

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.

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. (1) 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.
- (2) No dogs, with the exception of assistance dogs, within designated play areas.

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 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 stating that within the ground there is a designated area for a particular ball game, no person shall play any other game.
25. No game is to be played on the designated area especially on the day of an authorised game.
26. 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

27. 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

28. 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

29. 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

30. 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

31. No person shall without permission bathe or swim in any waterway.

Ice skating

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

Model boats

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

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. [except in a designated area for the sailing or operation of boats].

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. A valid fishing rod licence must be held.
40. Fishing may be prohibited during the closed season (15th March – 15th 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 & DRONES

Interpretation of Part 6

42. In this Part:

“model aircraft or Drones” means an aircraft or drone which weighs not more than 20 kilograms;

“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 or drone 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 or lawful authority;
- in any ground other than the designated area in Bretons Outdoor Recreation Centre or other designated suitable grounds

All operators must be authorised by the Council and have a Flyer & Operator ID and must always comply with Civil Aviation Authority (CAA) guidelines, The Drone & Model aircraft Code & Park Byelaws.

44. Where model aircraft and drones are permitted no person shall use any power-driven model aircraft or drone 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.
 - (c) cause alarm, distress or danger to animals frequenting the grounds

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 or local residents residing on the immediate boundary of 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, the written consent and liability insurance documentation must be carried and 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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