Parks without prior consent of the Council:</p> <p>44 <u>Fundraising, and soliciting or gathering money –</u></p>

<b>New Byelaws</b> <i>(Possible suggested amendments to the model byelaws have been underlined)</i>	<b>Notes / Comments</b> <ul style="list-style-type: none"> <li>• How New Byelaws compare with the Existing Byelaws</li> <li>• Reasons for considering proposed amendments to the Existing Byelaws</li> </ul>
	<u>No person shall without the consent of the Council solicit or gather money for any cause whether or not such cause is charitable.</u>
<p><b><u>PART [8] – MISCELLANEOUS</u></b></p> <p><b>45. Obstruction</b>  No person shall obstruct:</p> <ul style="list-style-type: none"> <li>(a) any officer of the Council in the proper execution of his duties;</li> <li>(b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or</li> <li>(c) any other person in the proper use of the ground.</li> </ul> <p><b>46. Savings</b></p> <p>(1) It shall not be 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.</p> <p>(2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously 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.</p> <p><b>47. Removal of offenders</b>  Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.</p> <p><b>48. Penalty</b>  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.</p>	<p>This replaces and updates Existing Byelaw 45.</p> <p>This replaces and updates Existing Byelaws 48-51)</p> <p>This replaces and updates Existing Byelaw 47.</p> <p>This replaces and updates Existing Byelaw 46.</p>
<p><b>49. Revocation</b>  The byelaws made by the London Borough of Tower Hamlets on <b>insert date</b> and confirmed by the Secretary of State for the Home Office <b>insert date</b> of confirmation relating to the ground are hereby revoked.</p>	<p>This has been added for clarity and replaces the wording included within the ‘notes’ section of the Existing Byelaws.</p>





## **APPENDIX 5 – Existing Byelaws**

# Greater London Council

## PARKS, GARDENS, AND OPEN SPACES

*BY-LAWS made on 1 November 1932 (in operation as from and including 1 April 1933), by the London County Council in pursuance of the provisions of the London Council (General Powers) Act 1890, the London County Council (General Powers) Act 1898, and the London County (General Powers) Act 1923 and now having effect by virtue of The London Government Act 1963, Article 33 of the London Authorities (Property, etc.) Order 1964 and Articles 9 and 30 of the London Government Order 1965 as if made by the Greater London Council in relation to the Parks, Gardens, and Open Spaces vested in or under the control of the Greater London Council.*

### APPLICATION OF BY-LAWS

The Secretary of State for Home Affairs on 20 March 1933, 15 June 1936, 6 May 1938, 12 February and 16 July 1952, 18 March and 17 April 1953, 13 September and 29 December 1954, and 9 June and 29 November 1955, allowed the application of the several by-laws, as follows:

