

BYE-LAWS

relating to

**GOOD RULE AND GOVERNMENT
AND THE PREVENTION OF NUISANCES**

1971

BYELAWS for the good rule and government of the London Borough of Barnet and for the prevention of nuisances, made by the Council of the London Borough in pursuance of section 249 of the Local Government Act, 1933.

DEFINITION

In these Byelaws "the Council" means the Council of the London Borough of Barnet

1. **Music near Houses** - No person sha

ll sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any dwelling-house, business premises or office, after being requested to desist by any inmate or occupant thereof, either personally or through a servant, or through a constable, on account of the interruption of the ordinary occupations or pursuits or any such inmate or occupant or for other reasonable and sufficient cause: Provided that this byelaw shall not apply to properly conducted religious services, except where the request to desist is made on the ground of the serious illness of any inmate of the house.

2. **Music near Churches, etc.** - No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any place of public worship or public entertainment or other place of public assembly in which persons are for the time being assembled, to the annoyance or disturbance of any person or persons so assembled, after being requested to desist by any constable, or by any person so annoyed or disturbed, or by any person acting on his behalf.

3. **Music near Hospitals** - No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any hospital,

infirmaries, convalescent homes, or other places used for the reception or treatment of the sick, after being requested to desist by any constable, or by any inmate or officer of such hospital or other place or by any person acting on his behalf.

4. **Organs** - No person shall in any street or public place, or on any land adjoining or near to any street or public place, use or play, or cause to be used or played, any steam organ or other musical instrument worked by mechanical means, to the annoyance or disturbance of residents or passengers.

5. **Wireless Sets, Gramophones, etc.** - Any person who by operating or causing or suffering to be operated any wireless set, gramophone, amplifier of similar instrument -

(a) in or on any street or public place or in or in connection with any shop, business premises or other place which adjoins any street or public place and to which the public are admitted, makes or causes or suffers to be made any noise which is so loud and so continuous or repeated as to give reasonable cause for annoyance to other persons,

or

(b) in any other premises makes or causes or suffers to be made any noise which is so loud and so continuous or repeated as to cause an annoyance to occupiers or inmates of any premises in the neighbourhood

shall be guilty of an offence:

Provided that:-

- (i) no proceedings shall be taken under this byelaw against any person in respect of anything done in any premises referred to in paragraph (b) thereof unless the nuisance does not cease before the expiration of a fortnight from the date of the service on that person of a notice alleging a nuisance, signed by not less than three house-holders residing within hearing of the instrument in question,
- (ii) this byelaw shall not apply to any wireless set, gramophone, amplifier or similar instrument used by a police constable in the execution of his duty.

In this byelaw the expression "public place" includes any park, pleasure ground or other like place to which the public are admitted.

6. **Noisy Hawking** - No person shall, for the purpose of hawking, selling, distributing or advertising any article, shout or use any bell, gong or other noisy instrument in any street or public place so as to cause annoyance to the inhabitants of the neighbourhood.

7. **Touting** - No person shall in any street or public place for the purpose of selling or advertising any article or obtaining custom tout or importune to the annoyance or obstruction of passengers.

8. **Shooting-Galleries, etc.** - No person shall in any street or public place, or on any land adjoining or near to any street or public place, keep or manage, or cause to be kept or managed, a shooting-gallery, swing-boat, roundabout, or other construction of a like character, so as to cause obstruction or danger to the traffic in such street or public place.

9. **Indecent Language, etc.** - No person shall in any street or public place, or in any place within view or hearing of any street or public place, use any indecent language or gesture, or commit or solicit, incite or provoke any other person to commit any indecent act to the annoyance of residents or passengers.

10. **Violent Behaviour, etc., on School Premises** - Any person other than a teacher, child, manager, governor, or other duly authorised person, being in or on the buildings, playground or other premises of any county school or voluntary school, or any nursery school or special school maintained by the Council, who after being requested to depart therefrom by any teacher at such school, refused to depart therefrom and makes use of any violent, abusive, profane, indecent or obscene language or otherwise behaves in a disorderly manner, shall be guilty of an offence, and shall be liable on conviction to the penalty hereinafter provided.

