

GREATER LONDON AUTHORITY

**TRAFALGAR SQUARE AND PARLIAMENT SQUARE GARDEN
(AMENDMENT No: 1) BYELAWS 2002**

GREATER LONDON AUTHORITY ACT 1999, SECTION 385(1)

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TRAFALGAR SQUARE AND PARLIAMENT SQUARE GARDEN (AMENDMENT No: 1) BYELAWS 2002

GREATER LONDON AUTHORITY ACT 1999, SECTION 385(1)

The Mayor of London, acting on behalf of the Greater London Authority, hereby makes the following byelaws, which he considers are necessary for securing the proper management of Trafalgar Square and Parliament Square Garden, and the preservation of order and the prevention of abuses there.

Citation

1. These byelaws may be cited as the Trafalgar and Parliament Squares (Amendment No: 1) Byelaws 2002.

Interpretation

2. These byelaws amend the Trafalgar Square and Parliament Square Garden Byelaws 2000 ("the existing Byelaws").

Amendments to the existing Byelaws

3. The following shall be inserted as byelaw 3A after byelaw 3 of the existing Byelaws:-

"3A. No person other than a person acting at the direction of the Mayor shall within Trafalgar Square –

- (1) feed any bird (which shall include dropping or casting feeding stuff for birds); or
- (2) distribute any feeding stuff for birds."

Schedules

- 4.** A copy of the existing Byelaws, with the amendment inserted therein is set out in the Schedule hereto.

These Bylaws were made under the hand of Ken Livingstone, Mayor of London
this 20th day of November 2002.

**Signed by Ken Livingstone,
Mayor of London.**

Ken Livingstone

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into effect one month after the date of confirmation.

**Signed by authority of the
Secretary of State**

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Name: MICHAEL SEENEY

Title HEAD OF ARCHITECTURE AND HISTORIC ENVIRONMENT DIVISION D.C.M.S.

Date: 17th October 2003

Addem:

Schedule

GREATER LONDON AUTHORITY

TRAFALGAR SQUARE AND PARLIAMENT SQUARE GARDEN BYELAWS^a

GREATER LONDON AUTHORITY ACT 1999, SECTION 385(1), (2) AND (4)

The Mayor of London, acting on behalf of the Greater London Authority, hereby makes the following byelaws, which he considers are necessary for securing the proper management of Trafalgar Square and Parliament Square Garden, and the preservation of order and the prevention of abuses there.

Citation

1. These byelaws may be cited as the Trafalgar and Parliament Squares Byelaws 2000.

Interpretation

2. In these byelaws-

"the Act" means the Greater London Authority Act 1999^b;

"the Authority" means the Greater London Authority;

"the Mayor" means the Mayor of London;

"Parliament Square Garden" means the central garden of Parliament Square within the meaning of section 384 of the Act;

"Trafalgar Square" has the same meaning as in the Trafalgar Square Act 1844^c;

"the Squares" means either Trafalgar Square or Parliament Square Garden;

"animal" means any animal or bird;

"authorised person" means a constable, or any person acting to enforce these byelaws in accordance with an authorisation given by the Mayor under section 380 of the Act;

^a As amended by the Trafalgar Square and Parliament Square Garden (Amendment No:1 Byelaws 2002)

^b 1999 c. 29.

^c 1844 c.60.

"the retention period" means the period of 28 days referred to in byelaw 9.

Acts prohibited within the Squares

- 3.** No person shall within the Squares-
- (1) do any act which pollutes or is likely to pollute water in any fountain;
 - (2) fail to keep any animal of which he is in charge under control or on a lead;
 - (3) permit any animal of which he has charge to foul any part of the Squares;
 - (4) use any kite or model aircraft or any mechanically propelled or operated model;
 - (5) wash or dry any piece of clothing or fabric;
 - (6) fail to comply with a reasonable direction given by an authorised person to leave the Squares;
 - (7) fail to remove any animal of which he is in charge from the Squares after being required to do so by an authorised person.
- 3A.** No person other than a person acting at the direction of the Mayor shall within Trafalgar Square –
- (1) feed any bird (which shall include dropping or casting feeding stuff for birds);
or
 - (2) distribute any feeding stuff for birds.^a
- 4.** A constable, an authorised person, a member of the armed forces or of any fire brigade or ambulance service acting in the performance of his duty does not contravene byelaw 3 by doing anything reasonably necessary for the performance of that duty.

