

LONDON BOROUGH OF RICHMOND UPON THAMES

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

LONDON BOROUGH OF RICHMOND UPON THAMES PUBLIC SPACES PROTECTION ORDER 2017 (ANTI-SOCIAL BEHAVIOUR)

The Council of the London Borough of Richmond upon Thames (in this Order called "the Council") hereby makes the following Order pursuant to Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act").

This Order may be cited as the "London Borough of Richmond upon Thames Public Spaces Protection Order 2017 (Anti- Social Behaviour)".

This Order comes into force on 16 October 2017 and lasts for a period of 3 years from this date, unless extended pursuant to section 60 of the Act.

In this Order the following definitions apply:

"Restricted area" means the land described and/or shown in the maps in the Schedule to this Order.

"Authorised officer" means a police officer, PCSO, Council officer, and persons authorised by the Council to enforce this Order.

"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.

"Electric powered vehicle or skateboard" means a vehicle other than an invalid carriage or pram which is propelled by one or more electric motors".

The masculine includes the feminine.

The Offences

1. Article 1 – Feeding of animals

No person shall feed birds and animals in the restricted area in a manner which causes or is likely to cause nuisance or harm or attract vermin.

Article 2 – Horses

(1) No person shall ride or lead a horse in the restricted area except:

- (a) In the exercise of a lawful right or privilege;
- (b) With the express prior consent of the Council.

Article 3 – Bicycles etc.

No person shall cycle, skate, slide or ride on a bicycle, tricycle, skateboard, scooter or other self-propelled vehicle or electric powered vehicle or skateboard in the restricted area in such a manner as to cause danger or damage or give reasonable grounds for annoyance or nuisance to other persons.

Article 4 – Bicycles etc. in enclosed play or sports areas

No person shall cycle, skate, slide or ride on a bicycle, tricycle, skateboard or other self-propelled vehicle or electric powered vehicle or skateboard except a child's scooter within an area designated as a children's play area or a sports play area in the restricted area without the express prior consent of the Council.

Article 5 – Bicycles etc. chained to trees and structures

(a) No person shall cause any bicycle, tricycle, skateboard, scooter or other self-propelled vehicle or electric powered vehicle or skateboard to be chained or fastened to any tree in the restricted area.

Article 6 – Fires and barbeques in parks and opens spaces

(a) No person shall light a fire, barbeque (including disposable barbeques) or stove of any type in the restricted area without the express prior consent of the Council.

(b) No person shall place, throw or drop in the restricted area anything likely to cause a fire.

Article 7 – Sky lanterns in parks and open spaces

No person shall release in the restricted area a lighted sky lantern without the express prior consent of the Council.

Article 8 – Fireworks in parks and open spaces

No person shall set off fireworks in the restricted area unless part of a licensed Display and that is subject to the prior consent of the Council.

Article 9 – Throwing etc. of objects likely to cause harm in parks and open spaces

No person shall throw or use any device to propel or discharge any object in the restricted area which is liable to cause nuisance or injury to a person, animal or structure.

Article 10 – Alcohol

- (a) No person shall drink alcohol in the restricted area (other than in premises licensed for the sale of alcohol or at a venue where a Temporary Event Notice is in place) after having been required to stop by an authorised person as a result of nuisance.
- (b) A person is required to immediately surrender any alcohol in the restricted area, whether in an open or closed container, in his possession when required to do so by an authorised person who reasonably believes that the person has consumed, is consuming, or intends to consume alcohol in breach of 10(a) above.

Article 11 - Camping

No person shall camp or sleep overnight, with or without a tent, or use a vehicle, caravan or any other structure for such purpose in the restricted area without the express prior consent of the Council.

Any enforcement of this Article by authorised officers will be carried out in conjunction with SPEAR and the multi-agency rough sleepers initiative and/or any other agency supporting the homeless in the borough. .

Article 12 – Fishing in parks and open spaces

- (a) No person shall fish in the restricted area unless in possession of a valid rod licence issued by the Environment Agency.
- (b) No person shall erect or use any bivouacs, day shelters or other similar structures in the restricted area for a period exceeding 24 hours beginning with the time at which the structure was first erected. Such structures must be completely open on at least one side and be used for active fishing.
- (c) No person shall erect or use any such structure in the same restricted area for more than one night in any period of 7 consecutive days.
- (d) No person shall erect or use any such structure for the purpose of overnight sleeping unless actively fishing.

