

# REGULATORY SERVICES COMMITTEE

6 DECEMBER 2017

## PART I - NOT DELEGATED

### 8. REVIEW OF BYELAWS: NEW MODEL BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES (DCES)

#### 1. Summary

1.1 This report provides an outline of how the Council is able to review byelaws using the new regulations introduced in 2016 and to explain how the Council aims to modernise the current Open Spaces Byelaw which came into operation in February 1981. Officers have prepared the draft Byelaws, consultation documents, a Regulation Impact Assessment and an Equality Impact Assessment; as required by the Byelaws Regulations (see below). Research has shown a number of Local Authorities have used this method to modernise their byelaws.

#### 2. Details

##### 2.1 *The Legislation*

The Byelaws (Alternative Procedure) (England) Regulations 2016 (“the Regulations”) introduce new arrangements for byelaws.

2.2 The regulations simplify the procedures for making new byelaws and amending byelaws, including changing the Secretary of State for Communities and Local Government’s role in confirming byelaws. This is now a matter for the local council, having taken account of any representations made about the proposed byelaw. Albeit, the Secretary of State should give approval for the Byelaw and these steps can now take place concurrently.

2.3 The Department for Communities and Local Government provide a number of ‘Model’ Byelaws, with guidance for the completion of such byelaw, via the GOV.uk website. These are provided for creating and revoking byelaws.

2.4 The Council adopted its current Open Spaces Byelaw in February 1981. The review has been prompted by the need to ensure that all relevant council land is covered by byelaws and that the byelaws are up to date. The review has been led to date by an officer group formed from Departments across the Council who are responsible for parks and open spaces.

##### 2.5 *Steps to making a new Byelaw*

When making a byelaw a local authority should have regard to, and fully comply with the Regulations and conform to the following steps (these do not need to be consecutive steps):

- i) Review current byelaw and decide on suggested changes and improvements
- ii) Draft the proposed byelaw, a regulatory impact assessment and consultation
- iii) Submit the application for approval to the Secretary of State
- iv) Await the Secretary of State’s decision
- v) Advertise and consult on the proposed byelaw

2.6 A draft of the new Byelaws for Pleasure Grounds, Public Walks and Open Spaces is attached at Appendix 1.

## 2.7 **Draft timeline**

6 December 2017	Report to Regulatory Committee
8 January 2018	Open Consultation
5 February 2018	Close Consultation
Feb to May 2018	Refer Byelaws to Secretary of State
22 May 2018	Council
July 2018	Go Live

## 3. **Consultation**

- 3.1 Officers have produced a Question and Answer (Q&A) document to support the public consultation; see Appendix 2. Following the example of other local authorities who have completed reviews of byelaws, the Q & A document will anticipate and answer as many public questions as possible, covering each byelaw. This aims to help any consultees with their potential queries and to provide further insight into the effectiveness of the byelaws.
- 3.2 The consultation will take the form of inviting comments from the stakeholders, once having read the Q&A document. Officers have prepared a comprehensive list of potential stakeholders who will be contacted and invited to comment. The draft Byelaws and consultation documents will be available on the Three Rivers website.
- 3.3 Following the close of the consultation period, some amendments may be made to the Byelaws and Regulatory Impact Assessment

## 4. **Regulatory Impact Assessment**

- 4.1 The regulations require a Regulatory Impact Assessment (RIA) to be completed and published at the same time as the Byelaws and the consultation. The regulations state: "A relevant authority...must...carry out an assessment of whether the regulatory burden imposed by the proposed byelaw is proportionate". The RIA must include, but need not be limited to:
- (i) Identification of the objective which the proposed byelaw is seeking to secure;
  - (ii) Whether the objective intended to be secured by the proposed byelaw could be satisfactorily secured by alternative means;
  - (iii) The impact of the proposed byelaw on all persons identified by the authority as being potentially affected by it;
  - (iv) Whether the result of the proposed byelaw would increase or lessen the regulatory burden on persons potentially affected by the proposed byelaw, insofar as possible expressing that increase or reduction in monetised form;
  - (v) How these alternative means and the proposed byelaw compare with carrying out no further action

*The Byelaws (Alternative Procedure) (England) Regulations 2016 Section 5. (2) (b)*

- 4.2 The draft RIA is attached at Appendix 3 and will be updated, if required, following the consultation and will be published before the Byelaws come into effect.

## 5. **Policy/Budget Reference and Implications**

- 5.1 The recommendations in this report are within the Council's agreed policy and budgets. The relevant policies are entitled:  
Community Strategy 2012 - 2018  
Strategic Plan 2017 – 2020

The relevant aims and objectives are:

Community Strategy:  
5) Crime and Anti-Social Behaviour

Strategic Plan:  
1) Better Neighbourhoods  
1.1.1) Maintain high quality local neighbourhoods and streets.  
1.1.2) maintain the number of accredited open spaces, parks and woodlands.  
2) Healthier Communities  
2.3.1) Reduce anti-social behaviour and crime.  
2.4.1) Ensure the safety of people in the district.  
2.5.1) Improve and facilitate access to leisure and recreational activities for adults.

## 6. Financial Implications

- 6.1 There are cost implications for the procurement and installation of the signs for the Byelaws. These must be displayed at the access points to each site identified in the Byelaws. This cost is currently subject to the budget process. A PID has been prepared and is currently at the committee stage. There is also an additional cost for the statutory notice we must include in a local newspaper, if the Byelaws are approved. The PID will be reported to Leisure and Wellbeing and Health Committee on the 29 November 2017 and to General Public Services Committee on the 7 December 2017.

Item	Cost
▪ Project management	In house
▪ All other staffing/resourcing costs (including ICT resources required)	In house
▪ Signage	£9,000
▪ Overheads; buildings	In house
▪ Equipment (including hardware & software)	In house
▪ Legal Services support and advice	In house
▪ Public Notice in local newspaper	£643.40

Explanation and assumptions of how the cost has been calculated:

- Previous quotes for signs of approx. 30cms x 60 cms = £150/sign, including fixings
- Some signs will need to be larger and others smaller.
- Some existing signs may be able to be converted with a plastic sign fixed over the top.
- There are approx. 60 sites included in the Parks and Open Spaces Byelaws schedule.
- We have assumed most sites will require two signs, one at the entrance and one at the exit. Some sites will have more than one entrance/exit and therefore these will require more than two signs. Other sites will only require one sign.

- We have also assumed we will be able to negotiate an 'economy of scale' with the supplier.
- Therefore: **30 sites x 2 signs x £150 = £9,000**

## 7. **Legal Implications**

- 7.1 The existing 1981 Byelaws are enforceable but out of date and a number of areas, which need to be protected, are currently not covered by the Byelaws. The model Open Space byelaws have been produced by DCLG and officers are recommending following the model.
- 7.2 The Regulations have simplified the procedures for adopting updated model Byelaws and the recommendations in the report ensure that the Council follows the necessary legal procedures to enable new Byelaws to be adopted across the District. The Byelaws have to be approved by Full Council
- 7.3 Enforcement of the Byelaws will not change dramatically. Members of the public will be encouraged by signage and by Officers to comply with the rules in everyone's best interests. Prosecution for breach of the byelaw is a last resort.
- 7.4 Once the new Byelaws are adopted the Council will revoke the existing Byelaws for Parks and Open Spaces (1981).

## 8. **Equal Opportunities Implications**

### 8.1 **Relevance Test**

Has a relevance test been completed for Equality Impact?	Yes
Did the relevance test conclude a full impact assessment was required?	No

## 9. **Staffing Implications**

- 9.1 None specific.

## 10. **Environmental Implications**

- 10.1 None specific.

## 11. **Community Safety Implications**

- 11.1 The byelaws will facilitate the maintenance and enjoyment, by all members of the public, of high quality parks, woodlands and open spaces across the district as they will support the Council's ability to manage inappropriate and unacceptable behaviour.

