

Byelaws for Pleasure Grounds, Public Walks and Open Spaces

Byelaws made by the Council of the London Borough of Hammersmith and Fulham under section 164 of the Public Health Act 1875, and sections 12 and 15 of the Open Spaces Act 1906, with respect to pleasure grounds, public walks and open spaces.

Interpretation

1. In these byelaws:

“the Council” means the Council of the London Borough of Hammersmith and Fulham;

“the ground” means any of the grounds listed in Schedule 1 of the byelaws;

“cycle” means a bicycle, a tricycle, or a cycle having four 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, whether or not intended or adapted for use on roads, 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, whether or not intended or adapted for use on roads, not being an invalid carriage.

“trailer” means a vehicle drawn by a motor vehicle, and includes a caravan;

“jet-propelled or rocket propelled” means driven by 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 (one inch) in length;

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

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

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

Opening times

2. On any day on which any grounds listed in Schedule 2 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.

Climbing

3. 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

4. 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

5. 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.

Grazing

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

Vehicles

7. (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.

(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 the route, indicated by the signs placed in conspicuous positions, between it and the entrance to the ground.

(4) This byelaw shall not extend to invalid carriages.

Protection of flower beds, trees, grass, etc.

8. 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 it being wheeled or parked.

9. No person shall in the ground enter upon:

(a) any flower bed, shrub or plant, or any ground in the course of preparation of 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

10. 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.

Skateboarding and roller skating

11. No person shall in the ground skate, slide or ride on rollers, skateboards, wheels or other mechanical contrivances, except on any part of the ground which has been set apart by the Council for that purpose and indicated by a notice conspicuously positioned in that part of the ground.

Bathing

12. No person shall, without reasonable excuse, bathe or swim in any ornamental lake, pond, stream or other water comprised in the ground, except in an area where a notice exhibited by the Council permits bathing and swimming.

Pollution of waterways

13. No person shall intentionally, carelessly or negligently foul or pollute any ornamental lake, pond, stream or other water in the ground.

Children's play areas

14. (1) No person who has attained the age specified in a notice conspicuously positioned at the entrance to the children's play area shall enter or remain in any of the children's play areas named in Schedule 3 to these byelaws.

(2) This byelaw shall not apply to any person who is *bona fide* in charge of a person under the age specified in such a notice.

Children's play apparatus

15. No person who has attained an age specified in a notice placed on or near any apparatus in the ground, shall use such apparatus, which, by the notice, has been set apart by the Council for the exclusive use of persons under that age.

Games

16. Where 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 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.

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 games.

Ball Games

19. No person shall play or take part in any ball game in the following grounds:-

(1) Fulham Palace Grounds

(2) The Peace Garden, Bishop's Park

(3) The Disused Burial Site at Furnival Gardens

(4) Gwendwr Gardens

Model aircraft

Byelaw 20 shall not apply to the open space known as Wormwood Scrubs.

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

(2) No person shall cause any jet-propelled or rocket propelled or other power-driven model aircraft to take off or land in the ground

Byelaws 21 to 25 apply only to the open space known as Wormwood Scrubs.

21. (1) No person shall in the ground release any jet-propelled or rocket propelled model aircraft for flight or control the flight of such an aircraft.

(2) No person shall cause any jet-propelled or rocket propelled model aircraft to take off or land in the ground.

22. (1) Where any part of the ground has, by a notice conspicuously exhibited in the ground, been set apart by the Council for the flying of power driven model aircraft, no person in any other part of the ground shall release any such aircraft for flight, or control the flight of such an aircraft, and no person shall:

(a) cause such an aircraft to take off; or

(b) without reasonable excuse, cause such an aircraft to land in such other part of the ground.

(2) Where an area within a part of the ground so set apart for the flying of power-driven model aircraft is designated by the Council as an area from which aircraft may be launched and is described in a notice placed in a conspicuous position on the ground, no person shall release such an aircraft for flight, or cause such an aircraft to take off, in any part of the ground other than that area.

23. No person shall:

(a) in the ground release any power-driven model aircraft for flight or control the flight of such aircraft; or

(b) cause any such aircraft to take off or land in the ground

unless it is attached to a control line or radio controlled and kept under effective control

24. No person shall:

(a) in the ground release any power-driven model aircraft for flight or control the flight of such an aircraft; or

(b) cause any such aircraft to take off or land in the ground except on the days and during the hours specified in the table below:

Day	Hours
Monday	1pm - 7.30pm
Tuesday	9am - 6pm
Wednesday	4pm - 7.30pm
Thursday	9am - 6pm
Friday	1pm - 7.30pm
Saturday	9.30am - 1pm
Sunday	10am - 1pm

even then, in relation to the period from 30th September to 30th April inclusive, not during a time when the Council has indicated, by a notice conspicuously exhibited in the ground, that the ground is being used for other activities.