Article 13 – Power driven aircraft including drones

(1) In this Article:

“model aircraft” means any “small unmanned aircraft” used for sporting and recreational purposes which weighs not more than 20 kg without its fuel

“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

- (2) No person (except as provided in (3) below) shall, without express prior consent, cause any power-driven model aircraft to:
 - (a) take off or otherwise be released for flight or control the flight of such an aircraft in the restricted area; or
 - (b) land in the restricted area without reasonable excuse

otherwise than in a designated area for flying model aircraft.

- (3) Where any part of the restricted area has been set apart by the Council for the flying of power-driven model aircraft, no use of such is permitted without express prior consent unless-
 - (a) the aircraft weighs not more than 7kg without its fuel;
 - (b) the aircraft is driven by the combustion of petrol vapour or other combustible vapour or other combustible substances;
 - (c) gives a noise measurement of not more than 82Db(A) when measured at a distance of 7 metres from the aircraft in accordance with the Code of Practice issued under the Control of Noise (Code of Practice on Noise from Model Aircraft) Order 1981; and
 - (d) where it is reasonably practicable to fit, fitted with an effectual silencer or similar device
 - (e) the aircraft is attached to a control line and kept under effective control;

Article 14 – Injury to animals and damage to land etc.

- (a) 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 in the restricted area.
- (b) No person shall cut, damage or remove any plant, shrub or tree in the restricted area.
 - (c) No person shall dig into, damage or disturb the ground or remove or displace any stone, soil or turf in the restricted area without the express prior consent of the Council.

Article 15 – Planting of trees etc. and installations

- (a) No person shall plant any tree, shrub or plant or structure in the restricted area without the express prior consent of the Council.
- (b) No person shall erect or install any post, rail, fence, pole, tent, booth, stand, building or other structure in the restricted area without express prior consent of the Council

Article 16 – Golf in parks and open spaces

No person shall, without express prior consent, drive, chip or pitch a hard golf ball with a golf club in the restricted area except on land set aside by the Council as a golf course or golf driving range.

Article 17 – Use of land for organised events etc. in parks and open spaces

No person shall use any part of the restricted area for events, organised sports club training/matches, or fitness training/classes without the express prior consent of the Council.

Article 18 – Lewd behaviour

No person shall engage in sexual activity or engage in lewd or sexually explicit behaviour in the restricted area which is likely to cause harassment, alarm or distress to another person.

Article 19 – Urination and defecation

No person shall urinate or defecate in the restricted area.

Article 20 – Motor vehicles etc.

No person shall, without reasonable excuse, bring onto or drive in the restricted area a motor cycle, motor vehicle, trailer or caravan without the express prior consent of the Council.

Article 21 – Advertising in parks and open spaces

No person shall carry out any advertising of any kind in the restricted area without the express prior consent of the Council.

A person or body whose goods, trade, business or other concerns are being given publicity by the advertising shall be deemed to have taken part in the advertising, in addition to any person physically taking part in the advertising.

Article 22 – Trading in parks and open spaces

No person shall provide or offer to provide any service in the restricted area for which a charge is made or engage in trading of any kind without the express prior consent of the Council.

Article 23 – Unauthorised entrances in parks and open spaces

No person shall create or use an unauthorised means of access into the restricted area from adjoining properties.

Article 24 – Smoking in enclosed play or sports areas in parks and open spaces

No person shall smoke tobacco, tobacco related products, smokeless tobacco products (including electronic cigarettes), herbal cigarettes, or any illegal substances in the restricted area.

Article 25 – Nuisance to users of parks and open spaces

No person shall intentionally obstruct, disturb or annoy any other person in or using the restricted area or those in neighbouring properties adjoining the restricted area.

Article 26 – Obstruction of authorised officers in parks and open spaces

No person shall obstruct an authorised officer in the proper execution of his duties under this Order.