Addington-square; Agnes Riley Memorial-garden; Albany-road-garden; Archbishop's-park; Avery-hill; Battersea-park; Beckenham-place-park; Bellingham-playpark; Bermondsey-spa; Bethnal-green-gardens; Blackheath; Blythe-hill; Bostall-heath; Bostall-woods; Brockwell-park; Brook-green; Castlewood; Charlton-park; Charlton-playing-fields(a); Clapham-common; Clapton-common; Clissold-park; Cobourg-gardens; \*Crystal Palace grounds (that part open to the public); Deptford-park; Downes-place; Downham-recreation-ground (c) and Downham-woodlands; Dulwich-park; Eaglesfield; Eel-brook-common; Eltham-common; Eltham-park-north; Eltham-park-south; Emslie Horniman-pleasance; Fairy-hill-playground (b); Finsbury-park; Garratt-Green; Geffrye's-garden; Geraldine Mary Harmsworth-park; Golder's-hill; Goose-green; Grove-hall-park; Hackney-downs; Hackney-marsh; Haggerston-park; Hainault-forest; Hainault-forest (Extension); Hammersmith-park; Hampstead-heath; Hampstead-heath (Extension); Hampstead-heath (The Paddock); Highbury-fields; Highgate-archway-plot; Hillside-gardens; Hilly-fields; Holland-park; Horniman-gardens; Hurlingham-park; Island-gardens; Jackwood; Kennington-park; Kensington Memorial-recreation-ground (k); Kenwood; Kilburn-grange; King Edward Memorial-park; King George's-field; Ladywell-recreation-ground (d); Lesnes Abbey Woods; Leyton-square; Limehouse-churchyard; Lincoln's-inn-fields; Little Wormwood-scrubs; London-fields; Lucas-street-open-space; Manor-house-gardens; Marble-hill; Margaret McMillan-park; Maryon-park; Maryon Wilson-park; Marvels-wood; Meath-gardens; Mill-fields; Millwall-recreation-ground (e); Mountsfield-park; Myatt's-fields; Newington-recreation-ground (f); Normand-park; Northbrook-park; Norwood-park; Oxleas-wood; Parliament-hill; Parsloes-park; Parson's-green; Paterson-park; Peckham-rye; Peckham-rye-park; Plumstead-common; The Ranger's House and grounds, Greenwich; Ravenscourt-park; Rolls-garden; Royal Victoria-gardens; Ruskin-park; Sayes-court-open-space; Scarsdale-road-open-space; Shaftesbury-playing-field (g); Shepherd's-bush-common; Shore-place (j); Shoulder-of-mutton-green; Shrewsbury-park; Southwark-park; Springfield-park; Stepney-churchyard; Stoke Newington-common; Streatham-common; Sydenham Wells-park; Tabard-garden; Telegraph-hill; The Rookery; Tooting-common (Tooting Bec-common and Tooting Graveney-common); Victoria-embankment-gardens, including York-terrace; Victoria-park; Wandsworth-common; Wandsworth-common (Extension); Wandsworth-park; Wapping-recreation-ground (h); Waterlow-park; Well-street-common; Whittington-park; Woolcombe-garden; and Wormwood-scrubs.

- (a) Renamed Hornfair (27 April 1948).
- (b) Renamed Fairy-hill (6 March 1951).
- (c) Renamed Downham-fields (16 December 1952).
- (d) Renamed Ladywell-fields (16 December 1952).
- (e) Renamed Millwall-park (16 December 1952).
- (f) Renamed Newington-gardens (16 December 1952).
- (g) Renamed Shaftesbury-park (16 December 1952).
- (h) Renamed Wapping-gardens (16 December 1952).
- (j) Renamed Shore-gardens (30 March 1954).
- (k) Renamed Kensington Memorial-park (30 March 1954).

\* For a period of two years from 16 July 1955.

## BY-LAWS

### DEFINITIONS

1. In these by-laws, unless the context otherwise requires:
  - “ The Council ” means the Greater London Council.
  - “ Open Space ” means any park, garden or open space vested in or under the control of the Council.

### DAMAGE AND INJURY

2. No person shall remove, injure, or in any way deface or disfigure any property under the control of the Council in or enclosing any open space, or post thereon or affix thereto in any way any bill, placard or notice.
3. No person shall remove, uproot, destroy or injure any tree, shrub or plant, or pluck any flower, bough or leaf, or dig, cut or take any turf, sod, gravel, sand, clay or other substance in any open space.
4. No person shall climb on any tree or on or over any gate, fence or railing in or enclosing any open space.
5. No person shall in any open space go upon any land specially enclosed or the entry on which is prohibited by notice, or go upon any shrubbery or flower bed.

### TRESPASS

6. No male person over the age of 14 years shall go or attempt to go into any part of any open space in contravention of any regulation of the Council specified in a notice exhibited on such part reserving such part for the use of female persons and children under the age of 14 years only.
7. No person shall in any open space wilfully break or damage any ice on any pond or lake, or when prohibited by notice, go or attempt to go upon any such ice.
8. No person shall, without first obtaining or otherwise than in accordance with the terms of a permit from the Council, camp out on any open space.
9. No person shall wilfully enter into or remain in any open space or any part of any open space during any time appointed for closing the same.
10. No person shall in any open space go or attempt to go into any water-closet, urinal or other place of convenience provided for the opposite sex or infringe any regulation of the Council set up therein controlling the use thereof.

### BUILDINGS AND OBSTRUCTIONS

11. No person shall in any open space, without first obtaining or otherwise than in accordance with the terms of a permit from the Council, erect or place or retain any post, rail, fence, photographic stand apparatus, tent, booth, screen, stand, swing or other building, erection or structure or any obstruction of any kind whatever.