## 12. **Public Health implications**

- 12.1 None specific.

## 13. **Customer Services Centre Implications**

- 13.1 None specific.

14. **Communications and Website Implications**

14.1 The website will be updated accordingly.

15. **Risk Management and Health & Safety Implications**

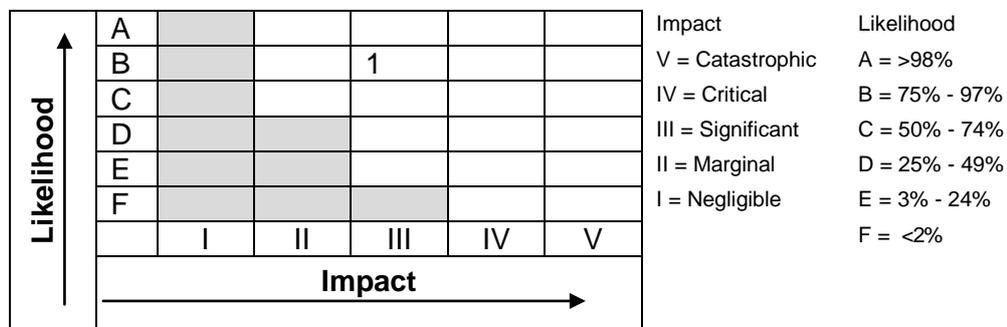
15.1. The subject of this report is covered by the Leisure and Landscape and Environmental Protection service plans. Any risks resulting from this report will be included in the risk register and, if necessary, managed within these plans

15.2 The following table gives the risks that would exist if the recommendation is rejected, together with a scored assessment of their impact and likelihood:

Description of Risk		Impact	Likelihood
1	Unable to manage inappropriate and unacceptable behaviour within parks, woodlands and open spaces	III	B

15.3 Of the risks detailed above none is already managed within a service plan.

15.4 The above risks are plotted on the matrix below depending on the scored assessments of impact and likelihood, detailed definitions of which are included in the risk management strategy. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood are plotted in the shaded area of the matrix. The remaining risks require a treatment plan.



15.5 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of treatment plans are reviewed by the Audit Committee annually.

16. **Recommendation**

16.1 That the Consultation process, timescales and Regulatory Impact Assessment (RIA), set out in paragraphs 2.6, 3 and 4 be agreed and actioned.

16.2 That the Council should consult on the proposed model byelaws attached at Appendix 1.

16.3 That the Director of Community and Environmental Services, in consultation with the Chairman of the Regulatory Services Committee, be delegated to consider minor amendments to the draft Byelaws and RIA following consultation.

TO COUNCIL

- 16.4 That once we have received approval from the Secretary of State to the new Byelaws that they are formally adopted by Full Council and come into operation in 2018.
- 16.5 That once the new Byelaws are adopted, Council will revoke the existing Byelaws for Parks and Open Spaces (1981).

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### **Data Quality**

Data sources:

1	Poor	
2	Sufficient	✓
3	High	

### **Background Papers**

#### **APPENDICES / ATTACHMENTS**

1. Draft Byelaws for Pleasure Grounds, Public Walks And Open Spaces
2. Consultation Question and Answer document
3. Regulatory Impact Assessment
4. Equality Relevance Test – Form A

**THREE RIVERS DISTRICT COUNCIL**

**BYELAWS FOR PLEASURE GROUNDS, PUBLIC  
WALKS AND OPEN SPACES**

**ARRANGEMENT OF BYELAWS**

**PART 1  
GENERAL**

1. General interpretation
2. Application
3. Opening times

**PART 2**

**PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC**

4. Protection of structures and plants
5. Unauthorised erection of structures
6. Climbing
7. Grazing
8. Protection of wildlife
9. Gates
10. Camping
11. Fires
12. Missiles
13. Interference with life-saving equipment

**PART 3**

**HORSES, CYCLES AND VEHICLES**

14. Interpretation of Part 3
15. Horses - Horse riding permitted but must not cause danger
16. Horses - Horse riding prohibited except in certain grounds (subject to bridleway, etc)
17. Cycling
18. Motor vehicles
19. Overnight parking

PART 4  
PLAY AREAS, GAMES AND SPORTS

20. Interpretation of Part 4
21. Children's play areas
22. Children's play apparatus
23. Skateboarding, etc - Skateboarding, etc permitted but must not cause danger or annoyance
24. Skateboarding, etc - Skateboarding, etc permitted only in designated area
25. Ball games - Ball games permitted throughout the ground but designated area for ball games also provided
26. Ball games - Rules
27. Cricket
28. Archery
29. Field sports
30. Golf - Prohibited except on golf course

PART 5  
WATERWAYS

31. Interpretation of Part 5
32. Bathing
33. Ice skating
34. Model boats
35. Boats
36. Fishing
37. Pollution
38. Blocking of watercourses

PART 6  
MODEL AIRCRAFT

39. Interpretation of Part 6
40. Model aircraft - General prohibition
41. Model aircraft – Model aircraft permitted in certain grounds on specified days and at specified times

PART 7  
OTHER REGULATED ACTIVITIES

42. Provision of services

- 43. Excessive noise
- 44. Public shows and performances
- 45. Aircraft, hang-gliders and hot air balloons
- 46. Kites
- 47. Metal detectors

PART 8  
MISCELLANEOUS

- 48. Obstruction
- 49. Savings
- 50. Removal of offenders
- 51. Penalty
- 52. Revocation - General
- 53. Revocation - General

SCHEDULE 1 - Grounds to which byelaws apply generally

SCHEDULE 2 - Grounds referred to in certain byelaws

SCHEDULE 3 - Rules for playing ball games in designated areas

Byelaws made under section 164 of the Public Health Act 1875/section 15 of the Open Spaces Act 1906/sections 12 and 15 of the Open Spaces Act 1906 by Three Rivers District Council with respect to pleasure grounds, public walks and open spaces.

## **PART 1 GENERAL**

### **General Interpretation**

1. In these byelaws:

“the Council” means Three Rivers District Council;

“the ground” means any of the grounds listed in the Schedules;

“designated area” means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices 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. These byelaws apply to all of the grounds listed in Schedule 1 unless otherwise stated.

### **Opening times**

- 3. (1) No vehicle shall enter or remain in the ground except during opening hours.
- (2) “Opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.
- (3) Byelaw 3(1) applies only to the grounds listed in Part 1 of Schedule 2.

## **PART 2**

### **PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC**

#### **Protection of structures and plants**

4. (1) No person shall without reasonable excuse remove from or displace within the ground:
  - (a) any barrier, post, seat or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or
  - (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.
- (2) No person shall walk on or ride, drive or station a horse or any vehicle over:
  - (a) any flower bed, shrub or plant;
  - (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
  - (c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

#### **Unauthorised erection of structures**

5. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

#### **Climbing**

6. No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

#### **Grazing**

7. No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.

#### **Protection of wildlife**

8. No person shall kill, injure, take or disturb any animal or wildlife, or engage in hunting or shooting or the setting of traps or the laying of snares, or otherwise remove or damage the habitat of any animal or wildlife unless with the consent of the Council by way of a licence or other such approval.

#### **Gates**

9. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.

#### **Camping**

10. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping except in a designated area for camping.

## **Fires**

11. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 11(1) shall not apply to:
  - (a) the lighting of a fire at any event for which the Council has given permission that fires may be lit.

## **Missiles**

12. No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.

## **Interference with life-saving equipment**

13. No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.

## **PART 3**

### **HORSES, CYCLES AND VEHICLES**

#### **Interpretation of Part 3**

14. In this Part:

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that purpose to be indicated by notices placed in a conspicuous position;

“motor cycle” 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**

15. No person shall ride a horse in the ground in such a manner as to cause danger to any other person.
16. (1) No person shall ride a horse except:
  - (a) in any of the grounds listed in Part 2 of Schedule 2; or
  - (b) in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted in any ground by virtue of byelaw 16(1)(a) or a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

## **Cycling**

17. (1) No person shall ride a cycle in the ground in such a manner as to cause danger or reasonable fear of injury to any other person.
- (2) This Byelaw does not apply to the grounds listed in Part 3 of Schedule 2 where no cycling is permitted at any time.

