

**PUBLIC HEALTH ACT, 1875
OPEN SPACES ACT, 1906**

**BYELAWS
IN RESPECT OF
PLEASURE GROUNDS**

**IN THE
LONDON BOROUGH OF NEWHAM**

**LONDON BOROUGH OF NEWHAM
PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES**

Byelaws made by the London Borough of Newham under section 164 of the Public Health Act 1875, section 15 of the Open Spaces Act 1906 and sections 12 and 15 of the Open Spaces Act 1906 with respect to pleasure grounds and open spaces named in the Schedule to the byelaws.

INTERPRETATION

1. In these byelaws:

"the Council" means the London Borough of Newham

"the ground" means each of the pleasure grounds and open spaces named in the Schedule to these byelaws

OPENING TIMES

2. On any day on which the ground is open to the public, no person shall enter it before the time, or enter or remain in it after the time, indicated by a notice placed in a conspicuous position at the entrance to the ground.

VEHICLES

3. (1) No person shall, without reasonable excuse, ride or drive a motor cycle; motor vehicle or any other mechanically propelled vehicle other than a cycle in the ground, or bring or cause to be brought into the ground a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle) except in any part of the ground where there is a right of way for that class of vehicle.
- (2) No person shall, without reasonable excuse, ride a cycle, except in any part of the ground where there is a right of way for cycles, or along such routes as may be fixed by the Council and indicated by signs placed in conspicuous positions in the ground, provided that this byelaw shall not apply to any child under the age of 10 years.
- (3) If the Council has set apart a space in the ground for use by vehicles of any class, this byelaw shall not prevent the riding or driving of those vehicles in the space so set apart, or on a route, indicated by signs placed in conspicuous positions, between it and the entrance to the ground.
- (4) This byelaw shall not extend to invalid carriages.
- (5) In this byelaw:

"cycle" means a bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motor cycle or motor vehicle;

"invalid carriage" means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or

adapted for use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person;

"motor cycle" means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

"motor vehicle" means a mechanically propelled vehicle, not being an invalid carriage, intended or adapted for use on roads;

"trailer" means a vehicle drawn by a motor vehicle or by a horse, and includes a caravan.

OVERNIGHT PARKING

4. No person shall, without the consent of the Council, leave or cause or permit to be left any vehicle in the ground between the hours of 12 midnight and 6 a.m.

CLIMBING

5. 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.

REMOVAL OF STRUCTURES

6. No person shall, without reasonable excuse, remove from or displace in the ground any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the ground.

ERECTION OF STRUCTURES

7. No person shall in the ground, without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

CAMPING

8. No person shall in the ground, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except in any area which may be set apart and indicated by notice as a place where camping is permitted.

CHILDREN'S PLAY AREAS

9. (1) No person who has attained the age of 14 years shall enter or remain in the children's play area in any of the grounds listed in the Schedule to these byelaws.

(2) This byelaw shall not apply to any person who is bona fide in charge of a child under the age of 14 years.

CHILDREN'S PLAY APPARATUS

10. No person who has attained the age of 14 years shall use any apparatus in the ground which, by a notice placed on or near there to, has been set apart by the Council for the exclusive use of persons under the age of 14 years.

TRADING

11. No person shall in the ground, without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

GRAZING

12. No person shall, without the consent of the Council, turn out or permit any animal to graze in the ground.

PROTECTION OF FLOWER BEDS, TREES, GRASS, ETC.

13. No person who brings or causes to be brought into the ground a vehicle shall wheel or park it over or upon:

- a. any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or
 - b. any part of the ground where the Council, by a notice placed in a conspicuous position in the ground, prohibits its being wheeled or parked.
14. No person shall in the ground enter upon:
- a. any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or
 - b. any part of the ground set aside for the renovation of grass or turf, where adequate notice to keep off such grass or turf is exhibited.

REMOVAL OF SUBSTANCES

15. No person shall remove from or displace in the ground any stone, soil or turf, or the whole or any part of any plant, shrub or tree.

GAMES

16. the Council has, by a notice placed in a conspicuous position in the ground, set apart an area in the ground for the playing of such games as may be specified in the notice, no person shall:
- a. play in such an area any game other than the game for which it has been set apart;
 - b. use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or
 - c. play any game so specified in any other part of the ground in such a manner as to exclude any person not playing the game from the use of that part.
 - d. when the area is already occupied by other players not begin to play thereon without their permission;
 - e. where the exclusive use of the area has been granted by the Council for the playing of a match, play on that area later than a quarter of an hour before the time fixed for the beginning of the match unless taking part therein; or
 - f. except where the exclusive use of the area has been granted by the Council for the playing of a match in which he is taking part, use the area for longer time than two hours continuously, if any other player or players make known to him a wish to use the area.
17. No person shall, in any area of the ground which may have been set apart by the Council for any game, play any game when the state of the ground or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the ground.
- 18.(1) No person shall in the ground play any game:
- a. so as to give reasonable grounds for annoyance to any other person in the ground; or
 - b. which is likely to cause damage to any tree, shrub or plant in the ground.
- (2) This byelaw shall not extend to any area set apart by the Council for the playing of any game.