11. **Indecent Bathing** - No person shall within 200 yards of any street or public place, unless effectually screened from view, bathe from the bank or strand of any water, or from any boat thereon, without wearing a dress or covering sufficient to prevent indecent exposure of the person.

12. **Indecent Shows** - No person shall exhibit any indecent show in any street or public place, or in any place to which persons are admitted with or without the payment of money.

13. **Nuisances Contrary to Public Decency** - No person shall in any street or public place to the annoyance of residents or passengers commit any nuisance contrary to public decency or propriety.

14. **Loitering at Church Doors** - No person shall wilfully and persistently loiter at or near the entrance of any church, chapel, or other place of public worship to the annoyance or obstruction of any persons going to, attending at, or returning from divine service in such church, chapel, or other place of public worship.

15. **Dogs Fouling Footways** -

(1) No person being in charge of a dog shall allow the dog to foul the footway of any street or public place by depositing its excrement thereon.

Provided that a person shall not be liable to be convicted of an offence against this byelaw if he satisfies the Court that the fouling of the footway by the dog was not due to culpable neglect or default on his part.

(2) For the purposes of this byelaw the owner of the dog shall be deemed to be in charge thereof, unless the Court is satisfied that at the time when the dog fouled the footway it had been placed in or taken into the charge of some other person.

16. **Carrying Soot etc.** - No person shall in any street or public place, to the inconvenience or danger of passengers, carry or convey along any footpath any bag of soot, lime, or other offensive substance, or any pointed or edged tools or implements not properly protected.

17. **Carrying Carcases etc.** - No person shall carry or convey along or through any street or public place the undressed carcase of any animal, or any offensive offal, unless the same be properly covered.

18. **Dangerous Games near Streets** - No person shall on any land adjoining a street play any offensive or dangerous game in such a manner as to cause obstruction to the traffic or danger to any person in such street.

19. **Spitting** -

(1) No person shall spit on the floor, side, or wall of any public carriage or of any public hall, public waiting-room or place of public entertainment, whether admission thereto be obtained upon payment or not.

(2) No person shall spit on the paved footway of any street or public place.

(3) In this byelaw the expression "paved" includes any concrete, asphalt or other made up surface.

20 **Noisy Animals** - No person shall keep within any house, building, or premises any noisy animal which shall be or cause a serious nuisance to residents in the neighbourhood. Provided that no proceedings shall be taken against any person for an offence against this byelaw unless the nuisance be continued after the expiration of a fortnight from the date of the service on such person of a notice alleging a nuisance, signed by not less than three householders residing within hearing of the animal.

21. **Cycling on Footpaths** - In so far as the Council may indicate by notices conspicuously exhibited alongside any of the footpaths described in the Schedule to these Byelaws that the riding of bicycles, tricycles or other similar machines on such footpath is prohibited, no person shall ride any such bicycle, tricycle or machine upon such footpath.

Provided that this byelaw shall not apply to any person riding a bicycle, tricycle or other similar machine, otherwise than to the obstruction or danger of any other person lawfully using such footpath.

- (a) on any footpath included in the Schedule to these Byelaws, if the person so riding has lawful authority so to do; or
- (b) on any of the footpaths numbered 38, 39, 40 and 41 in the Schedule to these Byelaws, if the person so riding is bona fide going to or coming from premises abutting on that footpath.

22. **Destruction of Wild Plants** - No person shall (without lawful authority) uproot any ferns, primroses or other plants growing in any road, lane, roadside waste, roadside bank or hedge, common or other place to which the public have access.