## **Motor vehicles**

18. (1) No person shall without reasonable excuse bring into or drive in the ground a motor cycle, motor vehicle or trailer except in any part of the ground where there is a right of way for that class of vehicle.
- (2) Where there is a designated route for motor cycles, motor vehicles or trailers, it shall not be an offence under this byelaw to bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.

## **Overnight parking**

19. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the ground between the hours of 10p.m. and 6a.m.

## **PART 4**

### **PLAY AREAS, GAMES AND SPORTS**

#### **Interpretation of Part 4**

20. In this Part:

“ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket;

“golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area or putting course;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the vehicle.

#### **Children’s play areas**

21. No person aged 14 years or over shall enter or remain in a designated area which is a children’s play area unless in charge of a child under the age of 14 years (unless making use of the adult gym included within a children’s play area).

#### **Children’s play apparatus**

22. No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

### **Skateboarding, etc**

23. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.
24. (1) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities.
- (2) Where there is a designated area for skating, sliding or riding on rollers, skateboards or other self-propelled vehicles, no person shall engage in those activities in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

### **Ball games**

25. No person shall play ball games outside a designated area for playing ball games in such a manner:
- (a) as to exclude persons not playing ball games from use of that part;
- (b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
- (c) which is likely to cause damage to any tree, shrub or plant in the ground.
26. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 3 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

### **Cricket**

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

### **Archery**

28. No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.

### **Field sports**

29. No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Council or on land set aside by the Council for that purpose.

### **Golf**

30. No person shall drive, chip or pitch a hard golf ball except on the golf course.

## **PART 5**

### **WATERWAYS**

#### **Interpretation of Part 5**

31. In this Part:

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

“power-driven” means driven by the combustion of petrol vapour or other combustible substances;

“waterway” means any river, lake, pool or other body of water and includes any fountain.

#### **Bathing**

32. No person shall without reasonable excuse bathe or swim in any waterway.

#### **Ice skating**

33. No person shall step onto or otherwise place their weight upon any frozen waterway.

#### **Model boats**

34. No person shall operate a power-driven model boat on any waterway except in a designated area for model boats.

#### **Boats**

35. No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council except in a designated area for the sailing or operation of boats.

#### **Fishing**

36. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for fishing.

#### **Pollution**

37. No person shall foul or pollute any waterway.

#### **Blocking of watercourses**

38. No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.

## PART 6

### MODEL AIRCRAFT

#### Interpretation of Part 6

39. In this Part:

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel;

“power-driven” means driven by:

- (a) the combustion of petrol vapour or other combustible substances;
- (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; or
- (c) one or more electric motors or by compressed gas.

“radio control” means control by a radio signal from a wireless transmitter or similar device.

#### General prohibition

40. No person shall cause any power-driven model aircraft to:

- (a) take off or otherwise be released for flight or control the flight of such an aircraft in the ground; or
- (b) land in the ground without reasonable excuse.

41. Byelaw 40 does not apply to the grounds listed in Part 4 of Schedule 2 on the days and times indicated for each ground in column 2 of that table.

## PART 7

### OTHER REGULATED ACTIVITIES

#### Provision of services

42. No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.

#### Excessive noise

43. (1) No person shall, after being requested to desist by any other person in the ground, 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 in the ground by:
- (a) shouting or singing;

- (b) playing on a musical instrument; or
  - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (2) Byelaw 43 (1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

#### **Public shows and performances**

44. No person shall without the consent of the Council hold or take part in any public show or performance.

#### **Aircraft, hang gliders and hot air balloons**

45. No person shall except in case of emergency or with the consent of the Council take off from or land in the ground in an aircraft, helicopter, hang glider or hot air balloon.

#### **Kites**

46. No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.

#### **Metal detectors**

47. No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

### **PART 8**

#### **MISCELLANEOUS**

#### **Obstruction**

48. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;
  - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
  - (c) any other person in the proper use of the ground.

#### **Savings**

49. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

### **Removal of offenders**

50. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

### **Penalty**

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

### **Revocation**

52. The byelaws made by Three Rivers District Council on 24 October 1980 and confirmed by the Secretary of State to come into operation on 1 February 1981 on 15 January 1981 relating to the grounds set out therein are hereby revoked.
53. The byelaws made by Amersham Rural District Council [(no longer in existence)] on 3 October 1972 and confirmed by the Secretary of State to come into operation on 1 March 1973 on 16 January 1973 relating to the grounds set out therein and which became under the control of Three Rivers District Council in [1991] are hereby revoked.

# SCHEDULES

## SCHEDULE 1

### GROUND TO WHICH BYELAWS APPLY GENERALLY

The grounds referred to in byelaw 2 are:

***ADD IN FINAL LIST OF GROUNDS***

## SCHEDULE 2

### GROUND REFERRED TO IN CERTAIN BYELAWS

#### PART 1

OPENING TIMES (BYELAW 3 (1))

***ADD IN RELEVANT GROUNDS***

#### PART 2

HORSE RIDING PROHIBITED EXCEPT IN CERTAIN GROUNDS (SUBJECT TO BRIDLEWAY, ETC) (BYELAW 16(1))

***ADD IN RELEVANT GROUNDS***

#### PART 3

CYCLING (BYELAW 17 (2))

<i>Name or description of Ground</i>
Croxley Common Moor
Oxhey Woods Sculpture Trail

PART 4  
USE OF MODEL AIRCRAFT PERMITTED ON SPECIFIED DAYS AT  
SPECIFIED TIMES (BYELAW 44)

<i>Name or description of ground</i>	<i>Days and times at which use of model aircraft is permitted</i>
Croxley Common Moor	<b>ADD IN DETAILS</b>

SCHEDULE 3

**RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 28)**

Any person using a designated area for playing ball games is required by byelaw 28 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 Council 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 Council, 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 has been placed in a conspicuous position by the Council prohibiting play in that area.

## Questions and answers for each proposed parks and open spaces byelaw.

Use this document to answer your questions before you respond to the consultation

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
	<b>Part 1 - General</b>				
1	General Interpretation	Yes	In this section 1, these are statements, acting as explanatory notes to the rest of the byelaws	In these byelaws: - “the Council” means Three Rivers District Council; - “the ground” means any of the grounds listed in the Schedules; - “designated area” means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices placed in a conspicuous position; - “invalid carriage” means a vehicle, whether mechanically propelled or not, (a) the un-laden 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.	
2.	Application			These byelaws apply to all of the grounds listed in Schedule 1 unless otherwise stated.	