25. (1) No person shall:

(a) in the ground release any power-driven model aircraft for flight or control the flight of such an aircraft; or

(b) cause any such aircraft to take off or land in the ground, unless:

(i) the noise emitted by the aircraft gives a noise measurement of not more than 82dB(A) at a distance of 7 metres from the aircraft when measured by means of the equipment described, and by the method set out, in the Code of Practice issued in pursuance of the approval given by the Control of Noise (Code of Practice on Noise from Model Aircraft) Order 1981 ; and

(ii) subject to sub-paragraph 25(2) below, the aircraft is fitted with an effectual silencer or similar device

(2) Sub -paragraph (25)(1) (ii) above shall not have effect in relation to an aircraft to which the fitting of a silencer or similar device is not reasonably practicable

Filming and Photography

26. No person shall in the ground, without the consent of the Council, make any film, telerecording or photograph for commercial gain.

Trading

27. 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 or provide or offer to provide any service for which a charge is made.

Noise

28. (1) No person shall in the ground, after being requested to desist by an officer of the Council or by any other person annoyed or disturbed, or by 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.

Obstruction

29. 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

30. (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, rights or interest in, over or affecting the ground or any part thereof.

(3) The provisions of these byelaws shall not apply to the Ministry of Defence in relation to activities carried out on Wormwood Scrubs by it pursuant to an agreement entered into between the Secretary of State for Defence and the Greater London Council dated 1st October 1980 or any subsequent agreement between the relevant government department and the Council.

Removal of offenders

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

Penalty

32. 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

33. Byelaws 2-13, 15-23(a), 24(ii) and 27 of the byelaws made by the Mayor Aldermen and Burgesses of the London Borough of Hammersmith on the 18th October 1974 and confirmed by the Secretary of State for the Home Department on 20th May 1976 are hereby revoked.

SCHEDULE 1

The grounds referred to in byelaw 1 are as follows:

All Saints Church Gardens
Bentworth Open space
Berestede Open space
Bishops Park (including the detached area known as the Moat Gardens, The Wilderness and Vicarage Gardens)
Brook Green
Cathnor Park
Dalling Road Open Space
Eel Brook Common
Frank Banfield Park
Fulham Palace Grounds
Furnival Gardens
Gwendwr Gardens
Gwendwr Gardens Open Space
Godolphin Road Open Space
Hammersmith Park
Hurlingham Park
Lillie Road Recreation Ground
Little Wormwood Scrubs
Marcus Garvey Park
Margravine Gardens
Maxwell Road Open Space
Norland North Open Space
Normand Park
North Pole Road Open Space
North Verbena Gardens
Parsons Green
Purcell Crescent Recreation Area
Ravenscourt Park
Rowberry Mead
Sands Wharf Open Space
St. Andrews Church Gardens
St. John's Churchyard
St. Mary's Churchyard
St. Matthew's Church Gardens
St. Paul's Gardens (Hammersmith Road)
St. Paul's Church (the grounds of St. Paul's Church, Hammersmith Broadway)
St. Paul's Green
St. Peter's Churchyard
St. Peter's Square
Shepherds Bush Green
South Park
Starch Green
Stevenage Park
Upper Mall Open Space
Wendell Park
Westcroft Square
William Parnell Park (including Langford Gardens)
Wormholt Park
Wormwood Scrubs

SCHEDULE 2

The grounds referred to in byelaw 2 are as follows:

Bishop's Park
Eelbrook Common children's play area
Fulham Palace Grounds
Gwendwr Gardens
Hammersmith Park
Hurlingham Park
Lillie Road Recreation Ground
Margravine Gardens
Normand Park - lockable areas
Purcell Crescent
South Park
St. Paul's Church (the grounds of St. Paul's Church, Hammersmith Broadway)
St Peter's Square
Wendell Park
Westcroft Square
William Parnell Park (moat area)
Wormholt Park

SCHEDULE 3

The children's play areas referred to in byelaw 14 are as follows:

Bishops Park Children's Play Area
Brook Green Play Area
Cathnor Park Children's Play Area
Eel Brook Common Children's Play Area
Eel Brook Common Toddlers Play Area
Frank Banfield Children's Play Area
Godolphin Road Open Space Children's Play Area
Hammersmith Park Children's Play Area
Hurlingham Park Play Area
Little Wormwood Scrubs Children's Play Area
Marcus Garvey Park Children's Play Area
Margravine Gardens Children's Play Area
Maxwell Road Open Space
Normand Park Play Area
Ravenscourt Park Children's Play Area
Ravenscourt Park Adventure Playground
Rowberry Road Open Space Children's Play Area
Shepherds Bush Green Children's Play Area
South Park Toddlers Play Area
Upper Mall Open Space Children's Play Area
Wendell Park Children's Play Area
William Parnell Children's Play Area
Wormholt Park Toddlers' Area
Wormholt Park Play Area

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