### TRAFFIC

12. No person shall, except in case of accident or unavoidable cause, land in any open space or take off therefrom in any aircraft; provided that this by-law shall not apply to the use by members of Air Defence units of such landing or taking off grounds and on such occasions as may be approved by the Council in writing under the hand of its Clerk for purposes of Air Defence exercises.
13. No person shall in any open space, except on roads or other places approved for the purpose by the Council, ride or drive any horse or other beast of draught or burden or any bicycle, tricycle, or any vehicle drawn or propelled by any animal or by mechanical power.
14. No person shall in any open space drive any vehicle, bicycle or tricycle or ride any animal at a rate exceeding twelve miles an hour or so as to endanger the public.
15. Any person driving any vehicle in any open space shall when called upon to stop by signal or otherwise by an officer of the Council acting in execution of his duty shall stop, and if he refuses or wilfully fails to do so shall be guilty of an offence.
16. No person shall in any open space drive or in any way use any motor vehicle for the purpose of giving or receiving instruction in driving, managing or repairing such vehicle.

17. No person shall leave any mechanically-propelled vehicle

(a) unattended in any open space except at such places as are approved by the Council as standing or parking places;

(b) on any road in any open space after having been requested by a duly authorized officer of the Council or a police constable to remove it.

18. No person shall take or drive on any road in any open space any public service vehicle or any vehicle, wheelbarrow or truck constructed, designed or used for trade purposes, or any mechanically-propelled vehicle bearing a manufacturer's, repairer's or dealer's identification mark or in an unfinished condition.

#### HORSES, DOGS AND OTHER ANIMALS

19. No person shall in any open space lead from horseback any riderless horse which is not appropriately bridled and rugged or saddled, or so as to endanger the public.

20. No person shall in any open space lunge or break in any horse or other animal.

21. No person shall cause or suffer any dog belonging to him or in his charge for the time being to enter or remain in any open space unless such dog be under proper control and be effectually restrained from injuring, annoying or disturbing any person or animal or from running on any flower bed or injuring any tree, shrub or plant.

22. No person shall in any open space allow any dog or other animal to enter any lake, river or pond, entry on which by dogs or other animals is prohibited by notice.

23. No person shall, in any part of any open space where a notice stating that all dogs or dogs of a particular class or breed must be kept on a lead or muzzled is exhibited, cause or suffer any dog belonging to him or in his charge for the time being to enter or remain therein unless such dog is kept on a lead or is muzzled in accordance with such notice, and no person shall in any part of any open space where a notice prohibiting the admission of dogs is exhibited, cause or suffer any dog belonging to him or in his charge for the time being to enter therein.

24. No person shall in any open space race or train any whippet or other dog.

25. No person shall turn out to graze or feed or allow or suffer to stray or remain any cattle, sheep, swine, horse, ass, mule, goose, duck, fowl or other animal in any open space without right or without the consent of the Council in writing under the hand of its Clerk.

26. No person shall in any open space wilfully disturb any animal grazing or shall harry, illtreat, or injure or destroy any animal, bird or fish, or take or attempt to take any animal, bird, fish or egg or set any trap.

#### NUISANCES

27. No person shall in any open space or in any lake, pond, fountain or ornamental water therein, deposit or leave any dead animal, offensive litter, house or trade refuse, or any turf, sod, gravel, sand, clay or other substance, or except in receptacles provided by the Council for the purpose any bottle, tin, container, broken glass or crockery, waste paper or other like article or thing.

28. No person shall wilfully break any glass, china or other like thing in any open space.

29. No person shall in any open space sort rags, bones, refuse or matter of like nature or mend any chair.

30. No person shall in any open space shake or beat any carpet, mat or other thing, or place any clothes or other things for the purpose of drying or bleaching.

31. No person shall in any open space discharge any gun, syringe, squirt, catapult or other instrument, or shall wantonly or recklessly throw or discharge any stone or missile, or make any bonfire or let off any fireworks.

32. No person shall in any open space commit any nuisance contrary to public decency or propriety.

33. No person shall in any open space wash any clothes, dog or other animal, or thing or do any act likely to cause pollution of the water in any drinking fountain, lake, pond or trough.