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
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3	<p>(1) No vehicle shall enter or remain in the ground except during opening hours.</p> <p>(2) "Opening hours" means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.</p> <p>(3) Byelaw 3(1) applies only to the grounds listed in Part 1 of Schedule 2.</p>		<p>Which sites have opening hours?</p> <p>How will we know?</p>	<p>Nearly all Three Rivers green spaces are fully accessible to the public 24 hours a day 365 days a year so there are no restrictions.</p> <p>At the moment the only sites with opening and closing times is the Aquadrome and Leavesden Country Park, where vehicular access is restricted <a href="http://www.threerivers.gov.uk/egcl-page/leisure-and-culture">http://www.threerivers.gov.uk/egcl-page/leisure-and-culture</a></p>	This applies to all sites where byelaws are made
	<p><b>Part 2</b></p> <p><b>Protection of the ground, its wildlife and the public</b></p>				
4	<p>(1) No person shall without reasonable excuse remove from or displace within the ground:</p> <p>(a) any barrier, post, seat or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or</p> <p>(b) any stone, soil or turf or the</p>	See S3.iii	<p>I volunteer with a group that does maintenance work in a park. Does this mean we will have to stop?</p> <p>Does this stop me metal-detecting?</p>	<p>No. Though it is important that the Council agrees the work that volunteers do – either through an action plan or on a task-specific basis.</p> <p>Yes. The council does not encourage metal detecting. This can often leave divots and holes and is especially unwelcomed in the nature reserves.</p>	This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
	whole or any part of any plant, shrub or tree.				
4	(2) No person shall walk on or ride, drive or station a horse or any vehicle over: (a) any flower bed, shrub or plant; (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or (c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.	See S4; S5.i and S6.i	Does this apply in wild spaces such as Croxley Common Moor, you can't help but step on plants here.	We want people to enjoy parks and wild spaces and go exploring. The byelaw is mainly designed to prevent wilful damage to trees and of designed features – flowerbeds, shrub beds etc. – in more formal settings and in Housing areas.	This applies to all sites where byelaws are made
5	No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.		Can I use a gazebo for a children's party?  What if I am organising an event – how do I get consent for structures relating to this?	Yes but you will need to complete the Hire of Grounds form. This is for the safe management and use of the green space.  <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a>  An event can be said to be an activity where the wider public are invited and encouraged and/or tickets are sold to take part. Events require the consent of the Council. Any barriers or structures	This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
			Does this include ropes swings in trees?	<p>etc. should be agreed as part of that process.</p> <p><a href="http://www.threerivers.gov.uk/egcl-page/temporary-events">http://www.threerivers.gov.uk/egcl-page/temporary-events</a></p> <p>Yes. Rope swings from trees are potentially dangerous and not permitted on Council land. The Council will remove these if found.</p>	
6	No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.	Original Byelaw - S3.ii	I will need to climb the stile to access some sites, is this permissible?	Yes, providing the stile is the permitted right of way or route of access on to and from the land in question	This applies to all sites where byelaws are made
7	No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.		How do I ask for consent?	<p>Consent can be requested by contacting <a href="mailto:enquiries@threerivers.gov.uk">enquiries@threerivers.gov.uk</a></p> <p>01923 726611</p> <p>or <a href="mailto:Land.&amp;ValuersRequests@ThreeRivers.gov.uk">Land.&amp;ValuersRequests@ThreeRivers.gov.uk</a></p>	This applies to all sites where byelaws are made
8	No person shall kill, injure, take or disturb any animal or wildlife, or engage in hunting or shooting or the setting of traps or the laying of snares, or otherwise remove or damage the habitat of any animal or wildlife unless with the consent of the Council by way of a licence or other such approval.	Original Byelaw - S19		<p>See the following websites for more info: <a href="https://www.gov.uk/government/organisations/environment-agency">https://www.gov.uk/government/organisations/environment-agency</a></p> <p><a href="https://www.gov.uk/government/organisations/natural-england">https://www.gov.uk/government/organisations/natural-england</a></p>	This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
9	No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.			Simply ensure all gates are closed securely behind you.	This applies to all sites where byelaws are made
10	No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping	Original Byelaw - S17.i and ii	<p>What is camping? Can we put a tent up during the day as a sun shade or for children to play with or to use as shelter if it rains?</p> <p>Do you intend to give general consent for camping in any of the green spaces? That is, will you ever allow camping to take place without somebody asking for the Council's permission?</p>	<p>This byelaw does not cover tents in parks and open spaces erected during the day or evening for recreational use.</p> <p>The use of the term 'camping' applied in the byelaw carries its ordinary English meaning (as set out in OED). There needs to be some overnight residence where the occupant is accommodated within an enclosed moveable form of shelter.</p> <p>Overnight camping can only take place with the consent of the council. Consent can be requested by contacting <a href="mailto:enquiries@threerivers.gov.uk">enquiries@threerivers.gov.uk</a> or 01923726611</p> <p>No, not currently. We do not think there are any green spaces where it would be appropriate to allow this. However we might issue short term general consents, for example to cover specific events, but only if a strong case were made that this could happen without harming the enjoyment of the park for everyone. <a href="http://www.threerivers.gov.uk/egcl-">http://www.threerivers.gov.uk/egcl-</a></p>	This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
				<a href="#">page/temporary-events</a>	
11	No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire. (2) Byelaw 11(1) shall not apply to: The lighting of a fire at any event for which the Council has given permission that fires may be lit.			Simply: No fires anywhere or at any time; except where prior permission is granted by the Council, via the Hire of Grounds form: <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a>	This applies to all sites where byelaws are made
12	No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.		Does this include footballs, cricket balls or tennis balls?  Does this include field athletics items?	The use of balls for playing games is a legitimate recreational use of a park or green space providing done in places that do not put people at risk. It is sensible to suggest that anyone using a hard (e.g. cricket) or heavy ball does so out of the way of other park users and in designated areas.  Yes. Obviously items such as javelins if not used in an appropriate way are liable to cause injury	This applies to all sites where byelaws are made
13	No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.			This includes rubber or inflatable rings used on watercourses.	This applies to all sites where byelaws are made
14	<b>Part 3 - Horses, cycles and vehicles</b> <b>Interpretation of Part 3</b>		In this section 14, these are statements, acting as explanatory notes to the rest	In this Part: - "designated route" means a route in or through the ground which is set aside for a specified	

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
			of Part 3	<p>purpose, its route and that purpose to be indicated by notices placed in a conspicuous position;</p> <ul style="list-style-type: none"> <li>- “motor cycle” 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;</li> <li>- “motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;</li> <li>- “trailer” means a vehicle drawn by a motor vehicle and includes a caravan.</li> </ul>	
15	No person shall ride a horse in the ground in such a manner as to cause danger to any other person.				
16	<p>(1) No person shall ride a horse except:</p> <p>(a) in any of the grounds listed in Part 2 of Schedule 2; or</p> <p>(b) in the exercise of a lawful right or privilege.</p> <p>(2) Where horse-riding is permitted in any ground by virtue of byelaw</p> <p>16 (1) (a) or a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.</p>		<p>Where are the designated routes for riding?</p> <p>If the site I ride in is not in your list can I ride there?</p>	<p>Horse riding is not restricted in any public open space over 4 hectares. Therefore you can ride in these spaces if it is safe to do so.</p> <p>See Part 2 Schedule 2 of the Byelaws.</p>	See Part 2 Schedule 2

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
17	<p>(1) No person shall ride a cycle in the ground in such a manner as to cause danger or reasonable fear of injury to any other person.</p> <p>(2) This Byelaw does not apply to the grounds listed in Part 3 of Schedule 2 where no cycling is permitted at any time.</p>	Original Byelaw - Partly – see S5.i and ii	<p>Does this apply on all cycle routes?</p> <p>Who decides what is 'reasonable fear'?</p> <p>Is there a speed limit for cyclists?</p>	<p>This will apply to all cycle routes except the grounds listed in Part 3 Schedule 2</p> <p>Ultimately this would be a matter for a court to determine if there were a prosecution, however the test would include both a subjective element (proof that somebody was actually in fear) and an objective one (proof that it was reasonable in all of the circumstances for the person to be afraid) and these are the issues the council would have to consider if investigating such a complaint.</p> <p>There is no specific speed restriction in the byelaw but excess speed that results in danger or reasonable fear could be evidence of breach of this byelaw. Consideration for other park users should avoid breach.</p>	See Part 3 Schedule 2
18	<p>(1) No person shall without reasonable excuse bring into or drive in the ground a motor cycle, motor vehicle or trailer except in any part of the ground where there is a right of way for that class of vehicle.</p> <p>(2) Where there is a designated route for motor cycles, motor vehicles or trailers, it shall not be an offence under this byelaw to</p>		<p>How do I know where there are rights of way or designated routes?</p> <p>What are reasonable excuses – what is allowed and what is not allowed?</p>	<p>Sometimes there can be lawful rights such as easements and driving in exercise of those rights would be lawful. If you feel you have a right to drive across a green space you should tell the Council about it.</p> <p>This is effectively a defence to a byelaw and it would be for the person claiming the reasonable excuse to show that it was reasonable. It is hard to give a list therefore as every circumstance will</p>	This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
	bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.			be different, but it is easy to anticipate that a life and limb emergency would be judged to amount to a reasonable excuse.	
19	No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the ground between the hours of 10p.m. and 6a.m.		How do I get consent from the Council?	The Council might sometimes give a general consent. Otherwise specific consent can be requested via the Hire of Grounds form: <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a> or by contacting the Property team: <a href="mailto:Land.&amp;ValuersRequests@ThreeRivers.gov.uk">Land.&amp;ValuersRequests@ThreeRivers.gov.uk</a>	This applies to all sites where byelaws are made
20	<b>Part 4 - Play areas, games and sports</b> <b>Interpretation of Part 4</b>		In this section 20, these are statements, acting as explanatory notes to the rest of Part 4	In this Part: - “ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket; - “golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area or putting course; - “self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the	