GOLF

19. No person shall in the ground drive, chip or pitch a hard "golf ball, except on land set aside by the Council for use as a golf course, golf driving range, golf practice area or putting course.

CRICKET

20. No person shall use any cricket ball, except in any part of the ground which, by a notice placed in a conspicuous position in the ground, has been set aside as an area where a cricket ball may be used.

SKATEBOARD AND ROLLER SKATING

21. No person shall in the ground skate on rollers, skateboards, wheels or other mechanical contrivances in such a manner as to cause danger or nuisance or give reasonable grounds for annoyance to other persons in the ground.

MISSILES

2. No person shall in the ground, to the danger or annoyance of any other person in the ground, throw or discharge any missile.

WATERWAYS

23. No person shall:

Bathing

- a. without reasonable excuse, bathe or swim in any waterway comprised in the ground;

Pollution of Waterways

- b. intentionally, carelessly or negligently foul or pollute any waterway comprised in the ground;

Watercourses

- c. No person shall knowingly cause or permit the flow of any drain or water course in the ground to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus in the ground.

BOATS

24. No person shall, without the consent of the Council, launch, operate or sail on any water way comprised in the ground any boat, power craft, dinghy, canoe, sailboard, inflatable or any like craft.

INTERFERENCE WITH LIFE-SAVING EQUIPMENT

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

AIRCRAFT

26. No person shall, except in case of emergency or with the consent Council, take off from or land in the ground in an aircraft, helicopter, glider or hot-air balloon.

POWER DRIVEN MODEL AIRCRAFT

- 27.(1) No person shall in the ground release any power-driven model aircraft for flight or control the flight of such an aircraft.

- (2) No person shall cause any power-driven model aircraft to take off or land ground.

In this byelaw:

"model aircraft" means an aircraft which either weighs not more 1 kilograms without its fuel or is for the time being exempted (as a aircraft) from the provisions of the Air Navigation Order;

"power driven" means driven by the combustion of petrol vapour or combustible vapour or other combustible substances, or by one or more electric motors or by compressed gas.

KITES

28. No person shall in the ground fly or cause or permit to be flown any kite in such a manner as to cause a danger, nuisance or annoyance to any other person ground.

FIRES

29. (1) No person shall in the ground intentionally light a fire, or place, throw or a lighted match or any other thing so as to be likely to cause a fire.
- (2) This byelaw shall not apply to any event held with the consent of the council

30. This byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker or barbecue in any area set aside for the purpose, in such a manner as to not cause danger of or damage by life.

FISHING AND PROTECTION OF WILDLIFE

31. (1) No person shall in the ground intentionally kill, injure, take or disturb animal or fish or engage in hunting, shooting or fishing, or the setting of traps or nets or the laying of snares.
- (2) This byelaw shall not prohibit any fishing which may be authorised by the Council.

NOISE

32. (1) No person shall in the ground, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or any person acting on his behalf:
- a. by shouting or singing;
 - b. by playing on a musical instrument; or
 - c. by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument.
- Cause 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.
- (2) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

PUBLIC SHOWS, EXHIBITIONS AND STRUCTURES

33. No person shall in the ground, without the consent of the Council, place or take part in any show or exhibition, or set up any swing, roundabout or other like thing.

GATES

34. Where the Council indicates by a notice conspicuously exhibited on or alongside any gate in the ground that leaving that gate open is prohibited, no person having opened that gate or caused it to be opened, shall leave it open.

OBSTRUCTION

35. No person shall in the ground:
- (a) intentionally obstruct any officer of the Council in the proper execution of his duties;
 - (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) intentionally obstruct any other person in the proper use of the ground, or behave so as to give reasonable grounds for annoyance to other persons in the ground.

SAVINGS

36. (1) An act necessary to the proper execution of his duty in the ground by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.

- (2) Nothing in or done under any of the provisions of 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 legally by virtue of some estate, right or interest in, over or affecting the ground or any part thereof.

REMOVAL OF OFFENDERS

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

PENALTY

38. 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.