Penalty

It is an offence under section 67 of the Act for a person without reasonable excuse -

- (a) to do anything that they are prohibited from doing by a public spaces protection order, or,
- (b) to fail to comply with a requirement which they are subject to under a public spaces protection order.

A person guilty of an offence under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

THE COMMON SEAL OF THE MAYOR AND
BURGESSES OF THE LONDON BOROUGH
OF RICHMOND UPON THAMES was affixed this
16 day of October 2017 in the presence of:

C. W.

Mr Chris Warner
Assistant Head of Law
SLLP



28688/03

Schedule identifying Restricted Areas for Articles 1-26 of the Order

Article 1 Feeding of Animals

All open public land owned, adopted or managed by the London Borough of Richmond upon Thames including roads, footpaths, pavements, alleyways and towpaths, all grass verges, and parks and open spaces including wooded areas.

Article 2 Horses

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Rights of Way – A way over which the public have a right to pass and repass on foot, on or leading a horse, on a pedal cycle or with a motor vehicle, depending on its status.

Article 3 Bicycles etc.

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Rights of Way – A way over which the public have a right to pass and repass on foot, on or leading a horse, on a pedal cycle or with a motor vehicle, depending on its status.

Article 4 Bicycles etc. in enclosed play or sports areas

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 5 Bicycles etc. chained to trees

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

All roads, footpaths, pavements, alleyways, towpaths and grass verges maintained at public expense

Article 6 Fires and barbeques in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 7 Sky lanterns in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 8 Fireworks in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 9 Throwing etc of objects likely to cause harm in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 10 Alcohol

All land within the Council's administrative area which is open to the air and to which the public are entitled or permitted to have access (with or without payment) including roads, footpaths, pavements, grass verges, alleyways and tow paths, allotments, and parks and open spaces, including wooded areas.

Article 11 Camping

All open public land owned, adopted or managed by the London Borough of Richmond upon Thames including roads, footpaths, pavements, alleyways and towpaths, all grass verges, and parks and open spaces including wooded areas.

Article 12 Fishing in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 13 Power driven aircraft including drones

All open public land owned, adopted or managed by the London Borough of Richmond upon Thames including roads, footpaths, pavements, alleyways and towpaths, all grass verges, and parks and open spaces including wooded areas.

Article 14 Injury to animals and damage to land etc.

All open public land owned, adopted or managed by the London Borough of Richmond upon Thames including roads, footpaths, pavements, alleyways and towpaths, all grass verges, and parks and open spaces including wooded areas.

Article 15 Planting of trees etc and installations

All open public land owned, adopted or managed by the London Borough of Richmond upon Thames including roads, footpaths, pavements, alleyways and towpaths, all grass verges, and parks and open spaces including wooded areas.

Article 16 Golf in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 17 Use of land for organised events etc. in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 18 Lewd behavior

All open public land owned, adopted or managed by the London Borough of Richmond upon Thames including roads, footpaths, pavements, alleyways and towpaths, all grass verges, and parks and open spaces including wooded areas.

Article 19 Urination and defecation

All land within the Council's administrative area which is open to the air and to which the public are entitled or permitted to have access (with or without payment) including roads, footpaths, pavements, grass verges, alleyways and tow paths, allotments , and parks and open spaces, including wooded areas. The restricted area includes the doorway or alcove of any premises to which the public has access.

Article 20 Motor vehicles etc.

All land within the Council's administrative area which is open to the air and to which the public are entitled or permitted to have access (with or without payment) including roads, footpaths, pavements, grass verges, alleyways and tow paths, allotments , and parks and open spaces, including wooded areas.

Article 21 Advertising in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 22 Trading in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 23 Unauthorised entrances in parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 24 Smoking in parks and open spaces

Enclosed play or sports areas in all parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 25 Nuisance to users of parks and open spaces

All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at www.richmond.gov.uk/parks and open spaces.

Article 26 Obstruction of authorised officers in parks and open spaces

All land within the Council's administrative area which is open to the air and to which the public are entitled or permitted to have access (with or without payment) including roads, footpaths, pavements, grass verges, alleyways and tow paths, allotments , and parks and open spaces, including wooded areas.