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
				vehicle.	
21	No person aged 14 years or over shall enter or remain in a designated area which is a children's play area unless in charge of a child under the age of 14 years (unless making use of the adult gym included within a children's play area).	Original Byelaw - S12	I'm aged 14, does this mean that I can't be in a play area?	<p>No, we would not want to prevent any young person from being in a play area to be with their friends, but what can't happen, is any behaviour that causes offence or is considered anti-social. We will only enforce this byelaw when antisocial behaviour takes place.</p> <p>Please see the Three Rivers DC website for details  <a href="http://www.threerivers.gov.uk/egcl-page/play-areas">http://www.threerivers.gov.uk/egcl-page/play-areas</a></p>	This applies to all sites where byelaws are made
22	No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.	Original Byelaw - S13	Does this mean that I can't use the play equipment?	<p>Yes, the play equipment is not designed for persons aged over 14 years old.</p> <p>However, we want to encourage young people to be as physically active as possible.</p> <p>Please see the Three Rivers DC website for details of where more appropriate play equipment for persons aged 14 years and over is available. (Skate Parks, MUGA's, Football pitches, Outdoor Gyms, Parkour etc.)</p>	This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
				<a href="http://www.threerivers.gov.uk/egcl-page/play-areas">http://www.threerivers.gov.uk/egcl-page/play-areas</a> <a href="http://www.threerivers.gov.uk/egcl-page/skate-parks">http://www.threerivers.gov.uk/egcl-page/skate-parks</a> <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-playing-fields">http://www.threerivers.gov.uk/egcl-page/parks-and-playing-fields</a>  For more details, please e-mail <a href="mailto:leisure@threerivers.gov.uk">leisure@threerivers.gov.uk</a>	
23	No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.		Where can I skate, slide or ride on rollers?	More information can be found on the Three Rivers website <a href="http://www.threerivers.gov.uk/egcl-page/skate-parks">http://www.threerivers.gov.uk/egcl-page/skate-parks</a>	This applies to all sites where byelaws are made
24	(1) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities. (2) Where there is a designated area for skating, sliding or riding on rollers, skateboards or other self-propelled vehicles, no person shall engage in those activities in such a manner as to cause danger or give		How do I find out where the designated areas are?	More information can be found on the Three Rivers website: <a href="http://www.threerivers.gov.uk/egcl-page/skate-parks">http://www.threerivers.gov.uk/egcl-page/skate-parks</a>	This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
	reasonable grounds for annoyance to other persons.				
25	<p>No person shall play ball games outside a designated area for playing ball games in such a manner:</p> <p>(a) as to exclude persons not playing ball games from use of that part;</p> <p>(b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or</p> <p>(c) which is likely to cause damage to any tree, shrub or plant in the ground.</p>	Original Byelaw - S15	<p>Does this mean that I can't play any ball games in any park, such as a playing field or play area?</p> <p>How do I find out where the designated ball games areas are?</p>	<p>No, we would not want to prevent anyone from playing informal ball games in these areas, but what can't happen, is any behaviour that causes offence or is considered anti-social. We will only enforce this byelaw when antisocial behaviour takes place.</p> <p>More information can be found on the Three Rivers website for football pitches, MUGA's, Tennis Courts, and any other marked out pitches</p> <p><a href="http://www.threerivers.gov.uk/eqcl-page/sport-and-health">http://www.threerivers.gov.uk/eqcl-page/sport-and-health</a></p> <p><a href="http://www.threerivers.gov.uk/eqcl-page/parks-and-playing-fields">http://www.threerivers.gov.uk/eqcl-page/parks-and-playing-fields</a></p>	This applies to all sites where byelaws are made
26	It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 3 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.				This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
27	No person shall throw or strike a cricket ball with a bat except in a designated area for playing cricket.		How do I get consent from the Council?	There are not, currently, any designated Cricket pitches; however we may develop pitches in the future.	
28	No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.		How do I get consent from the Council?	Specific consent can be requested via the Hire of Grounds form: <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a>	This applies to all sites where byelaws are made
29	No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Council [or on land set aside by the Council for that purpose].		How do I get consent from the Council?	Specific consent can be requested via the Hire of Grounds form: <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a>	This applies to all sites where byelaws are made
30	No person shall drive, chip or pitch a hard golf ball except on the golf course.		Where are the golf courses?	Rickmansworth Golf Course is located in Moor Lane, Rickmansworth, Herts WD3 1QL. Further information can be found at: <a href="http://www.hertsmereleisure.co.uk/rickmansworth-golf-course">http://www.hertsmereleisure.co.uk/rickmansworth-golf-course</a>	This applies to all sites where byelaws are made
31	<b>Part 5 - Waterways</b> <b>Interpretation of part 5</b>		In this section 31, these are statements, acting as explanatory notes to the rest 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 the combustion of petrol vapour or other combustible substances; - “waterway” means any river, lake, pool or other	

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
				body of water and includes any fountain.	
32	No person shall without reasonable excuse bathe or swim in any waterway.	Original Byelaw - S10.i		No swimming is permitted anywhere. This is simply for safety reasons.	This applies to all sites where byelaws are made
33	No person shall step onto or otherwise place their weight upon any frozen waterway.			This is highly dangerous and will not be acceptable in any of our parks and open spaces.	This applies to all sites where byelaws are made
34	No person shall operate a power-driven model boat on any waterway except in a designated area for model boats.		Where are the designated areas for model boats?	You can only operate a power-driven model boat at Bury Lake, Rickmansworth, Aquadrome and then only as a member of the Rickmansworth Radio Yachting Club	This applies to all sites where byelaws are made
35	No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council except in a designated area for the sailing or operation of boats.	Original Byelaw - S10.iii	Where are the designated boating areas?	See the Three Rivers website: <a href="http://www.threerivers.gov.uk/egcl-page/rickmansworth-aquadrome">http://www.threerivers.gov.uk/egcl-page/rickmansworth-aquadrome</a>	This applies to all sites where byelaws are made
36	No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for		Where are the designated areas for fishing?	There is fishing at Batchworth Lake and along the River Colne, where this stretch of the river runs adjacent to the Aquadrome.  The local fishing club, Uxbridge Rovers offer day	This applies to all sites where byelaws are

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
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	fishing.			passes. <a href="http://www.uracs.co.uk/">http://www.uracs.co.uk/</a>	made
37	No person shall foul or pollute any waterway.	Original Byelaw - S10.ii		Simply no pollution. <a href="https://www.gov.uk/report-an-environmental-incident">https://www.gov.uk/report-an-environmental-incident</a>	This applies to all sites where byelaws are made
38	No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.			All sluices, drains, watercourses are carefully managed.	This applies to all sites where byelaws are made
39	<b>Part 6 - Model aircraft</b> <b>Interpretation of part 6</b>		In this section 39, these are statements, acting as explanatory notes to the rest of Part 6	In this Part: - "model aircraft" means an aircraft which weighs not more than 7 kilograms without its fuel; - "power-driven" means driven by: (a) the combustion of petrol vapour or other combustible substances; (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; or (c) one or more electric motors or by compressed gas. - "radio control" means control by a radio signal from a wireless transmitter or similar device.	

