

These draft Regulations supersede the draft Regulations laid before Parliament on 11 February 2004 and correct errors in them. They are being issued free of charge to all known recipients of those draft Regulations. Draft Regulations laid before Parliament under section 6(2) of the Statutory Instrument Act 1946 (superseding section 2(1) of the Parks Regulation (Amendment) Act 1926) on 1st March 2004; draft to lie for forty days pursuant to section 6(1) of the said Act of 1946, during which period either House of Parliament may resolve that the Instrument be not made.

DRAFT STATUTORY INSTRUMENTS

2004 No.

OPEN SPACES

Royal Parks and Other Open Spaces (Amendment) Regulations 2004

Made - - - - 2004
Coming into force - - 10th May 2004

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, the Secretary of State, in exercise of the powers conferred upon her 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) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Royal Parks and Other Open Spaces (Amendment) Regulations 2004 and shall come into force on 10th May 2004.

Amendment of the Royal Parks and Other Open Spaces Regulations 1997

2.—(1) The Royal Parks and Other Open Spaces Regulations 1997(5) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 3, —

(a) in paragraph (4), at the beginning of the paragraph, insert the words—

(1) 1946 c. 36 (9 & 10 Geo 6)
(2) 1926 c. 36 (16 & 17 Geo 5)
(3) 1961 c. 55 (9 & 10 Eliz 2)
(4) 1942 c. 23 (5 & 6 Geo 6); S.R.&O. 1945/991; S.I. 1962/1549, 1970/1681
(5) S.I. 1997/1639

“unless he is a child of 10 years of age or under,” and

(b) for paragraph (6), substitute the following paragraph—

“unless the person is a registered blind person, without reasonable excuse, fail to remove immediately any faeces deposited by any animal of which he is in charge, provided always that it shall not be a reasonable excuse that a person in charge of an animal did not have with him any means of removal of the faeces.”

(3) In regulation 4, at the end, add the following paragraph—

“(31) cause or permit any fire to be lit or to place, throw or let fall a lighted match, similar object or any other thing so as to be likely to cause a fire.”

(4) In Schedule 1, there shall be omitted paragraph 13 (Parliament Square Gardens) and paragraph 19 (Trafalgar Square).

(5) In Part 2 of Schedule 2, for paragraph 1, substitute the following paragraph—

“On the Park roads in Bushy Park, Greenwich Park, Hyde Park (except for the Serpentine Road), The Regent’s Park, and St James’s and The Green Parks, at a speed not exceeding 30 mph, and on the Park roads in Richmond Park, at a speed not exceeding 20 mph.”

Date

Name
Minister for Media and Heritage
Department for Culture Media and Sport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Royal Parks and Other Open Spaces Regulations 1997 (S.I.1997/1639) (“the principal Regulations”) so as to provide an exception to the prohibition on the use of a pedal cycle, roller skate or blade, skate board or other foot propelled device on any Park road without the consent of the Secretary of State for children aged 10 years or under (regulation 2(2)(a)).

Further, these Regulations amend the principal Regulations to impose on park-users an added requirement to remove any faeces deposited by an animal under their control. An exception is provided in respect of a registered blind person (regulation 2(2)(b)).

In addition, they amend the principal Regulations to add a new prohibition which provides that no person may cause or permit a fire to be lit, or any lighted match, object or any other thing to be discarded in any way so as to be likely to cause a fire (regulation 2(3)).

Also, these Regulations remove Parliament Square Gardens and Trafalgar Square from the scope of application from the principal Regulations (regulation 2(4)) and they amend the principal Regulations to substitute a reduced speed limit of 20 mph from 30 mph in respect of Park roads in Richmond Park (regulation 2(5)).