23. **Loading of Vehicles** -

(1) No person shall, so as to injure or be likely to injure a highway or to create or be likely to create a danger or nuisance to persons or traffic using a highway, do any of the following things, that is to say:-

- (a) use or cause or permit to be used on a highway a vehicle loaded with wet sand, gravel or other similar substance if, by reason of the wetness of the load and the condition of the vehicle, water drops or leaks from the vehicle. Provided that a person shall not be convicted of an offence against this sub-paragraph if he proves to the satisfaction of the court that before the vehicle was driven on to a highway all such steps had been taken as were reasonably practicable to prevent water from falling from the vehicle while on a highway.

- (b) use or cause or permit to be used on any highway any vehicle for the carriage of clay, soil or other loose substance unless the condition of the vehicle is such that no part of the clay, soil or other loose substance so carried will fall to the ground while the vehicle is on a highway.
- (c) load a vehicle or cause or permit a vehicle to be loaded with clay, soil or other loose substance for carriage on a highway except in such a manner as will prevent the fall of the clay, soil or other loose substance so carried to the ground while the vehicle is on a highway and no person shall drive or permit to be driven upon any highway any such vehicle unless the same is loaded in accordance with this byelaw.

(2) In this Byelaw the expression "vehicle includes any agricultural implement or machine.

24. Mud, etc., Falling From Vehicles On To Highway -

(1) When, to the knowledge of a person in charge of a vehicle, any mud, clay, lime or similar material has fallen on a highway from the vehicle, such person shall, if such fallen material is likely to cause obstruction or danger to persons using the highway or injury to the surface of the highway, remove or cause to be removed all such fallen material from the highway as completely and as soon as is reasonably practicable.

(2) The person in charge of a vehicle shall not bring the vehicle or permit it to be brought upon a highway unless there has been removed from the wheels thereof as completely as is reasonably practicable all mud, clay, lime and similar

material which is likely, if not so removed, to cause obstruction or danger to persons using the highway or injury to the surface of the highway.

(3) In this Byelaw -

"person in charge of a vehicle" means the person who whether as owner or otherwise has the charge or control of a vehicle or being present is entitled to give orders to the person having charge or control;

"vehicle" includes any trailer and any agricultural implement or machine;

"wheels" includes axles, runners and tracks.

25. **Roller Skating** - No person shall on any public footway skate on rollers, wheels or other mechanical contrivances to the danger of passengers.

26. **Unruly Behaviour in Places of Public Entertainment** - No person shall in any place of entertainment to which the public are admitted with or without payment of money, while the public are on the premises, use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.

27. **Fireworks, Stink Bombs, etc. in Places of Entertainment**- No person shall with intent to cause annoyance or inconvenience to any person in any place of entertainment to which the public are admitted, with or without payment of money, while the public are on the premises throw or let off any firework, stink bomb or similar article, or squirt, spray or otherwise throw or scatter any offensive liquid, powder or substance in any such place aforesaid.

28. **Contraceptives -**

(1) It shall be an offence to offer a contraceptive for sale by means of an automatic machine so placed that it can be used by persons who are in a street.

(2) In this Byelaw the expression "street" includes a way or place over which the public have a right of passage, and also the forecourt of or entrance to a building, provided that such a forecourt or entrance is exposed to the view of persons passing along the street and that the public have unrestricted access to such forecourt or entrance.

29. **Penalty Clause** - Any person offending against any of the foregoing Byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefor.

30. **Revocation**- All existing Byelaws for the good rule and government of the Administrative Counties of Middlesex and Hertfordshire or any part thereof so far as they extend to any part of the area which since 1st April 1965 is within the London Borough of Barnet are hereby repealed.

All existing byelaws for good rule and government of the former boroughs of Finchley and Hendon or any part thereof and made by the former respective Borough Councils are hereby repealed.

