STATUTORY INSTRUMENTS

1980 No. 361

OPEN SPACES

The Wakehurst Place Regulations 1980

Laid before Parliament in draft

Made - - - - 11*th March* 1980

Coming into Operation 15*th March* 1980

The Minister of Agriculture, Fisheries and Food in exercise of the powers conferred on him by sections 2(1) and 3 of the Parks Regulation (Amendment) Act 1926(**a**) extended by section 48 of the Agriculture (Miscellaneous Provisions) Act 1968(**b**) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Wakehurst Place Regulations 1980 and shall come into operation on 15th March 1980.

Revocation of previous regulations

2. The Wakehurst Place Regulations 1969(**c**) are hereby revoked.

Exemption of authorised persons

3. Nothing in these regulations shall apply to anything done by a person authorised in regard thereto by or on behalf of the Minister of Agriculture, Fisheries and Food.

Regulations to be observed by persons using the Gardens

4. The following regulations shall be observed by persons using the grounds of Wakehurst Place, which expression shall include that part of the Mansion comprising the restaurant and exhibition rooms (hereinafter together referred to as "the Gardens"), but excluding administration buildings, nursery area, workshops and public car park.

(1) No child under the age of 10 years shall enter or remain in the Gardens, unless under the effective control of an adult.

(2) A person for the time being in charge of a child under 10 years of age shall keep the child under effective control, and shall not permit the child to commit any breach of these regulations.

(**a**) 1926 c. 36. (**b**) 1968 c. 34. (**c**) S.I. 1969/1000.

(3) No person shall enter or remain in the Gardens after the time appointed for closing the same or while a notice is displayed or otherwise given stating that the same are closed.

(4) No person shall bring into or use in the Gardens any cycle or any vehicle except an invalid chair or invalid carriage (whether or not mechanically propelled) or a perambulator.

(5) No person shall bring any animal into the Gardens except a guide dog, being a dog bearing a medallion with the Crest of the Dogs for the Blind Association accompanying a blind person, and any such dog shall be retained on a leash.

(6) No person shall play any game or engage in any form of sport, drill, gymnastics, athletics or similar activity, or bring into, carry or use in, the Gardens any ball, equipment or apparatus for any such purpose.

(7) No person shall bring into, carry or use in the Gardens any radio, musical instrument or apparatus of any kind for the transmission, reception or reproduction of sound or images by electrical or mechanical means.

(8) No intoxicated person shall enter into or remain in the Gardens.

(9) No person shall bring into the Gardens any living plant, shrub or tree or any part thereof.

(10) No person shall solicit or collect any alms, donations, contributions or subscriptions.

(11) No person shall carry on any trade or business or sell or distribute any thing or offer any thing for sale or hire.

(12) No person shall enter or go on any part of the Gardens access to which is barred or is prohibited by a notice or after having been required by a park constable not to do so.

(13) No person shall handle, tamper with, destroy, cut, injure or take away any tree, shrub, bough, leaf, plant, flower, fruit, seed, label or exhibit.

(14) Any person having in his possession a bag, basket, parcel or receptacle shall, if so required, show the contents thereof to a park constable who reasonably suspects that such a person has plucked or taken away or has in his possession in breach of these regulations any bough, leaf, plant, flower, fruit, seed, label or exhibit.

(15) No person shall damage or deface by writing or otherwise any wall, building, structure, statue, erection, seat, railing or thing in or enclosing any part of the Gardens, or wilfully damage or deface any lawn, road or path.

(16) No person shall exhibit, affix or distribute any notice, advertisement or other written or pictorial matter.

(17) No person shall discard (otherwise than in a receptacle provided for the purpose) any bottle, tin, container, glass, crockery, paper, plastic, wrapper or other refuse.

(18) No person shall use profane, indecent or obscene language.

(19) No person shall behave or be clothed in a manner reasonably likely to offend against public decency.

(20) No person shall wilfully and unreasonably interfere with the comfort or convenience of or cause annoyance to any other person.

(21) No person shall throw or discharge any stone or missile.

(22) No person shall light any fire or firework or do any act causing or capable of causing damage by fire to the Gardens or to any object or vegetation.

(23) No person shall wilfully injure or worry any animal, bird, or fish, or take or damage or attempt to take or damage any eggs.

(24) No person shall deliver any public address or give or take part in any public performance, display or exhibition.

(25) No persons shall congregate so as to cause annoyance to any other person or so as to interfere with the enjoyment of the Gardens by any other person.

(26) No person shall enter, use or skate over the ornamental waters in the Gardens.

(27) No person shall enter or leave the plant houses or buildings otherwise than by the doors for entering or leaving as shown on any notices or signs affixed thereto, or pass through the plant houses or buildings except in the direction indicated by any such notices or signs.

(28) No person shall smoke or carry a lighted pipe, cigar or cigarette in the plant houses or buildings.

(29) No person shall climb any tree or any railing, fence, wall or other structure within or bounding the Gardens.

(30) No person shall, for the purpose of any advertisement, trade or business, take any photograph or make any painting or drawing.

(31) No person shall use any camera or other photographic apparatus or any equipment or apparatus for the making of paintings or drawings in any plant house or building.

(32) No person shall enter or leave the Gardens otherwise than by the entrances, gates or doors provided for those purposes and if so required by a park constable, shall leave the Gardens only by the entrance, gate or door indicated by him.

(33) Any person whom a park constable reasonably suspects of having contravened any of these regulations shall, on demand by the park constable, give him his name and address and if so requested by the park constable, leave the Gardens.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this 11th day of March 1980.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, made by the Minister of Agriculture, Fisheries and Food, supersede the Wakehurst Place Regulations 1969. They set out the Regulations to be observed by persons using Wakehurst Place.

These Regulations differ from the previous Regulations in that they are now brought into line with the Royal Botanic Gardens, Kew, Regulations 1977/2088. The Wakehurst Place car park is also not now subject to the Regulations.

The Parks Regulation (Amendment) Act 1926, as amended by the Criminal Justice Act, 1967 (c. 80), imposes a penalty not exceeding £20 for any breach of the Regulations.

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