

## Byelaws

### **THE LONDON BOROUGH OF LEWISHAM BLACKHEATH OPEN SPACE, LONDON SE3**

**Byelaws made by THE LONDON BOROUGH OF LEWISHAM under paragraph 5 of the Scheme for Blackheath confirmed by the Metropolitan Commons Supplemental Act 1871 and section 15 of the Open Spaces Act 1906, with respect to the Blackheath open space.**

#### **Interpretation**

1. In these byelaws:

"the Council" means the London Borough of Lewisham or where the context requires it its nominated contractor;

"the ground" means the Blackheath open space, Blackheath, London SE3 (including any new name subsequently given to it) as shown edged red on the plan attached to these byelaws;

"Schedule" followed by a number, or a number and a letter, means the Schedule to these byelaws bearing that number, or that number and letter

Words implying the singular shall include the plural and vice versa

#### **Application**

2 These byelaws shall apply to the ground

#### **Motor Vehicles**

3. (1) No person shall without reasonable excuse bring onto or drive in the ground a motor cycle, motor vehicle, trailer except in any part of the ground where there is a right of way for that class of vehicle.

(2) In these byelaws:

"cycle" means a unicycle, bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motor cycle or motor vehicle;

"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.

### **Cycling**

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

### **Overnight parking**

5. No person shall without the consent of the Council leave or cause or permit to be left any vehicle in the ground between the hours of 10 pm and 6 a.m.

### **Horses**

6. (1) No person shall ride a horse except in the exercise of any lawful right or privilege.
- (2) Where horse-riding 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 .

### **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.

### **Removal of structures**

8. No person shall, without reasonable excuse, remove from or displace on 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**

9. 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.

### **Camping**

10. No person shall in the ground, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping.

### **Fires**

11. (1) No person shall in the ground intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
- (2) Byelaw 11(1) shall not apply to any event held with the prior written consent of the Council.

### **Games**

12. (1) 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 be 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.
- (2) 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.
- (3) (i) 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.

(ii) This Byelaw shall not extend to any area set apart by the Council for the playing of any game.

### **Trading**

13. 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 service commodity or article.

### **Grazing**

14. 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 flower beds, trees, grass, etc**

15. 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 indicated, by a notice conspicuously displayed.

### **Removal of substances**

16. 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.

### **Archery**

17. 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**

18. 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**

19. No person shall in the ground drive, chip or pitch a hard golf ball except in connection with an event organised by or held with the consent of the Council

### **Cricket**

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

### **Skateboarding and roller skating**

21. No person shall in the ground skate, slide or ride on rollers, skateboards or other self-propelled vehicles, wheels, mechanical contrivances or other equipment in such a manner as to cause danger or give reasonable grounds for annoyance to other persons .

### **Missiles**

22. No person shall in the ground, to the danger or annoyance of any other person in the ground, throw or discharge any missile.

### **Bathing**

23. No person shall without reasonable excuse, bathe or swim in any waterway comprised in the ground except in an area where a notice exhibited by the Council permits bathing and swimming

### **Watercourses**

24. No person shall knowingly cause or permit the flow of any drain or watercourse in the ground to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus in the ground.

### **Ice Skating**

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

### **Boats**

#### **Model boats**

26. (1) No person shall operate a power-driven model boat on any waterway.
- (2) No person shall operate a non power-driven model boat on any waterway except in a designated area for non power-driven model boats.
- (3) In byelaw 26(1), "power-driven" means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances.

### **Boats**

27. No person shall sail or operate a boat dingy canoe sailboard or inflatable in any waterway without the consent of the Council except in a designated area for the sailing or operation of boats

### **Interference with life-saving equipment**

28. No person shall, except in case of emergency, remove from or displace in the ground or otherwise tamper with any life-saving appliance provided by the Council.

### **Aircraft**

29. 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, hang-glider, hot-air balloon, helium or hydrogen filled airships and balloons.

### **Power-driven model aircraft**

30. (1) In these Byelaws

(i) "model aircraft" means

(a) a power-driven aircraft which either weighs between 500 grams and 7 kilograms without its fuel or

(b) a power-driven aircraft which weighs more than 7 kilograms and up to 20 kilograms without its fuel and is regulated by the Air Navigation Order Clause 87 or

(c) a power-driven aircraft which weights over 20 kilogram without it fuel and which is exempt from the Air Navigation Order

(ii) "power-driven" means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances and subject to the Code of Practice on Noise from Model Aircraft 1982

(iii) The "Noise Code" means the Code of Practice issued by the Department of the Environment in pursuance of the approval given by the Control of Noise (Code of Practice on Noise from Model Aircraft) Order 1981

- (2) No person shall



- (i) in the ground release any power-driven model aircraft for flight or control the flight of such an aircraft.
- (ii) cause any power-driven model aircraft to take off or land in the ground.

### **Kites**

31. No person shall in the ground fly any kite or cause or permit to be flown or ride or drive any vehicle powered by a kite in such a manner as to cause danger, nuisance or annoyance to any other person in the ground.

### **Metal detectors**

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

### **Protection of Wildlife**

33. (1) No person shall in the ground intentionally kill, injure, take or disturb any animal or fish or engage in hunting, shooting or fishing, or the setting of traps or nets or the laying of snares.
- (2) This byelaw shall not prohibit any fishing which may be authorised by the Council.

### **Noise**

34. (1) No person shall in the ground, after being requested to desist by an officer of the Council, or by any 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, CD player or other device capable of emitting sound



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.

### **Public Shows, Exhibitions and Structures**

35. No person shall in the ground, without the consent of the Council, place or take part in any public show or exhibition or set up any swing roundabout or other like thing.

