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STATUTORY INSTRUMENTS

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**1997 No. 1639**

**OPEN SPACES**

**The Royal Parks and Other Open Spaces Regulations 1997**

*Made* - - - - - *20th August 1997*

*Coming into force* - - - - - *1st October 1997*

Whereas a draft of these Regulations has been laid before Parliament for a period of forty days pursuant to section 6 of the Statutory Instruments Act 1946(1), and that period has expired without either House resolving that the Regulations be not made:

Now, therefore, in exercise of the powers conferred by section 2(1) of the Parks Regulation (Amendment) Act 1926(2) as extended by section 7(5) of the Crown Estate Act 1961(3) and now vested in her(4), the Secretary of State hereby makes the following Regulations:—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Royal Parks and Other Open Spaces Regulations 1997 and shall come into force on 1st October 1997.

(2) In these Regulations:—

“constable” includes a park constable within the meaning of section 3 of the Parks Regulation Act 1872(5) as amended by the Parks Regulation (Amendment) Act 1974(6);

“Palace” means Buckingham Palace, Hampton Court Palace or St. James’s Palace;

“Park” means an area of land described in Schedule 1 to these Regulations;

“Park road” means a road, which is for the time being open to vehicular traffic, in a Park;

“taxi” means a vehicle licensed under section 6 of the Metropolitan Carriage Act 1869(7);

“the public speaking area” means that part of Hyde Park bounded by Cumberland Gate and North Carriage Drive on the north, Stanhope Walk on the west, Grosvenor Walk on the south, and the Broad Walk on the east, including the area known as Speakers' Corner;

“the riding ways” means—

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(1) 1946 c. 36.  
(2) 1926 c. 36.  
(3) 1961 c. 55.  
(4) 1942 c. 23, S.R. & O. 1945/991; S.I.1962/1549, 1970/1681, 1992/1311.  
(5) 1872 c. 15.  
(6) 1974 c. 29.  
(7) 1869 c. 115.

- (a) in relation to Hyde Park, the Park roads therein and the horse rides known as the Dorchester Ride, the Ladies' Mile, the New Ride, the North Ride, Rotten Row and the Serpentine Ride, and
- (b) in relation to St. James's and The Green Parks, the Park roads therein and the horse rides known as Constitution Hill Ride and the Mall Ride.

**Restriction on use of a Park**

2. No person, without the written permission of the Secretary of State, shall—
- (1) be in a Park, or any part thereof, at a time when that Park or part thereof is not open to the public;
  - (2) except in an emergency, land a helicopter or other aircraft in a Park or enter a Park therefrom;
- or
- (3) permit any animal of which he is in charge to be in any Park or part thereof in contravention of a notice exhibited by order of the Secretary of State.

**Acts prohibited in a Park**

3. Subject to the provisions of regulation 6, no person using a Park shall—
- (1) intentionally or recklessly interfere with the safety, comfort or convenience of any person using a Park in accordance with these Regulations;
  - (2) deposit waste, litter or any other article into, or do any act which pollutes or is likely to pollute water in, any fountain, lake, pond or river;
  - (3) drop or leave litter or refuse except in a receptacle provided for the purpose;
  - (4) use—
    - (a) any pedal cycle, or
    - (b) any roller skate, roller blade, skate board or other foot-propelled deviceexcept on a Park road or in an area designated and marked as being for that purpose by the Secretary of State;
  - (5) fail to keep any animal of which he is in charge under control or on a lead—
    - (a) after having been required by a constable to do so, or
    - (b) in contravention of a notice exhibited by order of the Secretary of State;
  - (6) permit any animal of which he is in charge to foul any pathway or mown lawn;
  - (7) permit any animal of which he is in charge to be tethered or to graze;
  - (8) fail to remove any animal of which he is in charge from a Park or place in that Park after having been required by a constable to do so;
  - (9) fail to comply with any direction for the regulation or control of—
    - (a) horses or pedal cycles, or
    - (b) roller skates, roller blades, skate boards or other foot-propelled devicesgiven by a constable or by a notice exhibited by order of the Secretary of State;
  - (a) ride any animal,
  - (b) drive or ride any vehicle, or
  - (c) use any pedal cycle, roller skate, roller blade, skate board or other foot-propelled device in any manner that endangers or is likely to endanger any person;

