LONDON BOROUGH OF SUTTON

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

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SCHEDULE 2
Rules for Playing Ball Games in Designated Areas

Byelaws made 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 by the Council of the London Borough Of Sutton with respect to the pleasure grounds, public walks and open spaces referred to in Schedule 1 to these byelaws.
PART 1

GENERAL

General Interpretation

1. In these byelaws:

“the Council” means the Council of the London Borough of Sutton
“the ground” means any of the grounds listed in Part 1 of Schedule 1 to these byelaws;
“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;
“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.

Application

2. These byelaws apply to all of the areas listed in 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 the days and times during which the ground is open to the public indicated by a notice placed in a conspicuous position at the entrance to the ground.
(3) Byelaw 3(1) only applies to the grounds listed in Part 2 of Schedule 1.

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

4.—(1) No person shall without reasonable excuse 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, 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 or any other structure.

Affixing of Signs

6. No person shall, without the consent of the Council, affix any bill, placard or notice to or upon any wall or fence in or enclosing the ground, or to any tree, building, barrier, railing, post or seat or any erection or ornament.

Climbing

7. 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.

Grazing

8. No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.

Protection of wildlife

9. No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting, or the setting of traps or nets or the laying of snares.

Gates

10.—(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 10(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.

Camping

11. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping except in a designated area for camping.

Fires

12.—(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 12(1) shall not apply to:

(a) any event at which the Council has given permission that fires may be lit;

(b) the use in a designated area for camping of a properly constructed camping stove or barbecue in such a manner as to safeguard against damage to the ground or danger to any person.

Missiles

13. No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.
Interference with life-saving equipment

14. 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

15. In this Part:
   “designated route” means a route in or through the grounds which is set aside for a specified purpose, that route and its 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 a mechanically propelled vehicle other than a motor cycle or invalid carriage;
   “trailer” means a vehicle drawn by a motor vehicle, and includes a caravan.

Horses

16.—(1) No person shall ride a horse in the ground except in the exercise of a lawful right or privilege.
   (2) In any part of the ground where horseriding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

Cycling

17. No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is right of way for cycles or on a designated route for cycling.

Motor vehicles

18. No person shall without reasonable excuse 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 for that class of vehicle.

Overnight parking

19. No person shall without the consent of the Council leave or cause or permit to be left any motor cycle, motor vehicle or trailer in the ground between the hours of [9 p.m. and 6 a.m.].
PART 4

PLAY AREAS, GAMES AND SPORTS

Interpretation of Part 4

20. In this Part:
   “ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket;
   “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

21. No person aged 14 years or over shall enter or remain in a designated area which is a children’s play area unless bona fide in charge of a child under the age of 14 years.

Children’s play apparatus

22. 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.

23. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities.

Ball games

24. —(1) No person shall play ball games in any of the grounds listed in Part 3 of Schedule 1.
   (2) No person shall play ball games outside a designated area for playing ball games in such a manner:
      (a) as to exclude persons not playing ball games from use of that part;
      (b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
      (c) which is likely to cause damage to any tree, shrub or plant in the ground.
   (3) It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 2 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

Cricket

25. No person shall throw or strike with a bat a cricket ball except in a designated area for playing cricket.

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 the consent of the Council.

Golf

28. No person shall drive, chip or pitch a hard golf ball.

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

Bathing

30. No person shall without reasonable excuse 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 any model boat on any waterway except with the consent of the Council.

Boats

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

Fishing

34. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals.

Pollution of waterways

35. No person shall foul or pollute any waterway.

Blocking of watercourses

36. No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed or diverted, or open, shut or otherwise move or operate any sluice or similar apparatus.
PART 6

MODEL AIRCRAFT

Interpretation of Part 6

37. In this part unless the context otherwise requires-

“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 2.5 centimetres in length;

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order;

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

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

General Prohibition

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

(2) No person shall:

(a) cause any jet-propelled or rocket-propelled power-driven model aircraft to take off or land in the ground;

