

MONKEN HADLEY COMMON TRUST

REGULATIONS 2024

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SCHEDULE - Rules for playing ball games in designated areas

Regulations made under sections 10 and 11 Monken Hadley Common Act 2022 (“the Act”) by the Monken Hadley Common Trust with respect to Monken Hadley Common in the London Borough of Barnet.

Adopted by the Board on behalf of Monken Hadley Common Trust on 1st October 2024

Confirmed by the Secretary of State for the Environment on 2024

PART 1

GENERAL

General Interpretation

1. In these regulations:

“the Trust” means the Monken Hadley Common Trust (registered charity number 1199156), which is a Charitable Incorporated Organisation, or its successor in title;

“the Common” means Monken Hadley Common as defined in section 2 of the Act;

“commoner” means a person entitled to exercise common rights on the Common;

“designated area” or “designated route” means an area or route on the Common which is set aside for a specified purpose, that area (other than the cricket ground) or route and its purpose to be indicated by notice(s) placed in a conspicuous position;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

(a) the unladen weight of which does not exceed 150 kilograms,

(b) the width of which does not exceed 0.85 metres, and

(c) which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person.

Application

2. (1) These regulations apply to the Common.

(2) Nothing in these regulations shall take effect in relation to anything done with the consent of the Trust (whether general or specific) and any such consent may be granted subject to such conditions, including the payment of a fee, as the Trust considers appropriate.

PART 2

PROTECTION OF THE COMMON, ITS WILDLIFE AND THE PUBLIC

Protection of structures, plants etc

3. (1) No person shall without reasonable excuse remove from, displace or interfere with within the Common:
 - (a) any barrier, railing, gate, fence, post, seat or implement, or any part of a structure or ornament or any implement provided for use in the laying out or maintenance of the Common; or
 - (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.
- (2) No person shall plant any tree, shrub, flower or plant.

Unauthorised erection of structures

4. (1) No person shall erect on the Common any barrier, fence, post, rail, tent, booth, stand, building or any other structure;

(2) No person shall make, form or alter any road or footpath or dig, lay, construct or alter any ditch, waterway, sewer, drain or similar work on, under or across the Common or any part of it.

Climbing

5. No person shall cause or create a nuisance or cause damage by climbing any wall or fence on or enclosing the Common, or any tree, barrier, railing, post or other structure.

Grazing

6. No person shall turn out or permit any animal for which he is responsible to graze on the Common other than in exercise of rights of common.

Protection of wildlife

7. No person shall intentionally kill, injure, take or disturb any animal or fish or engage in hunting, shooting, fishing, the setting of traps or nets or the laying of snares.

Fires

8. No person shall on the Common:
 - (a) intentionally light or tend a fire; or
 - (b) place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire; or
 - (c) light or tend a barbecue.

Missiles

9. No person shall on the Common, to the danger or annoyance of any other person, throw or discharge any missile.

Interference with life-saving equipment

10. No person shall except in case of emergency remove from or displace within the Common or otherwise tamper with any life-saving appliance or defibrillator apparatus provided by the Trust or those authorised by it.

PART 3

HORSES, CYCLES, PARKING AND DOGS

Interpretation of Part 3

In this Part:

“motorcycle” means a mechanically-propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

Horses

11. (1) No person shall ride a horse except:
 - (a) in the exercise of a lawful right or privilege;
 - (b) on a public highway, bridleway or designated route;

(2) Where horse-riding is permitted by virtue of regulation 11(1) no person shall ride a horse in such a manner as to cause damage to the Common or danger or a nuisance to any other person.

Cycling

12. Neither cycling nor the riding of electrically – assisted pedal cycles is permitted on the Common save on a public highway, bridleway or designated route.

Parking

13. No person shall leave or cause or permit to be left any motor vehicle, motor cycle, e-scooter or trailer on the Common save on a public highway or in a designated area for the parking thereof.

Dogs

14. No person shall without reasonable excuse take more than six (6) dogs, or such lesser number as may be permitted under a Public Spaces Protection Order relating to the Common, onto the Common unless:
- (a) he is in possession of public liability insurance of which proof shall be shown to an officer of the Trust or other person authorised to enforce these Regulations or
 - (b) the Trust has consented (generally or specifically) in writing to his taking more than the permitted number of dogs onto the Common without meeting the above requirement.

PART 4

PLAY AREAS, GAMES, CAMPING AND SPORTS

Children's play areas

15. No person aged 14 years or over shall enter or remain in a designated area which is a children's play area unless such person is in charge of a child under the age of 14 years.

Ballgames

16. (1) No person shall play or engage in organised ball games or activities on the Common.
- (2) "Organised" shall mean a ball game or activity arranged by or on behalf of any public body, school, company, club or other organisation or association.

(3) "Ball games" means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching.

(4) Any person engaging in such activity shall comply with the rules in the Schedule hereto.