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
40	<p>No person shall cause any power-driven model aircraft to:</p> <p>(a) take off or otherwise be released for flight or control the flight of such an aircraft in the ground; or</p> <p>(b) land in the ground without reasonable excuse.</p>		<p>Does this include drones?</p> <p>Where are the designated areas for model aircraft?</p>	<p>Yes this byelaws includes the use of Drones</p> <p>The only designated area is a part of Croxley Common Moor</p>	<p>This applies to all sites where byelaws are made</p>
41	<p>Byelaw 41 does not apply to the grounds listed in Part 4 of Schedule 2 on the days and times indicated for each ground in column 2 of that table.</p>				
	<p><b>Part 7 - Other regulated activities</b></p> <p><b>Provision of services</b></p>				
42	<p>No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.</p>		<p>Am I allowed to use parks for my dog-walking business?</p>	<p>We think that when people use parks as part of their working day this is not offering to provide a service that needs the consent of the Council under this byelaw. So if you are a child minder taking a child in your care to the park, or a self-employed artist sketching the landscape, or dog walkers for other people (up to four dogs) then we think your activity is just a normal use of the park and you don't need our consent. However if the park was where you based your business that would be different; so if you approached people in the park and offered to walk their dogs, or</p>	<p>This applies to all sites where byelaws are made</p>

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
			<p>Am I allowed to use parks for my fitness instructor business?</p> <p>Can I operate an ice cream van?</p> <p>Can I take children from a nursery to a park?</p> <p>Can I operate a Forest School in parks?</p> <p>Can I do balloon flights from a park?</p> <p>Can I collect for charity in a park?</p> <p>Will I have to pay for</p>	<p>approached park users and offered to draw their portrait then you would need our consent as you would be using the park as the place from which you are providing the service.</p> <p>You could not run fitness sessions at a charge in the park without the council's consent: <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a></p> <p>Ice-cream concessions require a street trading licence and a contract with the owner of the green space concerned. Yes if these are in place.</p> <p>Yes, this is not a business being run in the park.</p> <p>Yes but only with the council's consent: <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a></p> <p>Yes but only if you have the council's consent: <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a></p> <p>Charity collections are regulated under other legislation.</p>	

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
			consent?	Yes, you will usually be charged to use the park but we will take into account the scale of your business and whether it takes use of some of the park away from other people: <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a>	
43	<p>(1) No person shall, after being requested to desist by any other person in the ground, 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 in the ground by:</p> <p>(a) shouting or singing;</p> <p>(b) playing on a musical instrument; or</p> <p>(c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.</p> <p>(2) Byelaw 43(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.</p>	Original Byelaw - S20	<p>Does this include an MP3 device or CD player?</p> <p>How do I get consent, if I am holding an event?</p>	<p>In this context these are similar devices to radios, amplifiers or tape recorders, so yes it does.</p> <p>Consent might be specifically requested by completing the Hire of Grounds form : <a href="http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/egcl-page/parks-and-open-spaces</a></p>	This applies to all sites where byelaws are made
44	No person shall without the consent of the Council hold or take part in any public show or		How do I get consent from the Council?	Consent might be specifically requested by completing the Hire of Grounds form : <a href="http://www.threerivers.gov.uk/egcl-page/parks-">http://www.threerivers.gov.uk/egcl-page/parks-</a>	This applies to all sites where

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
	performance.			<a href="#">and-open-spaces</a> Or if a licence is required, contact the Licencing team: <a href="mailto:Licensing.Team@threerivers.gov.uk">Licensing.Team@threerivers.gov.uk</a>	byelaws are made
45	No person shall except in case of emergency or with the consent of the Council take off from or land in the ground in an aircraft, helicopter, hang glider or hot air balloon.		How do I get consent from the Council?	Consent might be specifically requested by completing the Hire of Grounds form : <a href="http://www.threerivers.gov.uk/eqcl-page/parks-and-open-spaces">http://www.threerivers.gov.uk/eqcl-page/parks-and-open-spaces</a> Or if a licence is required, contact the Licencing team: <a href="mailto:Licensing.Team@threerivers.gov.uk">Licensing.Team@threerivers.gov.uk</a>	This applies to all sites where byelaws are made
46	No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.				This applies to all sites where byelaws are made
47	No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.				This applies to all sites where byelaws are made
	<b>Part 8 – Miscellaneous</b>				
48	No person shall obstruct: (a) any officer of the Council in the proper execution of his duties; (b) any person carrying out an act which is necessary to the proper execution of any contract with the	Original Byelaw - S18			This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
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	Council; or (c) any other person in the proper use of the ground.				
49	(1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty. (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.				This applies to all sites where byelaws are made
50	Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.	Original Byelaw - S22			This applies to all sites where byelaws are made

Ref	Byelaw	Is this a change from the current byelaw?	Questions relating to the Byelaw	Response to the question	How and where byelaw will apply
51	Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale	Original Byelaw - S21	<p>How big is the fine?</p> <p>Will I get a Fixed Penalty Notice?</p>	<p>The maximum fine is currently £500. In addition anybody convicted can be ordered to pay a victim surcharges, as well as possibly being ordered to pay some or all of the prosecutor's legal and investigative costs.</p> <p>No, the ability to issue a Fixed Penalty Notice does not currently apply to this byelaw. Other alternatives to prosecution are available, such as the giving of a simple caution that can be referred to in court in future if convicted of further offences.</p>	This applies to all sites where byelaws are made

## Briefing about the requirement for a Regulatory Impact Assessment

### Byelaw for Pleasure Grounds, Public Walks and Open Spaces

#### Summary

New law was introduced in 2016 to change the process for making byelaws for parks and other green spaces. The old process required the council to begin by resolving to make byelaws. The council would then consult on its proposals before advertising its intention to ask the Secretary of State for Communities and Local Government to confirm the byelaws and specify the date when it comes into force. After the statutory advertisement period the council would then apply for confirmation and the Secretary of State would decide how to deal with any representations made to the statutory advertisement and whether to confirm the byelaws and so bring them into force.

Under the new legal process it is the council that makes the final decision whether or not to make byelaws and when to bring them into force. Before it does so the council must:

1. Consult about a Regulatory Assessment;
2. Prepare that regulatory assessment;
3. Publish a statement of that assessment and submit the byelaws proposals and the assessment to the Secretary of State;
4. If and when given clearance by the secretary of state to do so, publish an advertisement of intention to make byelaws; and then
5. Make a report to Full Council recommending that byelaws be made to come into force on a date to be fixed.

The Requirement to prepare a regulatory assessment is new and this note explains what is covered in that assessment. It should be noted that the Byelaws being proposed are the modernised Model Byelaw for Pleasure Grounds, Public Walks and Open Spaces which are an up to date and more understandable version of the Council's existing Byelaws.

#### What is a Regulatory Assessment?

It is an assessment of whether the burden imposed as a result of the new byelaws is proportionate and as a minimum the assessment must include:

- i. Identification of the objectives the new byelaws seek to achieve.
- ii. Identification of any alternative means of securing the objective intended to be secured by the proposed byelaws
- iii. Whether the objective intended to be secured by the proposed byelaws could be satisfactorily controlled by alternative means
- iv. The impact of the proposed byelaws on all persons potentially affected by them

v. Whether the result of the proposed bylaws would increase or lessen the regulatory burden on persons potentially affected by them

vi. How the alternative means and the proposed byelaws compare with doing nothing at all

The following paragraphs look at each of these in turn by reference to what the council proposes. When the council submits its Regulatory Assessment to the Secretary of State, feedback from this consultation and the council's response will be included with any amendments to our approach.

## **1. Identification of the objectives the new Byelaws seeks to achieve**

Below we explain each objective and how we have chosen to apply the objective, is done so in a proportionate manner.

- Update and make contemporary the current Three Rivers District Council (TRDC) Parks and Open Spaces Byelaw.
  - The current Byelaw that covers the parks and open spaces in Three Rivers is quite old, having come into operation in 1981. The language used also seems antiquated and very formal by today's standards. It refers to prohibitions that would no longer be entirely relevant, such as the terms 'wireless set' and 'gramophone'.
  - TRDC believe it is important to ensure all of our open spaces are covered by the Byelaw and such Byelaws are up-to-date and relevant to contemporary society.
- To ensure good behaviour of users of spaces.
  - Ensuring the parks and open spaces are not used in a negligent and or selfish manner and spaces are maintained in a good standard for the use of everyone in the district.
- To ensure the safe behaviour of users of spaces.
  - It is important to the Council that the safety and well-being of the users of the parks and open spaces is maintained at all times and any risks to the users or to the Council are mitigated.
- To tackle nuisance and anti-social behaviour adversely affecting the enjoyment of the open spaces.
  - Where incidences of anti-social behaviour do occur, the council want to have the powers to address this as quickly and as efficiently as possible. Ensuring the enjoyment of the open spaces, by other users, continues unaffected
  - The council would also like to ensure it is clear to customers and users of the open spaces the things they can or cannot do, such as have a fire or BBQ.
- Enjoyment and use of areas for all groups and users to make the most of an open space, without hindrance to other users
  - The council hopes to see the enjoyment and full use of our open spaces
- Safe environment for all users
  - To ensure the environment for users is safe, well maintained, clean (where appropriate), and non-threatening.

- To ensure free and open access, where applicable
  - It is important to the Council that free and open access is maintained for our customers and where there are limitations, this too is very clear to all users of the facilities.
  - To ensure, where we are able, all our open spaces are inclusive to all sections of our communities.
- To provide a more useful and effective set of byelaws
  - TRDC believe it is important that its policies, procedures and byelaws are fit for purpose and applicable to contemporary lifestyles.
- To apply byelaws to additional areas of open space which have come under the ownership or are required to be included under the byelaws
  - The list of woodlands, parks and open spaces is no longer up-to-date. In the intervening years, since the 1981 Byelaws, the council has procured and/or manage many more areas of land.

## **2. Identification of any alternative Laws and regulation (alternative to the use of a byelaw).**

In this section we explain why we have not chosen to make use of the law/power identified rather than to make the Byelaws; that is, why the law/power is not applicable and the Byelaws have to date been more effective and will continue to be more effective.

- Anti-Social Behaviour, Crime & Policing Act 2014
  - This legislation is intended to provide simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities.
  - It covers such offences as firearms, forced marriage, risk of sexual harm, extradition arrangements and border control. None of these are comparable to the need for the Byelaws.
  - This Act does provide powers to deal with such issues as irresponsible dog owners and as such is complimentary to the Byelaws
- Criminal law – e.g. Theft Act 1968; etc
  - This legislation deals with more serious and specific offences, such as theft. Whereas there may be an act of theft from one of the open spaces, this Act will help the Council to prosecute the offender and is complimentary to the Byelaws
- Criminal Justice and Public Order Act 1994
  - This legislation is intended to make further provision in relation to criminal justice (including employment in the prison service); to amend or extend the criminal law and powers for preventing crime and enforcing that law; to amend the Video Recordings Act 1984; and for purposes connected with those purposes.
- Wildlife and Countryside Act 1981
  - An Act to repeal and re-enact with amendments the Protection of Birds Acts 1954 to 1967 and the Conservation of Wild Creatures and Wild Plants Act 1975; to prohibit certain methods of killing or taking wild animals; to amend

the law relating to protection of certain mammals; to restrict the introduction of certain animals and plants; to amend the Endangered Species (Import and Export) Act 1976; to amend the law relating to nature conservation, the countryside and National Parks and to make provision with respect to the Countryside Commission; to amend the law relating to public rights of way; and for connected purposes Environmental Protection Act 1990 and associated legislation

- This Act is complimentary to the Byelaws
- Clean Neighbourhoods & Environment Act 2005
  - An Act to amend section 6 of the Crime and Disorder Act 1998; to make provision for the gating of certain minor highways; to make provision in relation to vehicles parked on roads that are exposed for sale or being repaired; to make provision in relation to abandoned vehicles and the removal and disposal of vehicles; to make provision relating to litter and refuse, graffiti, fly-posting and the display of advertisements; to make provision relating to the transportation, collection, disposal and management of waste; to make provision relating to the control of dogs and to amend the law relating to stray dogs; to make provision in relation to noise; to provide for the Commission for Architecture and the Built Environment and for the making of grants relating to the quality of the built environment; to amend the law relating to abandoned shopping and luggage trolleys; to amend the law relating to statutory nuisances; to amend section 78L of the Environmental Protection Act 1990; to amend the law relating to offences under Schedule 1 to the Pollution Prevention and Control Act 1999; and for connected purposes.
  - This Act is complimentary to the Byelaws
- The Dog Control Orders Regulations 2006
  - This guidance covers the Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 and the Dog Control Orders (Procedures) Regulations 2006, which implement sections 55 and 56 of the Clean Neighbourhoods and Environment Act 2005 (prescribing offences and penalties to be contained in, and procedures and forms for making, dog control orders), together with the other sections of the Act relating to dog control orders.
  - This Act is complimentary to the Byelaws
- Environmental Offences Regulations 2007
  - These Regulations give the Council the power to issue a fixed penalty to any persons known to have broken one or more of the legislation above.
  - Fines will be not less than £50 and not more than £80; whereas the proposed Byelaws allow for prosecutions and fines of up to £500.
- Traffic Regulation Orders
  - These Regulations are effective on highways etc and require specific implementation, whereas byelaws are self-regulating.

### **3. Whether the objective intended to be secured by the proposed byelaws could be satisfactorily controlled by alternative means**

Having consideration for the rationale for byelaws in the light of the alternatives and in particular the new powers in the Anti-Social Behaviour, Crime and Policing Act 2014:

- Community protection notice

- The community protection notice can provide a quick and effective response to those who persistently act in a way that has a detrimental effect on the quality of life of those in the locality. Available to councils and the police, this out-of court notice can place restrictions on their behaviour (in the case of an individual, as long as they are aged 16 or over) and, if necessary, force them to take steps to rectify the issue. In deciding whether the behaviour is having a detrimental effect on the quality of life of those in the locality, issuing officers should consider speaking to victims and potential victims to understand the wider harm to individuals and the community.
- Dispersal power:
  - The dispersal power can be used by police officers in uniform. Police community support officers can also use this power if designated by their chief constable. The authorising officer can sanction use of the power in a specified locality for a period of up to 48 hours making each decision on a case-by-case basis.
- Public Spaces Protection Order (PSPO):
  - The PSPO is designed to deal with a particular nuisance or problem in an area. It should prove to be an effective tool to tackle locally identified issues. The behaviour must be having a detrimental effect on the quality of life of those in the community, it must be persistent or continuing and it must be unreasonable. The PSPO can impose restrictions on the use of that area which apply to everyone who is carrying out that activity. The council can make a PSPO on any public space within its own area where certain statutory grounds are met, but before doing so it must engage in necessary consultation, which always includes the police. The council must also consult whatever community representatives it thinks appropriate. This could relate to a specific group, or an individual or group of individuals, (for instance, regular users of a park). Before making a PSPO, the council also has to publish the draft order in accordance with regulations made by the Secretary of State.