Acts within the Squares for which written permission is required

- 5.** Unless acting in accordance with permission given in writing by-
- (a) the Mayor, or
 - (b) any person authorised by the Mayor under section 380 of the Act to give such permission.

no person shall within the Squares-

^a Byelaw 3A inserted by the Trafalgar Square and Parliament Square Garden (Amendment No: 1) Byelaws 2002

- (1) attach any article to any tree, plinth, plant box, seat, railing, fence or other structure;
- (2) interfere with any notice or sign;
- (3) exhibit any notice, advertisement or any other written or pictorial matter;
- (4) play or cause to be played a musical instrument;
- (5) 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 where the sound is received through headphones;
- (6) discharge any weapon which is a firearm within the meaning of section 57 of the Firearms Act 1968^a, or project any missile manually or by artificial means;
- (7) camp, or erect or cause to be erected any structure, tent or enclosure;
- (8) collect or solicit money or any other gift;
- (9) make or give a public speech or address;
- (10) organise or take part in any assembly, display, performance, representation, parade, procession, review or theatrical event;
- (11) take photographs or any other recordings of visual images for the purpose of or in connection with a business, trade, profession or employment or any activity carried on by a person or body of persons, whether corporate or unincorporate;
- (12) ride any animal on a Square;
- (13) go on any shrubbery or flower bed;
- (14) cause or permit any animal or bird of which he is in charge to chase, worry or injure any animal or bird;
- (15) engage in any organised form of sport or physical exercise which causes a disturbance to any other person using the square;
- (16) unless in an emergency, cause any vehicle to wait, or leave any vehicle unattended;
- (17) use any pedal cycle, roller skate, ice skate, roller blade, skate board or other foot-propelled device;

^a 1968 c.27.

(18) tow or leave any caravan.

Trading

6. Unless acting in accordance with the terms of a written licence issued by-

- (a) the Mayor, or
- (b) any person authorised by the Mayor under section 380 of the Act to issue such a licence.

no person shall within the Squares-

- (1) carry on any trade or business;
- (2) sell or hire anything, or offer anything for sale or hire;
- (3) expose or have in his possession anything for the purpose of sale or hire within the Squares;
- (4) use language which publicly intimates that any article, commodity, facility or service can be obtained within the Squares or elsewhere.

7. Byelaw 6 is a trading byelaw for the purposes of section 385 of the Act.

8. An authorised person who reasonably suspects that a person has contravened byelaw 6 may seize anything of a non-perishable nature which-

- (a) that person has in his possession or under his control, and
- (b) the authorised person reasonably believes to have been used in the contravention of the byelaw.

9. The Mayor, or any authorised person may retain anything which has been seized under byelaw 8 until the end of the period of 28 days beginning with the date of the seizure.

10. Byelaw 11 applies where during the retention period an information for an offence under section 385 of the Act for breach of byelaw 6 is laid;

- (a) against the person from whom a thing was seized under byelaw 8, and
- (b) in respect of his activities at the time of the seizure.

11. Where this byelaw applies-

- (a) the Mayor, or any authorised person may retain the thing seized until the conclusion of the proceedings relating to the offence (including any appeal), and
 - (b) if in those proceedings an award is made of costs to be paid by the accused to the Mayor or to the authorised person, the Mayor or the authorised person (as the case may be) may retain the thing seized until the costs have been paid.
- 12.** (1) If the Mayor or an authorised person has retained a thing in reliance on byelaw 11(b) for 28 days beginning with the date of the conclusion of proceedings relating to the offence (including any appeal)-
- (a) he may sell it for the best price which he can reasonably obtain and apply the proceeds in discharge of the award of costs, and
 - (b) if he does so, he shall pay any balance to the person whom he believes to have owned the thing immediately before the sale.
- (2) Where the Mayor or an authorised person ceases to be entitled to retain a thing under byelaws 9 or 11 he shall, subject to byelaw 13, return it to the person whom he believes to be its owner.
- (3) If the Mayor or the authorised person, after reasonable inquiry cannot identify the owner of a thing for the purposes of this byelaw-
- (a) he shall apply to a magistrates' court for directions, and
 - (b) the court shall make an order about the treatment of the thing or the balance of its price.
- 13.** (1) A court which convicts a person of an offence under section 385 of the Act for breach of byelaw 6 may order that any thing to which this byelaw applies be forfeited and dealt with in a manner specified in the order.
- (2) This byelaw applies to anything which-
- (a) was seized under byelaw 8;
 - (b) is retained by the Mayor or an authorised person under byelaws 9 or 11, and
 - (c) the court believes to have been used in the commission of the offence.
- (3) Before making an order for the forfeiture of a thing under this byelaw a court shall-
- (a) permit anyone who claims to have an interest in the thing to make representations to the court; and

(b) consider the thing's value and the likely consequences of forfeiture.

14. Where an authorised person has reasonable ground for belief that a person has contravened any one or more of these byelaws, that person shall give on demand his name and address to that authorised person.

The Common Seal of the Greater London Authority was affixed to these byelaws this twenty fourth day of July 2000.

**The Common Seal of the }
Greater London Authority was }
hereunto affixed in the }
presence of:- }**

Ken Livingstone

Mayor of London

Murziline Parchment

Interim Head of Legal

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the first day of October 2000.

N. Pittman

**Signed by authority of the
Secretary of State**

Name: N.Pittman

Title: Head of Buildings,
Monuments and Sites
Division

Date: 12 September 2000

Addem: