

# APPENDIX 1 – DRAFT UPDATED BYLAWS

## THE LONDON BOROUGH OF HAVERING

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

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Byelaws made under section 164 of the Public Health Act 1875 and sections 12 and 15 of the Open Spaces Act 1906 by the London Borough of Havering with respect to those pleasure grounds, public walks and open spaces as listed in Schedule 1

## **PART 1 GENERAL**

### **General Interpretation**

1. In these byelaws:

“the Council” means the London Borough of Havering;

“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;

“designated times” means the times an activity is permitted 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.

“permission” means written permission from the Parks and Open Spaces manager obtained prior to the activity which will not be unreasonably withheld

### **Application**

2. These byelaws apply to all of the grounds listed in the 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 when the ground is open to the public by 8am every morning until approximately 30 minutes after sunset..
- (3) Byelaw 3(1) applies only to the grounds listed in part 1 of Schedule 2 and car parks listed in part 2 of Schedule 2.
- (4) The Council reserves the right to alter the opening hours of car parks depending on usage

## PART 2

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

#### Protection of structures and plants

4. (1) No person shall without permission 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, stand, sit, lie, 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, shelter or any other structure temporary or otherwise.

#### 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.

#### Animals

7. No person shall without the consent of the Council keep any animal in the ground or 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.

#### 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 9(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.

## Temporary Accommodation

10. No person shall without the consent of the Council erect a tent, use a caravan or any other structure or vehicle being used for the purpose of temporary accommodation

## 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; eg fireworks displays etc

## Missiles

12. No person shall throw or use any device to propel or discharge within 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 a horse except:
- (a) in the designated areas of the grounds listed in Part 4 of Schedule 2 or
  - (b) in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted in any ground by virtue of byelaw 15(1)(a) or a lawful right or privilege, no person shall ride a horse in such a manner as to cause annoyance or risk to any others (including rider)

## Cycling

16. No person shall cycle in such a manner as to cause annoyance or risk to any other others (including rider)

## Motor vehicles

17. No person shall without permission 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.

## Overnight parking

18. No person shall without permission leave or cause or permit to be left any motor vehicle between closing and opening times

### PART 4

### PLAY AREAS, GAMES AND SPORTS

#### Interpretation of Part 4

19. In this Part:

“ball games” means any game involving throwing, catching, kicking, putting, batting or running with any ball or other object designed for throwing and catching,

“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. a) Where a notice is conspicuously displayed on or near apparatus states it is to be for the exclusive use of persons under a certain age, no person over that age shall use such apparatus.
- b) Where a notice is conspicuously displayed on or near apparatus states it is to be for the exclusive use of persons over a certain age, no person under that age shall use such 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 any others .

## **Ball games**

23. No person shall play ball games in the grounds listed in Part 3 of Schedule 2.
24. Where a notice is conspicuously displayed on or near ground states that ground is a designated area for a particular ball game, no person shall play any other game.
25. Where ball games are permitted no person shall play such games in a manner:
- (a) as to cause danger or 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.

## **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 permission from the Council

### **Golf**

28. No person shall drive, chip, or pitch a hard golf ball except on Hall Lane Miniature Golf Course

## **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; and electricity

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

#### **Bathing**

30. No person shall without permission 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 listed in Part 5 of Schedule 2
33. Where model boats are permitted, no person shall operate a power-driven model boat on any waterway in a manner
- (a) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
  - (b) which is likely to cause damage to any waterway,
  - (c) which is likely to cause harm to any fish, bird or other animal

### **Boats**

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

## Fishing

35. 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 in the sites listed in Part 6 of Schedule 2
36. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals in a manner:
- (a) as to cause danger or give reasonable grounds for annoyance to any other person
  - (b) which is likely to cause damage to any waterway, tree, shrub or plant
  - (c) which is likely to cause harm to any fish, bird or other animal
37. No person shall without permission from the Council in any waterway cast a net or line for the purpose of catching fish or other animals overnight.
38. No person shall permanently remove any fish from the water
39. No more than **two** rods per person shall be used.
40. Fishing may be prohibited during the closed season (15<sup>th</sup> March – 15<sup>th</sup> June) on lakes where prior notice is given

## Blocking of watercourses

41. 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

42. 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**

- 43. 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; or
  - (b) land in the ground without reasonable excuse;in any ground other than the designated area in Bretons Outdoor Recreation Centre
- 44. Where model aircraft are permitted no person shall use any power-driven model aircraft in a manner to recklessly or deliberately :
  - (a) as to cause danger or give reasonable grounds for annoyance to any other person in the ground or surrounding area; or
  - (b) which is likely to cause damage to any tree, shrub or plant in the ground.

## **PART 7**

### **OTHER REGULATED ACTIVITIES**

#### **Provision of services**

- 45. No person shall without permission from the Council provide or offer to provide any service for which a charge is made.

#### **Excessive noise**

- 46. (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, music player or similar device.
- (2) Byelaw 40(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

## **Public shows, performances, events and organised activities**

47. No person shall without permission from the Council hold or take part in any public show, performance, meeting, event or organised activity.

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

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

#### **Kites**

49. No person shall fly any kite in the grounds listed in Part 3 of Schedule 2
50. Where it is permitted 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**

51. No person without permission from the Council shall use any device designed or adapted for detecting or locating any metal or mineral in the ground.
52. Where permission has been granted no person shall use any such device in a manner
- (a) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
  - (b) which is likely to cause damage to any flower bed, lawn, tree, shrub or plant in the ground.

## **PART 8**

### **MISCELLANEOUS**

#### **Obstruction**

53. No person shall obstruct:
- (a) any officer of the Council or constable 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**

54. (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**

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

#### **Penalty**

56. 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**

57. The byelaws made by the London Borough of Havering on *insert date* and confirmed by the Secretary of State for the Department of Communities and Local Government *insert date of confirmation* relating to the ground are hereby revoked.

## SCHEDULES

### SCHEDULE 1

#### GROUNDS TO WHICH BYELAWS APPLY GENERALLY

A12/Whitland Way Bund  
Abbey Wood Lane Open Space  
Abbs Cross Land  
Airfield Way Land Site 1  
Airfield Way Land Site 2  
Ashbourne Road Amenity land  
Avelon Road  
Balgores Lane Playing Fields  
Bancroft Chase  
Bedfords Park  
Bell Avenue Playground  
Bretons Outdoor Recreation Centre  
Bridge Road Land, Rainham  
Briscoe Road Verge  
Brittons Playing Fields  
Brookway Amenity Space/  
Broxhill Centre  
Byron Way Amenity Land  
Cavendish Crescent Playsite  
Central Park, Harold Hill  
Charlbury Crescent Playsite  
Chelmsford Avenue Amenity Land/Playgrounds  
Chudleigh Road Open Space  
Clockhouse Gardens, Upminster  
Colchester Road/Cornflower Way Open space  
Collier Row Recreation Ground  
Collier Row Green Link/Bacon Link  
Coronation Gardens  
Cottons Park, Romford  
Cranham Brickfields (aka Cranham Playing Fields)  
Cross Road Playsite

Dagnam Park  
Dagnam Park Amenity Land  
Dorking Road Playsite  
Duck Wood and adjacent Land  
Elliot Playing Field  
Faringdon Avenue Flood Lagoon  
Fir Wood  
Fielder's Sports Ground, Hornchurch  
Fleet Close/Severn Drive Recreation Ground  
Forest Row Playsite  
Frederick Road Playing Fields/Mardyke Open Space  
Front Lane Land  
Gaynes Parkway, Upminster  
Gidea Park Playing Fields/Sports Ground

Glen Estate Playspace  
Gooshays Gardens/ Gooshays Drive Amenity Land Site 1  
Gooshays Gardens/ Gooshays Drive Amenity Land Site 2  
Grenfell Park, Hornchurch  
Hacton Parkway, Upminster  
Halesworth Road Playground  
Hall Lane Miniature Golf Course  
Harlow Gardens Playsite  
Harold Wood Park  
Harrow Lodge Park, Hornchurch  
Hatters Wood  
Hatters Wood Land Junction of Whitchurch Road and Dagnam Park Drive  
Havering Country Park  
Havering Playing Field  
Havering Road Land  
Havering Village Green  
Havering Well Garden  
Haynes Park, Hornchurch  
Heaton Avenue Playsites: Dryden & Kipling  
Hitchin Close  
Hornchurch Country Park/Ingrebourne Nature Reserve  
Hylands Park, Hornchurch  
Jutsums Lane Recreation Ground  
Keats Avenue Playsite  
Kilmartin Way Amenity Land Site 1  
Kilmartin Way Amenity Land Site 2  
King George's Playing Field, Romford  
Land adjacent to 20 Queen Mary Close  
Knightswood Recreation Ground  
Langtons Gardens, Hornchurch  
Launceston Close, Tavistock Close and Widecombe Close  
Lawns Park, Romford  
Lexington Way  
Lilliput Road Open Space  
Lodge Farm Park  
Lower Mardyke Avenue Land  
Malan Square Amenity Space  
Mawney Close Playground  
Maybank Avenue/South End Road Playsite/Louis Marchesi  
Montgomery Crescent Amenity Land  
Morris Road/ Meynell Road Playsite  
Myrtle Road Open Space  
New Road Land, Rainham  
New Road Land/Dunedin Road  
Newbury Road/ Newbury Close Playsite  
Noak Hill Playing Field/Recreation Ground  
North Hill Drive Recreation Ground  
Ockendon Road Land  
Old Church Parksite  
Painesbrook Open Space/Adventure Playground  
Painesbrook Way/Amersham Amenity Land Site 1  
Painesbrook Way/Amersham Amenity Land Site 2  
Park Lane Recreation Ground  
Parklands Open Space, CorbetsTey Road, Upminster  
Penzance Gardens Amenity Land