34. No person shall in any open space bet, brawl, fight or use indecent or improper language or designedly do any act which outrages public decency or which comes within the meaning of the 4th Section of the Vagrancy Act, 1824 (5 Geo. IV, cap. 83) whether the offence be committed with intent to insult any female or not.

35. No person in a verminous or offensively filthy condition shall lie about in any open space or lie upon or occupy any seat therein.

#### SALE OF ARTICLES, EXHIBITION OF ADVERTISEMENTS, ETC.

36. No person shall in any open space (a) sell, offer for sale, exhibit for sale or distribute any book, pamphlet, leaflet, card, bill, advertisement, or literature of any kind whatsoever; (b) subject to the foregoing provision, sell, offer for sale, exhibit for sale or distribute any other article, or let for hire any article or place any stand, chair or seat for hire or display any advertisement without the consent of the Council in writing under the hand of its Clerk.

#### PLYING FOR HIRE

37. No person shall in any open space ply for hire, or let out any horse or other animal or any vehicle without the consent of the Council in writing under the hand of its Clerk.

#### PUBLIC MEETINGS

38. No person shall in any open space deliver, utter or read or maintain the right to deliver utter or read any public speech, lecture, prayer, scripture, sermon or address of any kind or description whatsoever or enter into any public discussion or hold or cause or take part in any public meeting except between sunrise and sunset and on the site or sites, if any, approved by the Council and defined by notice boards and also shown on duplicate plans deposited at the Home Office and with the Clerk of the Council.

#### MUSIC AND SINGING

39. No person shall in any open space, without the consent of the Council in writing under the hand of its Clerk, operate play or make sounds on any musical or other instrument including any gramophone or radio apparatus, or without such consent sing any sacred or secular song except on the site or sites mentioned in the preceding by-law.

#### SOLICITING OR GATHERING MONEY

40. No person shall in any open space solicit or gather money or other thing except within the limits of the site or sites upon which public meetings are allowed to be held and without first obtaining or otherwise than in accordance with the terms of a permit from the Council, for which application shall be made in writing at least twenty-one clear days in advance, stating the place in which the collection is proposed to be made, the date proposed for the collection, and the object for which the collection is to be made; provided that a permit shall not be refused if the person applying for the same show to the satisfaction of the Council that the collection will be organised by some well-known charitable society and will be for the public good and not to the personal benefit of any individual or individuals.

#### GAMES, DRILLING, ETC.

41. No person shall in any open space practise gymnastics, play or make preparation to play any game or take part in any sport, or entertainment or dance, bathe, fish, use any boat, or sail any model yacht without the consent of the Council in writing under the hand of its Clerk except on the parts or places respectively set apart therefor or infringe any regulation of the Council with respect to the use of any such part or place and the conduct of persons using the same or resorting thereto as may be specified in any notice from time to time exhibited on any such part or place.

42. No person shall in any open space infringe any regulation of the Council with respect to the use of apparatus and equipment (including lockers and other conveniences) and dressing accommodation provided or maintained by the Council for use in connexion with rifle ranges, games and recreation or with respect to the use of dressing accommodation, conveniences, screens, towels, costumes and other things provided or maintained by the Council and necessary or convenient for persons using any open-air bath or pool, such regulation being specified in a notice exhibited on the parts or places set apart for such rifle ranges, games, recreations, open-air baths or pools, as the case may be.

43. No person shall in any open space drill or practise military evolutions or exercises without the consent of the Council in writing under the hand of its Clerk.

44. No person shall in any open space interfere with, obstruct or annoy any person or persons who are lawfully engaged in pursuance of these by-laws or any general authority or Act of Parliament in military or athletic exercises, or in playing or making preparations to play at any lawful game or in playing music, or delivering any public address or doing any other act.

#### OBSTRUCTING OFFICERS OF THE COUNCIL, ETC.

45. No person shall in any open space resist, obstruct or aid or incite any person to resist or obstruct any officer of the Council or other person in the execution of his duty or lawful exercise of his authority.