SCHEDULE
(Byelaw No. 21)

Footpaths

1. Footpath from Ridgeview Road to Totteridge Lane.
2. Footpath from Woodside Lane to Swan Lane.
3. Footpath known as Church Path - from Lodge Lane to High Road, N.20
4. Footpath known as Lovers Walk - from Ballards Lane to Firth Lane.
5. Footpath from Park Crescent to Bow Lane.
6. Footpath across Glebe Lane - from High Road, N.12 to road leading to Downway.
7. Footpath from Glebe Road to Oak Lane.
8. Footpath from Long Lane to north-eastern boundary of the Almhouses.
9. Footpath from Dollis Avenue to Thornfield Avenue.
10. Footpath from Hendon Lane to Church Crescent.
11. Footpath known as The Avenue - from north-western corner of Avenue House Grounds to Manor View.
12. Footpath from Trinity Road to Manor Park Road
13. Footpath from Stanley Road to Church Lane.
14. Footpath from Creighton Avenue to Durham Road.

15. Footpath from Hendon Avenue to Holders Hill Road.
16. Footpath across the Windsor Open Space from Wickliffe Avenue to Holders Hill Gardens
17. Footpath from Southbourne Crescent to Bridge Lane
18. Footpath known as Five Bells Footpath - from East End Road to Abbots Gardens and from Abbots Gardens to Cornwood Close
19. Footpath from East End Road, opposite Market place, to Great North Road.
20. Footpath from The Causeway to Great North Road.
21. Footpath leading to Littlewood from Addison Way.
22. Footpath leading to Littlewood from Denman Drive.
23. Footpath leading from the eastern boundary of the Bethune Recreation Ground to Oakleigh Road South.
24. Footpath leading from New Southgate Station alongside the railway embankment to Pinkham Way.
25. Footpath leading from Oakleigh Park North to Alverstone Avenue.
26. Footpath from Colney Hatch Lane to Hollickwood Avenue.
27. Footpath between Friary Close and Buxted Road.
28. Footpath from Stanford Road to Glenthorne Road.

29. Footpath from York Way to Bawtry Road.
30. Footpath from Friary Road to Valley Avenue.
31. Footpath between Sydney Road and Alexandra Road.
32. Footpath from southern boundary of Moat Mount Open Space to Hendon Wood Lane and Barnet Road.
33. Footpath across Arrandene Open Space from Wise Lane to Wills Grove.
34. Footpath across Copthall Playing Fields from Page Street to Great North Way and footpath from southern boundary of Copthall Playing Fields to Sanders Lane.
35. Footpath across Sunny Hill Park from the churchyard of Hendon (St. Mary's) Parish Church to Great North Way.
36. Footpaths across Hendon Park - From Queen's Road to Shirehall Lane and from the footbridge leading from Renters Avenue to the footpath from Queen's Road to Shirehall Lane.
37. Footpath across Mill Hill Park - from Wise Lane to Flower Lane.
38. Footpath known as Church Way (leading from Station Road, Edgware to Fairfield Crescent).
39. Footpath from Edgwarebury Lane, opposite to its junction with Purcell Avenue, to The Drive, Edgware.
40. Footpath from Station Road, Edgware, past the northern boundary of the

premises of the London Transport Executive to Brook Avenue.

41. Footpath from Aerodrome Road to Colindeep Lane.
42. Footpath from West Way to Brook Avenue.
43. Footpath from Cricklewood Lane to Besant Road.
44. Footpath leading from Glendor Gardens to Mill Way.
45. Footpath from Colin Crescent to Endersleigh Gardens.
46. Footpath from The Reddings to Marsh Close.
47. Footpath from Childs Way to Willifield Way.
48. Footpath from The Ridgeway to Highwood Hill.
49. Footpath from Cecil Road, Hendon, to Colindeep Lane.
50. Footpath from Hodford Road to Nant Road.

The Common Seal of the Mayor,)
Aldermen and Burgesses of the)
London Borough of Barnet was)
hereunto affixed this eleventh)
day of October, 1971, in the)
presence of)

(Signed) K.W. HUGHES
Mayor

(Signed) R.H WILLIAMS
Town Clerk

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the first day of March, 1972.

(Signed) K.P. WITNEY

An Assistant Under Secretary
of State, Home Office, Whitehall

Dated 20th January, 1972