Petersfield Avenue/A12  
Petersfield Avenue/ Fairford Way  
Platford/ Tyle Green  
Priory Road Land  
Priory Road Open Space/Little Hatters Wood  
Queens Theatre Green, Billet Lane, Hornchurch  
Rainham Bowling Green  
Rainham Creekside Path  
Rainham Recreation Ground  
Raphael Park  
Rise Park  
Robert Beard Youth Centre land  
Rodney Way Playsite  
Romford Library Gardens  
Romford Ice Rink  
Rush Green Road Open Space  
Sage Wood Site 1  
Sage Wood Site 2  
Sage Wood Site 3  
Heffield Drive Open Space  
Shoulder of Mutton Wood Site 1  
Shoulder of Mutton Wood Site 2  
Spring Farm Park, Rainham  
St Andrews Park, Hornchurch  
St Neots Adventure Playing Fields  
Stirling Close, Rainham (Bunded Land adjacent to New Road)  
Straight Road Woodland, Harold Wood  
Stratton Wood  
Sunflower Way Flood Lagoon  
Suttons Parkway  
Swanbourne Drive Amenity Land  
The Chase  
The Dell Open Space  
The Glen, Rainham  
The Green, Wennington  
Thurloe Gardens adjacent 18 King Edward Road  
Thurloe Gardens, Romford  
Tiverton Grove/Bedale Road  
Tring Gardens/ Whitchurch Road Lane  
Tring Gardens Land  
Tring Green Amenity Land  
Tweedway Hall Land  
Tylers Common  
Upminster Hall Playing Field  
Upminster Park, Upminster  
Upminster War Memorial  
Upminster Windmill Open Space  
Upper Rainham Road Land  
Victory Way Amenity Land  
Waltom Road Amenity Land  
Warley Hall Wood, A127 (Southend Arterial Road)  
Waycross Road  
Westlands Playing Fields  
Land to rear of 6-12 Wheatsheaf Road, Romford  
White Hart Lane Playsite, Collier Row



Whybridge Close Playsite  
Wigton Way Land  
Wrexham Road Amenity Lad

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SCHEDULE 2  
**GROUNDS REFERRED TO IN CERTAIN BYELAWS**

PART 1

OPENING TIMES (BYELAW 3(1))

Broxhill Centre  
Brookway Open Space  
Chelmsford Avenue Open Space  
Clockhouse Gardens  
Collier Row Recreation Ground  
Cottons Park  
Fielders Sports Grounds  
Forest Row Playsite  
Gidea Park Sports Ground  
Harold Wood Park  
Haynes Park  
Hylands Park  
Jutsums Recreation Ground  
King George's Playing Field  
Langtons Gardens  
Lawns Park  
Lodge Farm Park  
Louis Marchesi  
Park Lane Recreation Ground  
Raphael Park  
Rise Park  
Spring Farm Park  
St Andrews Park  
The Glen Elm Park  
Westlands Playing Field

PART 2  
CAR PARKS

Bedfords Park  
Bretons Outdoor Recreation Centre  
Brittons Playing Field  
Cranham Brickfields  
Dagnam Park  
Harrow Lodge Park  
Haynes Park  
Hornchurch Country Park  
Parklands Open Space  
Upminster Hall Playing Fields  
Tylers Common  
Upminster Park

PART 3  
BALL GAMES and KITES

Byron Way Amenity Land  
Clockhouse Gardens  
Coronation Gardens  
Galleywood Crescent Amenity Land  
Gooshays Drive Amenity Land- 2 sites  
Hacton Lane Land  
Kingbridge Circus Amenity land  
Langtons Gardens  
Louis Marchesi Playsite  
St Edward the Confessor Churchyard  
St Helen and St Giles Churchyard  
St Neots Road/ Penzance Road Amenity Land  
Swanbourne Drive Amenity Land  
Walton Road Amenity Land

PART 4

HORSE RIDING PROHIBITED EXCEPT IN CERTAIN GROUNDS SUBJECT TO  
BRIDLEWAY, ETC

Brettons Outdoor Recreation Centre  
Dagnam Park (aka The Manor)  
Havering Country Park  
Hornchurch Country Park

PART 5  
MODEL BOATS

Clockhouse Gardens  
Langtons Gardens

PART 6  
FISHING

Bedfords Park,  
Brettons Outdoor Recreation Centre  
Dagnam Park,  
Harrow Lodge Park,  
Hornchurch Country Park,  
Parklands,  
Raphael Park,

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