#### OFFENDERS, PENALTIES, ETC.

46. Any person (not being an officer of the Council acting in execution of his duty or other person acting in lawful exercise of any authority) committing any breach of these by-laws shall be subject to a penalty not exceeding five pounds, and to a penalty not exceeding twenty shillings for each day on which such offence shall continue after written notice of the offence shall have been given by the Council.

47. It shall be lawful for any officer of the Council to exclude or remove from any open space any person committing any breach of the above by-laws, and all gypsies, hawkers, whether licensed or not, beggars and rogues and vagabonds, and if any such person, after being told by an officer of the Council not to come into or upon any open space, shall come therein or thereon, or after being told by any officer of the Council to go therefrom, shall neglect or refuse to go, or, having left the place after being told as aforesaid to go therefrom, or having been removed therefrom as aforesaid, shall return thereto, such person shall be guilty of an offence against these by-laws, and be liable to a penalty not exceeding five pounds.

#### SAVING FOR EXISTING POWERS

48. Nothing in these by-laws shall take away, abridge or limit any remedy now existing by way of indictment, or shall interfere with the powers of the Metropolitan Police, or any authority legally existing for preventing or punishing offences, or with powers of the Council as having the control of any open space.

#### SAVING FOR MILITARY FORCES

49. Nothing in these by-laws shall be construed as prohibiting on any heath or common—

(a) Infantry military drill.

(b) Encampment of troops for a single night for a halt on a march to or from their quarters.

(c) A review (with the previous assent of the Council) of Her Majesty's troops and auxiliary forces, such assent to be subject to the following conditions:

(i) When an adequate area for such drill, encampment and reviews, respectively, has been fixed by the Council, that area only shall be used for such purposes.

(ii) All damage done by Her Majesty's troops and auxiliary forces to the surface of any heath or common, which shall be capable of immediate reparation, shall be made good by the troops and forces encamped before they leave such place; and any damage which can be compensated only by pecuniary payment shall be so compensated by the Secretary of State for War.

(iii) Any difference which may arise between the Secretary of State for War and the Council concerning the adequacy of the area fixed by the Council for the respective purposes aforesaid, or concerning compensation for damage done to any heath or common, shall be determined by the First Commissioner of Works.

50. Nothing in these by-laws shall be construed as prohibiting the use of that part of Plumstead common which is coloured blue on the map or plan referred to in section 4 of the Plumstead Common Act, 1878, and varied by a Deed dated 17 June 1931, made between His Majesty's Principal Secretary of State for War of the one part, and the London County Council of the other part, as a parade, camping, training or exercising ground, to be used by all branches of His Majesty's regular, auxiliary and reserve forces, when and as often as need or occasion shall require.

51. Nothing in these by-laws shall be construed as prohibiting the use of that part of Wormwood-scrubs which is referred to as "the military portion of the Scrubs" in section 3 of the Wormwood Scrubs Act 1879, as subsequently varied from time to time by agreements made between His Majesty's Principal Secretary of State for War on the one part, and the London County Council of the other part, for the military purposes therein mentioned.

Approved by the Secretary of State for Home Affairs on 14 December 1932.

Approved by the Secretary of State for War on 14 November 1932.

## NOTES

1. References in these by-laws to the Council shall by virtue of Article 9 of the London Government Order 1965 be construed as references to the Greater London Council.

2. By Section 18 of the London Council (General Powers) Act 1890, which has effect as amended by the provisions of Article 3 and Paragraph 26(b) of the First Schedule to the Local Law (Greater London Council and Inner London Boroughs) Order 1965, any constable or any officer of the Greater London Council authorized in writing to enforce by-laws made or having effect as if made by the Greater London Council in relation to any open space for the purposes of Part V of the London County Council (General Powers) Act 1935 and any person called to the assistance of such constable or officer may without other warrant than this Act seize and detain any person committing, or having committed, any offence against such by-law whose name or residence is unknown to and cannot be ascertained by such constable or officer and take him to a police station or before a Justice, to be dealt with according to law Provided that any officer of the Greater London Council acting under this part of this Act and not being a constable in uniform shall have with him a written authority from the Greater London Council to act and shall produce the same if required.