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

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

Use permitted in certain grounds

39. —(1) Byelaw 38 shall not apply to areas set aside by the Council for the flying of such power-driven model aircraft in Beddington Park and Roundshaw Park, identified by notices, conspicuously exhibited on the days and during the hours specified in columns 3 and 4 respectively of the table below in respect of these grounds.
<table>
<thead>
<tr>
<th>Ground 1</th>
<th>Method of Control 2</th>
<th>Days</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beddington Park</td>
<td>Attached to a Control Line</td>
<td>Monday to Friday Saturday and Sunday</td>
<td>9 am to Sunset</td>
</tr>
<tr>
<td>Roundshaw Park*</td>
<td>Attached to a control Line or radio controlled</td>
<td>Monday, Wednesday &amp; Friday</td>
<td>9 am to 1 pm</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tuesday &amp; Thursday</td>
<td>9 am to 7 pm (or sunset where earlier)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1st and 3rd Saturday and Sunday of each month</td>
<td>9 am to 1 pm</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Any other Saturday or Sunday in each month</td>
<td>No flying</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bank Holidays and Christmas Day</td>
<td>No flying</td>
</tr>
</tbody>
</table>

*Including land known as Roundshaw playing field.

and provided that the aircraft is:

(a) kept under effective control by the method specified in column 2 of the said table in respect of that ground; and
(b) subject to byelaw 39(2) below, fitted an effectual silencer or similar device so that 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.

(2) Byelaw 39(1)(b) above shall not have effect in relation to an aircraft to which the fitting of a silencer or similar device is not reasonably practicable.

PART 7

OTHER REGULATED ACTIVITIES

Trading

40. No person shall 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.

Excessive noise

41.—(1) No person shall, after being requested to desist by any other person in the grounds:
(a) by shouting or singing;
(b) by playing on a musical instrument; or
(c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device,

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.

(2) Byelaw 41(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

Public shows and performances

42. No person shall without the consent of the Council hold or take part in any public show or performance.

Aircraft, hand-gliders and hot-air balloons

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

Kites

44. 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

45. No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

PART 8

MISCELLANEOUS

Obstruction

46. No person shall—
   (a) obstruct any officer of the Council in the proper execution of his duties;
   (b) obstruct any person carrying out an act which is necessarily to the proper execution of any contract with the Council; or
   (c) obstruct any other person in the proper use of the ground.

Savings

47. —(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 done in or 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

48. Every person who shall infringe any byelaw for the regulation of the pleasure ground may be removed therefrom by any officer of the Council, or by any constable, in any one of the several cases hereinafter specified; that is to say:

(a) Where the infraction of the byelaw is committed within the view of such officer or constable, and the name and residence of the person infringing the byelaw are unknown to and cannot be readily ascertained by such officer or constable.

(b) Where the infraction of the byelaw is committed within the view of such officer or constable and, from the nature of such infraction, or from any other fact of which such officer or constable may have knowledge, or of which he may be credibly informed, there may be reasonable ground for belief that the continuance in the pleasure ground of the person infringing the byelaws may result in another infraction of a byelaw, or that the removal of such person from the pleasure ground is otherwise necessary as a security for the proper use and regulation thereof.

Penalty

49. 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

50. The following byelaws are hereby revoked-

(a) Byelaws 1-11 and 13-20 of the existing byelaws made by the London Borough of Sutton on 11 August 1971 and confirmed by the Secretary of State on 23 May 1972 as amended by the byelaws made on 2 March 1983 and 6 September 1996 and confirmed by the Secretary of State on 28 April 1983 and 2 December 1996, respectively.

(b) The byelaws made by the Urban District Council of Beddington and Wallington on 28 May 1926 and confirmed by the Minister of Health on 21 July 1926.

(c) The byelaws made by the Urban District Council of Sutton on 25 September 1912 and confirmed by the Local Government Board on 9 October 1912.

(d) The byelaws made by the Urban District Council of Sutton on 4 March 1915 and confirmed by the Local Government Board on 27 April 1915.

(e) The byelaws made by the Urban District Council of Sutton on 4 October 1905 and confirmed by the Local Government Board on 18 October 1905.