REVOCAATION

39. The following byelaws relating to the grounds are hereby revoked:
- (a) byelaws 2-11 and 13-24 of the byelaws made by the Council 0] December 1969 and confirmed by the Secretary of State for the Home Department on 13 March 1970;
 - (b) byelaws 3 and 4 of the byelaws made by the Council on 9 November 1972 and confirmed by the Secretary of State for the Home Department 28 March 1973; and
 - (c) byelaw 1(ii) of the byelaw made by the Council on 30 October 1979 confirmed by the Secretary of State for the Home Department 19 February 1980.

SCHEDULE

Pleasure grounds and open spaces to which these byelaws apply:

- 1 ABBEY LANE OPEN SPACE
- 2 BALAAM STREET RECREATION GROUND
- 3 BARKING ROAD RECREATION GROUND
- 4 BEAUMONT ROAD OPEN SPACE
- 5 BECKTON DISTRICT PARK NORTH
- 6 BECKTON DISTRICT PARK SOUTH
- 7 BRAMPTON PARK
- 8 BRIDGE ROAD AMENITY AREA
- 9 CANNING TOWN RECREATION GROUND
- 10 CARSON ROAD OPEN SPACE
- 11 CENTRAL PARK
- 12 CHANDOS ROAD AMENITY AREA AND ENCLOSED AREA
- 13 CHANNELSEA OPEN SPACE
- 14 CHESTERTON ROAD/UPPER ROAD
- 15 CUNDY ROAD PARK
- 16 DENSHAM ROAD AMENITY AREA
- 17 DREW ROAD OPEN SPACE
- 18 FISHER STREET OPEN SPACE
- 19 FOREST LANE PARK
- 20 GAY ROAD AMENITY AREA
- 21 GOOSELEY PLAYING FIELD
- 22 GREENWAY (NORTHERN OUTFALL SEWER EMBANKMENT)
- 23 HATHAWAY CRESCENT OPEN SPACE
- 24 HERMIT ROAD RECREATION GROUND
- 25 KIER HARDIE RECREATION GROUND
- 26 KING GEORGE V. PARK
- 27 LEGGAT ROAD
- 28 LISTER GARDENS
- 29 LITTLE ILFORD PARK
- 30 LYLE PARK
- 31 MAYFIELD ROAD/STAR LANE OPEN SPACE
- 32 MEMORIAL RECREATION GROUNDS
- 33 MAJOR ROAD OPEN SPACE
- 34 NEWBECKTONPARK
- 35 OAK CRESCENT OPEN SPACE
- 36 ODESSA ROAD OPEN SPACE

37 OHIO ROAD/STAR LANE OPEN SPACE
38 PIER ROAD OPEN SPACE
39 PLASHET PARK
40 PORTWAY/EVESHAM ROAD
41 PRIORY PARK
42 ROMAN ROAD OPEN SPACE
43 ROSETTA DRI-PLAYAREA
44 ROYAL VICTORIA GARDENS
45 SANDAL STREET AMENITY AREA
46 STAR PARK
47 THE GROVE SIDEWALK
48 VALETTA GROVE AMENITY AREA
49 WATSON ROAD/QUEENS ROAD WEST
50 WEST HAM LANE RECREATION GROUND 51 WESTWOOD ROAD
52 WHYTHES ROAD/ALBERT ROAD OPEN SPACE

LONDON BOROUGH OF NEWHAM

PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Byelaws made by the London Borough of Newham under section 164 of the Public Health Act 1875, section 15 of the Open Spaces Act 1906 and sections 12 and 15 of the Open Spaces Act 1906 with respect to pleasure grounds and open spaces named in the Schedule to the byelaws.

The series of byelaws made by the London Borough of Newham on the 24th August 1998 and confirmed by the Secretary of State for the Home Department on 20th October 1998 is hereby amended as follows:-

The following byelaw shall be incorporated after byelaw 3 and noted as byelaw 3A:

HORSES

- 3A (1) No person shall, except in the exercise of any lawful right or privilege, ride a horse in the ground.
- (2) No person shall, without the consent of the Council, bring or cause to be brought into the ground a horse drawn trailer.
- (3) (i) Where any part of the ground known as Beckton District Park South has, by notices placed in conspicuous positions in the ground, been set apart by the Council as an area where horse-riding is pennitted, no person shall, except in the exercise of any lawful right of privilege, ride a horse in any other part of the ground.
- (ii) In any part of the ground which has been set apart by the Council for horse-riding or where there is a lawful right or privilege to ride a horse, no person shall intentionally or negligently ride a horse to the danger of any other person using the ground.

THE COMMON SEAL of THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF NEWHAM

(was hereunto affixed in the presence of)

(Signed)

Gifty Edila . Authorised Signatory

Dated this 25 day of February 2000

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the twelfth day of May 2000

Signed by authority of the Secretary of State

R. G. EVANS

Head of Unit Constitutional and Community Policy Directorate

3 APR 2000 Home Office

LONDON, SW1.