

London Borough of Bromley

CRYSTAL PALACE PARK BYELAWS

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PARKS & OPEN SPACES BY-LAWS

London Borough of Bromley Parks and Open Spaces

Parks, Gardens and Open Spaces, By- Laws

BY-LAWS made on 1 November 1932 (in operation from and including 1 April 1933), by the London County Council in pursuance of the provisions of the London Council (General Powers) Act 1 the London County Council (General Powers) Act 1898, and the London County Council (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 and extended by The Greater London Council made under the provisions of the Open Spaces Act 1906. London Borough of Bromley is empowered to use these by-laws by virtue of Section 98 (4) and (5) (b) of the Local Government Act 1985.

Definitions

In these by-laws, unless the context otherwise requires "The Council" means the London Borough of Bromley, "Open Spaces" means any Park, Garden or Open Space vested in or under the control of the Council.

Damage and Injury

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.

* No person shall remove, uproot, destroy or injure any tree, shrub or plant, or pluck any flower, bough or leaf, or log, cut or take any turf, sod, gravel, sand, clay or other substance in any open space

.No person shall climb any tree or on over any gate, fence or railing in or enclosing any open space.

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 flowerbed.

Trespass

No male person over the age of 14 shall go or attempt to go into any part of the 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

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

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.

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 time.

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.

Building and Obstructions

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

No person shall except in the case of accident or unavoidable cause land in any open space or take off there from 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.

No person shall in any open space, except on roads or other places approved by the Council, ride or drive and Horse or other beast draught or burden or any bicycle, tricycle, or any vehicle drawn or propelled by any animal or by mechanised power.

A person shall not in the grounds release any power driven model aircraft for flight or control the flight of such an aircraft.

A person shall not in the ground or any open space control any power driven model vehicle.

A person shall not in the Lakes, Rivers or Ponds control any power driven model boat or submersible.

No person 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.

Any person driving any vehicle in an 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.

No person shall in any open space drive or in any way use a Motor Vehicle for the purpose of giving or receiving instruction in driving, managing or repairing such vehicle.

No person shall leave any mechanically propelled vehicle:

Unattended in any open space except at such places as are – approved by the Council as standing or parking places.

On any Road in any open space after having been requested by a duly authorised Officer of the Council or a Constable to remove it.

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

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

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

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 any tree, shrub or plant.

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.

No person shall in any part of the 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 to suffer any Dog belonging to him or in his charge for the time being to enter or remain therein unless such a 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.

No person shall in any open space train any Whippet or other Dog.

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 it's Clerk.

No person shall in any open space wilfully disturb any animal grazing or shall harry ill-treat, 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.

No person shall in any open space wilfully disturb any animal grazing or shall harry ill-treat, 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

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

No person shall wilfully break any Glass, China or other like thing in any open space

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

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.

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 Firework.

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

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.

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. 1V, cap. 83) whether the offence be committed with intent to insult any Female or not.

No person of 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.

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 and advertisement without the consent of the Council in writing under the hand of it's Clerk.

Plying for Hire

No person shall in any open space ply for hire, or let out any Horse or other animal or take any vehicle without the consent of the Council in writing under the hand of it's Clerk.

Public Meetings

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

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

Soliciting or Gathering Money

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 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 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, Thrilling, etc.

No person shall in any open space practice gymnastics; play or make prevarication 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 it's Clerk except on the parts or places respectively set apart therefore 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.

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 connection 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 in necessary or convenient for persons using any open-air bath or swimming pool, such a regulation being specified in a notice exhibited on the other parts or places set apart for such rifle ranges, games, recreations, open-air baths or pools, as the case may be.

No person shall in any open space drill or practice military evolutions or exercises without the consent of the Council in writing under the hand of it's Clerk

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.

No person shall in any 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 duty or lawful exercise of his authority.

Offenders, Penalties, etc.

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 an offence shall continue after written notice of the offence shall have been given by the Council * See note 3.

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 any 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, 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

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 preventing or punishing offences, or with the powers of the Council as having the control of any open space.

Saving for Military Forces

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) Review (with the previous assent of the Council) of His Majesty's Troops and auxiliary forces, such assent to be subject to the following conditions:
 - d) When adequate area for such drill, encampment and reviews, respectively, has been fixed by the Council, that area only shall be used for such purposes
 - e) All damage done by His Majesty's Troops and auxiliary forces to the surface of any Heath or Common, which shall be capable of immediate representation, 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.
 - f) 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. * see note 3.

This by-law relates to Plumstead Common, which was transferred to the London Borough of Greenwich on 1 April 1971

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 of the one part, and the London County Council of the other part, for the purposes therein mentioned.

Notes

Article 19 of the Schedule to the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces act 1967) any Constable or any Officer of the Greater London Council authorised in writing to enforce by-laws having effect in relation to an open space, and any person called so the assistance of such Constable or Officer may without other warrant than this order 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 such Constable or Officer and take him to a Police Station or before a Justice, to be dealt with according to the Law. Provided that any Officer of the Greater London Council acting under this Article 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 authorised 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) Vagrancy Act 1824
- 2) Theft Acts 1968-1978
- 3) Malicious Damage Act 1861
- 4) Criminal Damage Act 1971
- 5) Metropolitan Police Act 1839

The maximum penalty is now £50-Local Government Act 1933 (section 251). Criminal Justice Act 1967 (section 92 (3) and Schedule 3 part II). Criminal Law At 1977 (section 31).