- (a) use a pedal cycle (other than when it is parked), or
- (b) drive or ride a vehicle

between sunset and sunrise, or in seriously reduced visibility between sunrise and sunset, unless it is lit in accordance with the Road Vehicles (Lighting) Regulations 1989<sup>(8)</sup>, and for the purposes of this regulation references in the Road Vehicles (Lighting) Regulations 1989 to a road shall be deemed to be references to a Park road or any other area designated and marked as being an area in which a pedal cycle may be used;

- (12) drive or ride any vehicle off a Park road except—
  - (a) for the purpose of parking that vehicle in a place reserved for that purpose by the Secretary of State,
  - (b) an invalid carriage, or
  - (c) a vehicle in use for the purpose of transacting business with any person either residing in a Palace or Park or using land therein under licence from the Secretary of State

provided in the case of sub-paragraphs (b) and (c) above that the said vehicle is not driven at a speed exceeding 15 m.p.h.;

(13) in contravention of a notice exhibited by order of the Secretary of State, or after having been required by a constable not to do so—

- (a) play any game or engage in any form of sport or exercise,
- (b) use any kite or model aircraft or any mechanically propelled or operated model, or
- (c) skate or otherwise go on any ice;

(14) fail, when in the public speaking area in Hyde Park, to comply with a direction given by a constable to move from some place in that area or to leave the area;

(15) fail to move any chair, stand or platform in the public speaking area in Hyde Park in accordance with a direction given by a constable;

(16) fail to comply with a reasonable direction given by a constable to leave a Park or any part thereof.

#### **Acts in a Park for which written permission is required**

4. Unless the Secretary of State's written permission has first been obtained, no person using a Park shall—

- (1) interfere with any plant or fungus;
- (2) go on any flower bed or shrubbery, or on any area of a Park access to which is prohibited by a notice exhibited by order of the Secretary of State;
- (3) use or operate a metal or mineral detector or any device for locating objects below ground level;
- (4) attach any article to, climb or interfere with any tree, railing, fence, statue, seat, building or structure;
- (5) interfere with any notice or sign;
- (6) carry on any trade or business in a Park, offer anything for sale or hire or expose or have in his possession anything for the purpose of sale or hire therein;
- (7) use language which publicly intimates that any article, commodity, facility or service can be obtained in a Park or elsewhere;
- (8) exhibit any notice or advertisement or any other written or pictorial matter;

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(8) S.I. 1989/1796.

- (9) play or cause to be played a musical instrument;
- (10) use any apparatus for the transmission, reception, reproduction or amplification of sound, speech or images, except apparatus designed and used as an aid to defective hearing, or apparatus used in a vehicle so as not to produce sound audible to a person outside that vehicle, or apparatus used where the sound is received through headphones;
- (11) discharge any weapon which is a firearm within the meaning of section 57 of the Firearms Act 1968(9), or project any missile manually or by artificial means;
- (12) camp or erect or cause to be erected any tent or enclosure;
- (13) wash or dry any piece of clothing or linen;
- (14) collect or solicit money or any other gift;
- (15) make or give a public speech or address except in the public speaking area in Hyde Park;
- (16) unless for the purpose for which it is provided, interfere with or remove any lifebelt, lifeline or lifesaving aid or fixture;
- (17) organise or take part in any assembly, display, performance, representation, parade, procession, review or theatrical event;
- (18) take photographs of still or moving subjects for the purpose of or in connection with a business, trade, profession or employment or any activity carried on by a body of persons whether corporate or unincorporate;
- (19) intentionally obstruct or otherwise interfere with free passage on any road, riding way or path;
- (20) fish, take any egg, or intentionally injure or worry any animal or bird;
- (21) cause or permit any animal or bird of which he is in charge to chase, worry or injure any other animal or bird;
- (22) boat or bathe or otherwise enter any fountain, lake, pond or river, unless—
- (a) in a place for the time being marked by buoys or other means as appointed for that purpose, and
  - (b) in accordance with any direction for the control of such activities given by a constable, or by a notice exhibited by order of the Secretary of State;
- (23) sail any model except on Adam's Pond in Richmond Park, on the Heron Pond in Bushy Park, on the Rick Pond in Hampton Court Park, or on the Round Pond in Kensington Gardens;
- (24) feed or touch any deer or pelican;
- (25) ride any animal except—
- (a) in Bushy Park,
  - (b) on the road between Blackheath Gate and St. Mary's Gate in Greenwich Park,
  - (c) on the riding ways in Hyde Park or St. James's and The Green Parks,
  - (d) on the road between Queen's Gate and Coalbrookdale Gate in Kensington Gardens,
  - (e) on the roads in The Regent's Park, or
  - (f) in Richmond Park;
- (26) cause or permit any animal to be in a place for the time being marked by buoys or other means as reserved for bathing or to be in any boat on any water in a Park;
- (27) drive or ride any vehicle which is constructed, adapted or in use for the purpose of a trade or business except as specified in Part I of Schedule 2 to these Regulations;

(28) drive or ride any vehicle on a Park road in excess of the speed specified in relation to that road in Part II of Schedule 2 to these Regulations;

(29) tow or leave any caravan;

(30) unless in an emergency, cause any vehicle to wait, or leave any vehicle unattended, in a place other than one for the time being appointed for the parking of a vehicle of that description by the Secretary of State.