### **Children's play areas**

36. No person aged 13 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 13 years.

### **Children's play apparatus**

37. No person aged 13 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 13 years by a notice conspicuously displayed on or near the apparatus."

### **Obstruction**

38. No person shall in the ground:
- (a) intentionally obstruct any officer of the Council in the proper execution of his duties; or
  - (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or of the ground

### **Savings**

39. (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, right or interest in, over or affecting the ground or any part thereof.

### **Removal of offenders**

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

### **Penalty**

41. 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**

42. The byelaws referred to in Schedule 1 are hereby revoked.



Blackheath  
London SE3

P4

A1 plan scale 1:2500  
A2 plan scale 1:5000

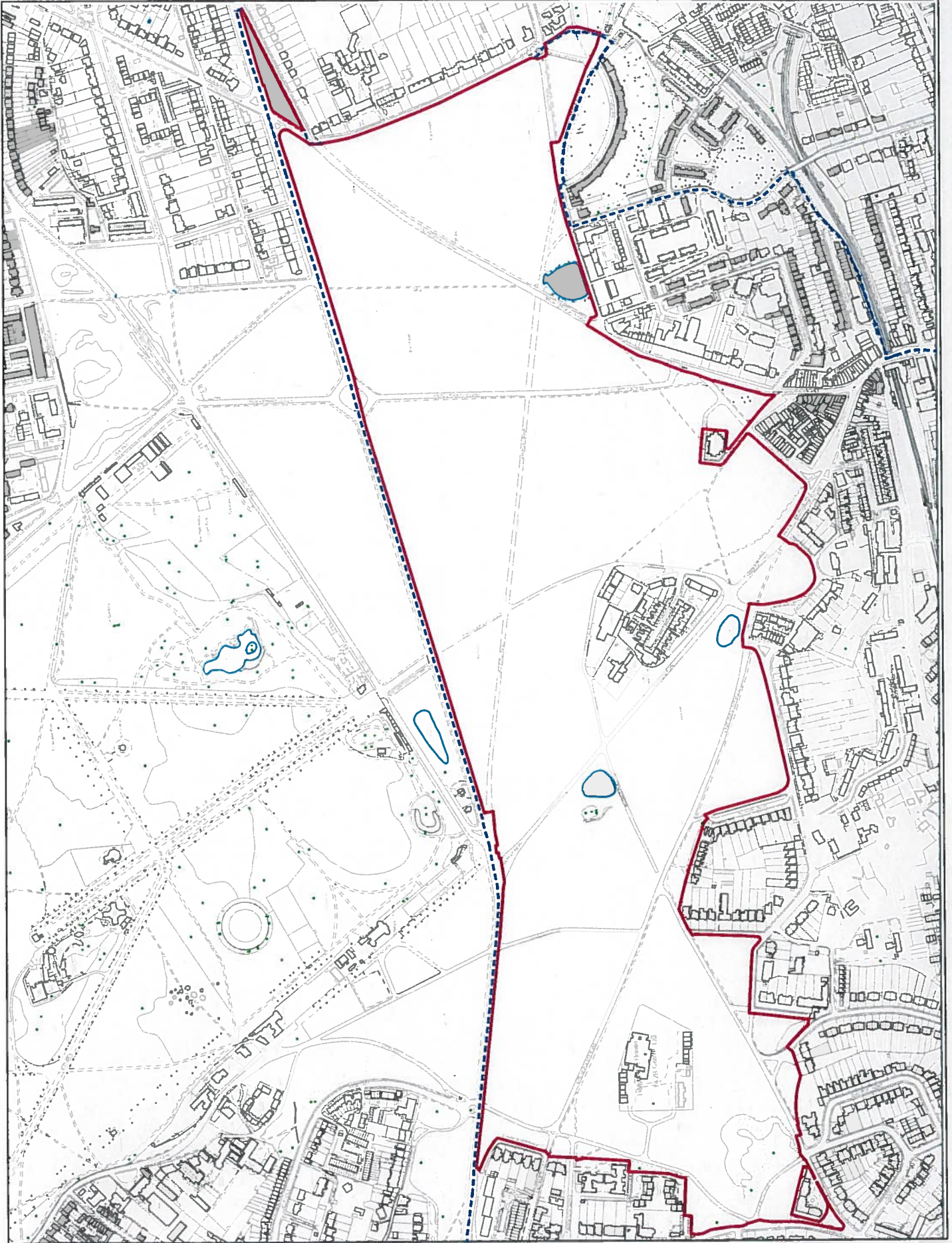
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## **SCHEDULE 1**

### **Existing byelaws to be revoked**

The following byelaws relating to the ground made by:

1. the London County Council on 1 November 1932 as confirmed by the Secretary of State for the Home Department on 14 December 1932 (insofar as they apply to that part of the ground within the Borough of Lewisham); are hereby revoked.

THE COMMON SEAL OF THE MAYOR )  
AND BURGESSES OF THE LONDON )  
BOROUGH OF LEWISHAM was hereunto )  
affixed this 23rd of October 2015 pursuant to )  
a resolution of the Council at a meeting held )  
on the 23rd September 2015 in the presence )  
of:- )

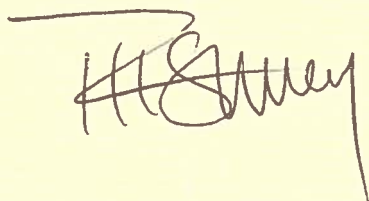


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FP Head of Law

The foregoing byelaws are hereby confirmed by the Secretary of State  
for the Environment, Food & Rural Affairs and shall come into force on  
17 March 2016

Signed by



On behalf of the Secretary of State for Environment, Food and Rural  
Affairs.

Date: 17 February 2016