The review of the byelaws is the appropriate and proportionate response to the issues raised, as Byelaws can be enforced immediately whereas other interventions may require evidence of a persistent nuisance to be built up over time. Equally anybody breaching a byelaw can be immediately removed by the council or police. The existing Byelaws have been in operation since 1981 and the updated Byelaws will ensure that all relevant open spaces within the District are covered by the updated Byelaws.

Byelaws have in the past and will continue to empower communities where, in some instances, members of the public can issue instruction to others to cease their anti-social behaviour, rather than rely on an enforcement agency to act.

**4. The impact of the proposed byelaws on all persons potentially affected by them; and**

**5. Whether the result of the proposed byelaws would increase or lessen the regulatory burden on persons potentially affected by them.**

The Council has identified a list of potential groups and people who may have an interest in the Byelaw and also who may be impacted by the Byelaw. In this section we will explain why we think they may be interested or impacted. We will explain if we think this impact is negative and/or positive.

- Children –
  - Toddlers 0 to 5 yrs
    - Impact: positive impact to this group – safer places to play and visit
  - Pre-teens 6 to 12 yrs
    - Impact: positive impact to this group – safer places to play and visit
  - Teenagers 13 to 19 yrs
    - Impact: positive impact to this group – safer places to play and visit.
    - Possible impact on those who misuse or misbehave in the open spaces
  - Young adults 20 to 25 yrs
    - Impact: positive impact to this group – safer places to play and visit.
    - Possible impact on those who misuse or misbehave in the open spaces
- 'Friends of' groups
  - Impact: positive impact to this group – improve use of the open spaces, opportunities to get involved in looking after the open space. Consultation and engagement opportunities.
  - Working with the council to enhance the open space
- Volunteers (probation service – the volunteered)
  - Impact: opportunities to get involved in looking after the open space. Consultation and engagement opportunities.
  - Consultation is required with the probation service, who, at times, will employ their Community Service clients to maintain the open spaces
- Interest groups – e.g. bird watchers, anglers, kayakers, boating / BLYM
  - Impact on licenced users of the open spaces. Should be a positive impact. The byelaws will help to manage the open spaces and ensure it is kept to a high standard for all users
- Residents Associations.
  - Residents Associations, who may have properties adjacent to the open spaces, will need to be consulted on the byelaws; all of which should be a positive impact on the local area.
- Parents of children
  - Impact: positive impact to this group – safer places to play and visit
- Dog walkers (e.g. greyhound walkers group at Aquadrome)
  - Impact: positive impact to this group. The byelaws will make it clear to dog walkers how they must act to control and look after their animal while in the open space. Any dog walking business is already limited to the walking of a maximum of four dogs.
- Ramblers
  - Impact: there should be no impact on this group. Access to the open spaces will be as open and accessible as possible.
- Play Rangers
  - Impact: there should be no impact on this group. Play ranger groups, provided and supported by the Council will be able to continue as usual.

Anyone providing a business from the parks and open spaces should apply to the council for permission

- Adjacent homeowners and residents
  - See Resident's associations above
- YMCA woodlands
  - This group is based in our Leavesden Country Park, where amongst other services provide a nursery and a gym.
  - Impact: the byelaws will have a positive impact and help the clients to enjoy the public space
- Woodland Trust, Forestry Commission, Countryside Management Service, Waterways Trust
  - Land belonging to the Woodland Trust, Forestry Commission and Waterways Trust will not be covered by the Byelaws; albeit, the Forestry Commission do provide us with some funding.
  - The impact for these groups will be neutral.
  - The Countryside Management Service (CMS) help the Council to write and implement Management Plans for some of our open spaces.
  - The Byelaws will help to implement and support the management plans and will have a positive impact on this group
- Hirers of spaces e.g. military fitness, Nordic walkers
  - Impact: there should be a positive impact for groups who wish to hire our open spaces, with the byelaws making it clear what can or cannot be done on the land. Additionally, the use of the consent form will ensure spaces are free for those who have asked to use them
- Football, Bowls, Cricket, Rugby clubs
  - See Hirers above
- Graziers on common land – grazing animals
  - Impact: there should be no or neutral impact to graziers on common land. There will be no change to the access of the land and the byelaws will assist to regulate the behaviour of other users.
- Sites of Special Scientific interest (Croxley Moor)
  - Impact: the byelaws should have a positive impact for sites of special scientific interest and the impact on users should be neutral, with the byelaws making it clearer what users can or cannot do.
- Police (enforcement)
  - Impact for the police should be positive, providing officers with quicker powers to remove offenders from spaces where they might be causing a disturbance.
- Parish Councils
  - The impact for Parish councils should be positive because they can use the byelaws to assist them to manage users of open spaces where there is common or shared responsibility for the space.
- Churches, Diocese & Incumbents
  - In particular, we manage the land at St Mary's church, which falls under the Schedule of site covered by the Byelaws.

## **6. How the alternative means and the proposed byelaws compare with doing nothing at all**

The aim is to update the existing Byelaws so that they are in a modern format and easily understandable by the public. Also ensuring that areas of open spaces which have been acquired or which have not been covered by the previous Byelaws are now included. The previous Byelaws in place assisted in preventing low-level antisocial behaviour on our open spaces and the use of the updated byelaws will continue to provide such assistance to benefit those in the Council district.

## Form A – Relevance Test

**Function/Service Being Assessed: Byelaws for Pleasure Grounds, Public Walks and Open Spaces**

**Officer completing form: Gordon Glenn, Performance & projects Manager**

**Date of completion: 16/11/2017**

### 1. Populations served/affected:

Universal (service covering all residents)?

### 2. Is it relevant to the general equality duty? (see Q and A for definition of 'general duty')

Which of these three aspects does the function relate to (if any)?:

2 – Advancing equality of opportunity

Is there any evidence or reason to believe that some groups could be differently affected?

Yes

Which equality categories are affected?

Age

Disability

### 3. What is the degree of relevance?

In your view, is the information you have on each category adequate to make a decision about relevance?

Yes for Age and Disability

Are there any triggers for this review (for example is there any public concern that functions/services are being operated in a discriminatory manner?) If yes please indicate which:

Yes. The trigger being the review of the Council's Byelaws for Open Spaces.

The Byelaws are old and out-of-date and the review will bring more areas of land under the influence of the byelaws and improve accessibility for all.

### 4. Conclusion

On the basis of the relevance test would you say that there is evidence that a medium or high detrimental impact is likely? (See below for definition)

No. The review of the Byelaws for Pleasure Grounds, Public Walks and Open Spaces will help to protect these spaces for groups to use and assist in managing the land and access to the land.

**Note:** if a medium or high detrimental impact has been identified then a full impact assessment must be undertaken using Form B.

Completed forms should be attached as an appendix to the relevant report and a copy sent to the Community Partnerships Unit

## Definition of Low, Medium or High detrimental impact.

For any one (or more) equality group the following evidence is found:

	<p><b>Evidence may come from one or more of the following sources:</b></p> <ul style="list-style-type: none"><li>• <b>Local service data</b></li><li>• <b>Data from a similar authority (including their EIA)</b></li><li>• <b>Customer feedback</b></li><li>• <b>Stakeholder feedback</b></li><li>• <b>National or regional research</b></li></ul>
<b>High Relevance</b>	<p>The evidence shows a clear disparity (of more than 80% probability) between different sections of the community in one or more of:</p> <ul style="list-style-type: none"><li>• levels of service access;</li><li>• quality of service received; or</li><li>• outcomes of service.</li></ul>
<b>Medium Relevance</b>	<p>The evidence is unclear (or there is no evidence) if there is any disparity in terms of:</p> <ul style="list-style-type: none"><li>• levels of service access;</li><li>• quality of service received; or</li><li>• outcomes of service.</li></ul>
<b>Low Relevance</b>	<p>The evidence shows clearly ( at least 80% certainty) there is no disparity in terms of:</p> <ul style="list-style-type: none"><li>• levels of service access;</li><li>• quality of service received; or</li><li>• outcomes of service..</li></ul>