### **General**

5. Where a constable has reasonable ground for belief that a person has contravened any one or more of these Regulations, that person shall give on demand his name and address to that constable.

6.—(1) The provisions of this regulation shall have effect—

(a) where an officer, servant or agent of the Secretary of State is acting in the performance of his duty to secure the proper management of a Park or the preservation of order and prevention of abuses therein, or

(b) where a constable or a member of the armed forces or of any fire brigade or ambulance service is acting in the performance of his duty.

(2) Any such person mentioned in paragraph (1) above does not, by reason of any failure to comply with any notice exhibited by order of the Secretary of State, contravene regulation 3(5), (9) or (13)(c) above, and is for the purpose of regulations 2 and 4 above hereby granted permission to do any act mentioned in those regulations.

### **Revocation**

7. The Trafalgar Square Regulations 1952(**10**) and the Royal and other Parks and Gardens Regulations 1977(**11**) are hereby revoked.

20th August 1997

*Chris Smith*  
Secretary of State for National Heritage

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(10) S.I. 1952/776.

(11) S.I. 1977/217.

SCHEDULE 1

Regulation 1(2)

PARKS, GARDENS, RECREATION GROUNDS, OPEN SPACES  
AND OTHER LAND TO WHICH THE REGULATIONS APPLY

1. Abingdon Street Garden, being the garden constructed on the sites of properties formerly known as 17-28 (both inclusive) Abingdon Street, London SW1, the garden surrounding the adjoining Jewel Tower, and the lawn surrounding the King George V Memorial;
2. Brompton Cemetery;
3. Bushy Park;
4. The Longford River and those parts of its banks which are for the time being under the control or management of the Secretary of State;
5. Greenwich Park, being those parts of the Park which are for the time being under the control or management of the Secretary of State;
6. Grosvenor Square Garden;
7. Hampton Court Gardens;
8. Hampton Court Green;
9. Hampton Court Park;
10. Hyde Park;
11. Kensington Gardens;
12. The Natural History Museum Gardens;
13. Parliament Square Gardens;
14. Primrose Hill;
15. The Regent's Park;
16. Richmond Park;
17. St. James's and The Green Parks;
18. Tower Gardens;
19. Trafalgar Square, being that part of Trafalgar Square in the City of Westminster which is for the time being under the control or management of the Secretary of State;
20. Victoria Tower Gardens.

SCHEDULE 2

THE DRIVING AND RIDING OF VEHICLES ON A PARK ROAD

Regulation 4(27)

## **PART I**

### *Vehicles constructed, adapted or in use for the purpose of a trade or business which may be driven or ridden on a Park road*

1. A taxi.
  2. A vehicle in use for the purpose of transacting business with any person either residing in a Palace or Park or using land therein under licence from the Secretary of State.
  3. A vehicle in use for the purpose of the repair or removal of any other vehicle which is broken down in a Park.
- Regulation 4(28)

## **PART II**

### *Speeds at which vehicles may be driven or ridden on a Park road*

1. On the Park roads in Bushy Park, Greenwich Park, Hyde Park (except for the Serpentine Road), The Regent's Park, Richmond Park and St. James's and The Green Parks, at a speed not exceeding 30 m.p.h.
2. On the Serpentine Road in Hyde Park, and on the Park road from Kingston Gate leading to the Home Park Golf Club in Hampton Court Park, at a speed not exceeding 15 m.p.h.
3. On any Park road (other than one mentioned in paragraphs 1 or 2 above) at a speed not exceeding 10 m.p.h.

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations apply to and regulate the conduct of persons using all the parks, gardens and other land under the control or management of the Secretary of State for National Heritage which are specified in Schedule 1.

The Regulations revoke and re-enact, with minor and drafting amendments, the Trafalgar Square Regulations 1952 and the Royal and other Parks and Gardens Regulations 1977. The Regulations also add to the list of areas specified in Schedule 1 the Brompton Cemetery and the Longford River.