SCHEDULE 1

List of Grounds

The grounds referred to in byelaw 2 are as follows:

PART 1

All Saints Churchyard, Carshalton
All Saints Benhilton Churchyard, Sutton
Back Green, Worcester Park
Beddington Park, Beddington
Belmont Garden of Remembrance, Belmont
Belmont Park, Belmont
Belmont War Memorial, Belmont
Benhill Recreation Ground, Sutton
Bowmans Meadow, Wallington
Buckland Way, Worcester Park
Carshalton Park, Carshalton
Carshalton Place, Carshalton
Carshalton War Memorial, Carshalton
Chaucer Gardens, Sutton
Cheam Park, Cheam
Cheam Recreation Ground, Cheam
Cheam War Memorial Gardens, Cheam
Collingwood Recreation Ground, Sutton
Corrigan Avenue Recreation Ground, Clockhouse
Courtney Crescent, Carshalton
Cuddington Cemetery, Worcester Park
Cuddington Meadow, Cheam
Cuddington Recreation Ground, Worcester Park
Dale Park, Carshalton
Dorchester Road Recreation Ground, Worcester Park
Elm Ponds, Wallington
Fairlands Park, North Cheam
Festival Walk, Carshalton
Great Woodcote Park, Wallington
Green Lane, Worcester Park
Greenshaw Wood, Sutton
Hackbridge Green, Hackbridge
Hamilton Avenue Recreation Ground, North Cheam
Jubilee Gardens, Wallington
Lakeside, Wallington
Limes Avenue Recreation Ground, Carshalton
Longfellow Road Playground, Worcester Park
Love Lane Bird Sanctuary, Sutton
Malden Green, Worcester Park
Manor Gardens, Wallington
Manor Park, Sutton
Mallinson Green, Beddington
Margrets Pool, Carshalton
Mellows Park, Wallington
Middleton Road Open Space, Carshalton
Mill Green, Hackbridge
Orchard Avenue Playground, Hackbridge
Overton Park, Sutton
Perretts Field, Cheam
Poulter Park, Carshalton
Quarry Park, Cheam
Queen Elizabeth Walk, Wallington
Queen Mary’s Park, Carshalton
Reigate Avenue Recreation Ground, Sutton
Revesby Wood, Carshalton
Richmond Green, Beddington
River Gardens, Carshalton
Riverside Walk (Guy Road), Beddington
Rosehill Park East, Sutton
Rosehill Park West, Sutton
Roundshaw Downs, Wallington
Roundshaw Park, Wallington
Roundshaw Playing Fields, Wallington
Royston Park, Sutton
Rushey Meadow, Carshalton
Seear’s Park, Cheam
Seear’s Park Nursery, Cheam
Springclose Lane, Cheam
Sutton Town Square, Sutton (Millenium Gardens)
St. Helier Open Space, Carshalton
St. Mary’s Field, Wallington
St. Nicholas Churchyard, Sutton
St. Phillips Churchyard, Worcester Park
Stanley Park, Carshalton
Stanley Square, Carshalton
Sutton Arena, Carshalton
Sutton Cemetery, Sutton
Sutton Common Recreation Ground, Sutton
The Grange, Wallington
The Green, Sutton
The Grove Park, Carshalton
The Oaks Park, Carshalton Beeches
Thomas Wall Park, St. Helier
Wallington Green, Wallington
Wallington Library Gardens, Wallington
Warren Park, Carshalton
Watercress Park, Hackbridge
Wilderness Island, Carshalton
Woodcote Green, Wallington
Wrythe Greens, Carshalton
Wrythe Recreation Ground, Carshalton
Yardley Recreation Ground, North Cheam

PART 2

Grove Park, Carshalton
Manor Park, Sutton
Royston Park, Carshalton
Sutton Common Recreation Ground, Sutton

PART 3

The Oaks Park, Carshalton Beeches
The Grange, Wallington
SCHEDULE 2
Rules for Playing Ball Games in Designated Areas

Byelaw 24

Any person using a designated area for playing ball games must comply with the following rules:

(1) No person shall play any game other than those ball games for which the area has been set aside.

(2) No person shall obstruct any other person who is playing in accordance with these rules.

(3) Where exclusive use has been granted to a person or group of persons by the Council for a specified period, no other person shall play during that period.

(4) Subject to paragraph (5), where the area is already in use by any person their permission to play must be sought by any other person wishing to play.

(5) Except where they have been granted exclusive use by the Council for more than two hours, any person using the area shall vacate it if they have played continuously for two hours or more and know that any other person wishes to use the area.

(6) No person shall play when a notice has been placed in a conspicuous position by the Council prohibiting play in that area of the ground.