Cricket

17. No person shall throw or strike a cricket ball with a bat except in a designated area for playing cricket.

Camping

18. No person shall on the Common erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping.

Field sports, archery and golf

19. No person shall drive, chip or pitch a hard golf ball, throw or put any javelin, hammer, discus or shot or engage in archery.

PART 5

WATERWAYS

Interpretation of Part 5

In this Part:

"boat" means any yacht, motor boat or similar craft but not a model or toy boat;

"power-driven" means driven by electricity, the combustion of petrol vapour, compressed gas or other combustible substances;

"waterway" means any river, stream, lake, pool, ditch, drain or sewer or other body of water and includes any fountain.

Bathing

20. No person shall without reasonable excuse bathe or swim in any waterway except in a designated area for bathing and swimming.

Model boats

21. No person shall operate a power-driven model boat on any waterway.

Boats

22. No person shall sail or operate any boat, dinghy, canoe, sail board or inflatable on any waterway

Fishing

23. No person shall in any lake or waterway cast a net or line or use any other device for the purpose of catching fish or other animals without the consent of the Trust or a person authorised by it to give such consent.

Watercourses

24. (1) No person shall on the Common knowingly cause or permit the flow of any drain or watercourse to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus.

(2) No person shall intentionally, carelessly or negligently foul or pollute any waterway on the Common.

PART 6

MODEL AIRCRAFT AND DRONES

Interpretation of Part 6

In this Part:

“model aircraft” means an unmanned aircraft or drone

“power-driven” means driven by:

- (a) electricity, the combustion of petrol vapour, compressed gas or other combustible substances or
- (b) jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres in length;

General prohibition

25. No person shall cause any power-driven model aircraft to:
- (a) be released for flight or control the flight of such model aircraft on or above the Common; or
 - (b) land on the Common.

PART 7

OTHER REGULATED ACTIVITIES

Excessive noise

26. No person on the Common shall, after being requested to desist by any person annoyed or disturbed, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the Common by:
- (a) shouting or singing;
 - (b) playing on a musical instrument; or
 - (c) by operating or permitting to be operated any radio, CD player or other device capable of emitting sound.

Public shows, exhibitions and structures

27. No person shall on the Common place or take part in any show or exhibition, or set up any swing, roundabout or other like thing.

Aircraft, hang gliders and hot air balloons

28. No person shall except in case of emergency take off from or land on the Common in an aircraft, helicopter, hang glider or hot air balloon.

Kites

29. No person shall on the Common fly or cause or permit to be flown any kite in such a manner as to cause a danger or annoyance to any other person.

Metal detectors

30. No person shall on the Common use any device designed or adapted for detecting or locating any metal or mineral in the ground.

Trading and other commercial activity.

31. No person shall on the Common sell or offer or expose for sale or hire any service, commodity or article or conduct any activity in the course of a business or for reward including the walking and exercise of dogs, filming and the taking of photographs, videos or films.

Charging

32. (1) The Trust may charge a sum for granting consent for the use of any part of the Common:

- (a) for any organised activity or
- (b) an activity in the course of a business or for reward or
- (c) facilities, including for leisure activities and parking, provided by the Trust or
- (d) for activities that may not be undertaken without its consent.

(2) The Trust shall publish details of its scale of charges on its website or on a notice board or boards on the Common from time to time.

PART 8

MISCELLANEOUS

Obstruction

33. No person shall on the Common:
- (a) intentionally obstruct any officer of the Trust in the proper execution of his duties; or
 - (b) intentionally obstruct any person carrying out an act which is necessary for the proper execution of any contract or agreement with the Trust.

Savings

34. (1) An act necessary to the proper execution of his duty on the Common by an officer of the Trust or any act which is necessary for the proper execution of any contract or agreement with the Trust shall not be an offence under these regulations.
- (2) Nothing in or done under any of the provisions of these regulations shall in any respect prejudice or injuriously affect any public right of way through the Common or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the Common or any part of thereof.

Penalty and enforcement

35. Any person offending against any of these regulations shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Revocation

36. The Rules and Orders made by the Commoners of Monken Hadley Common on and before 8 April 1981 relating to the Common are hereby revoked.

SCHEDULE

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (REGULATION 16)

Any person using a designated area for playing ball games is required by regulation 16 to comply with the following rules:

- (1) No person shall play any game other than those ball games for which the designated area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use of the designated area has been granted to a person or group of persons by the Trust for a specified period, no other person shall play in that area during that period.
- (4) Subject to paragraph (5), where the designated area is already in use by any person, any other person wishing to play in that area must seek their permission to do so.
- (5) Except where they have been granted exclusive use of the designated area for more than two hours by the Trust, any person using that area shall vacate it if they have played continuously for two hours or more and any other person wishes to use that area.
- (6) No person shall play in the designated area when a notice which prohibits play in that area has been placed by the Trust in a conspicuous position.

Signed on behalf of the MONKEN HADLEY COMMON TRUST
by:

ANDREW PETER WALKER



ROGER MARTIN HEADEY

(Trustees)