*The Council's officers are authorized to apprehend without warrant, to be dealt with according to law, all persons committing a breach of the peace, and all persons who may be found committing offences against the following enactments, as amended—*

- (1) *The Vagrancy Act 1824.*
- (2) *The Larceny Act 1861.*
- (3) *The Malicious Damage Act 1861.*
- (4) *The Metropolitan Police Act 1839.*

Pursuant to the provisions of Section 252 of the Local Government Act 1933, I hereby certify that the foregoing by-laws having effect by virtue of the London Government Act 1963, Article 33 of the London Authorities (Property, etc.) Order 1964 and Articles 9 and 30 of the London Government Order 1965 as if made by the Greater London Council, are true copies of the by-laws made by the London County Council on 1 November 1932; that such by-laws, having been approved on 14 November 1932 by the Secretary of State for War so far as he was concerned, were approved by the Secretary of State for Home Affairs on 14 December 1932; that the said by-laws came into operation as from and including 1 April 1933; that their application to the specified parks, gardens and open spaces was allowed by the Secretary of State for Home Affairs on 20 March 1933, 15 June 1936, 6 May 1938, 12 February and 16 July 1952, 18 March and 17 April 1953, 13 September and 29 December 1954 and 9 June and 29 November 1955; and that, on the dates shown overleaf, he allowed the application of the foregoing by-laws to the following additional open spaces:

Abbey Wood Park (28 January 1964).  
Allen Fields (4 November 1959).  
Bartlet Park (12 September 1961).  
Burdett Gardens (4 November 1959).  
Canteloves Gardens (4 November 1959).  
Charlotte Turner Gardens (9 February 1962).  
Crystal Palace Grounds (that part open to the public) 16 July 1957 to 15 July 1959 (9 July 1957).  
4 February 1960 to 15 July 1960 (4 February 1960).  
16 July 1960 to 15 July 1962 (14 July 1960).  
4 January 1963 to 15 July 1964 (4 January 1963).  
16 July 1964 to 15 July 1966 (22 July 1964).

Cutty Sark Gardens (9 July 1957).  
Emma Cons Gardens (9 July 1957).  
Friendly Gardens (9 February 1962).  
Hatcham Gardens (4 November 1959).  
Ion Square (11 May 1964).  
King George's Field, Eltham (3 October 1957).  
King's Stairs Gardens (23 April 1963).  
Langdon Park (12 July 1963).  
Leathermarket Garden (21 January 1958).  
Melbourne Fields (4 November 1959).  
North Camberwell Open Space (28 January 1964).

Site bounded by Albany Road, Old Kent Road and Cobourg Road (excluding Rolls Gardens).  
Site on west side of Glengall Road, at junction with Old Kent Road.  
South-east corner of Willowbrook Grove and Trafalgar Avenue.  
Site bounded by Neate Street, Trafalgar Avenue, Waite Street and Cobourg Road.  
North-west corner of Cobourg Road and Neate Street.  
South-west corner of Cobourg Road and Neate Street.  
Site of former 168-178 Neate Street (south side).  
Site bounded by Neate Street, Herring Street, Woolcombe Garden, Loncroft Road and Calmington Road, plus small area east of Herring Street.

Site on west side of Calmington Road, between Scarsdale Road and Neate Street  
Site of former 2-10 Calmington Street (west side) opposite Sandover Road.  
Two sites on north-west and north-east corners of Neate Street and Chumleigh Street.  
Site between Albany Road and Neate Street, east of Cunard Street.  
Site bounded by Albany Road, Wells Way and former Surrey Canal.  
Site at south-west corner of Wells Way and New Church Road.  
Site of former 319-329 Albany Road (south side).  
Site bounded by former Surrey Canal, Addington Square and Sugden Street, Caldew Street and New Church Road.  
South-east corner of Camberwell Road and Albany Road.

Rope Walk Gardens (2 September 1960).  
Rosemary Gardens (7 March 1960).  
Shandy Park (14 December 1959).  
Stepney Green (23 May 1963).  
Stonebridge Gardens (4 November 1959).  
The Slade Garden (4 November 1959).  
Vicarage Gardens (4 November 1959).  
Warwick Garden (4 November 1959).  
Weavers' Fields (12 July 1963).  
Windmill Gardens (7 March 1960).  
Wyck Gardens (9 July 1957).



*Clerk to the Greater London Council*