

## Members update – A review of Byelaws

A number of months ago, in the June 2017 edition of the Members Information Bulletin, we provided Members with an introduction to the Council's plans to review Byelaws. Please see below for some background information.

This bulletin provides an update of progress made so far and information about the delay in completion of the first Byelaw under review, the Byelaws for Open Spaces.

The review was prompted by the need to ensure that all relevant council land is covered by byelaws, that the byelaws are up to date and modernised. The review was led by an officer group formed from Departments across the Council who are responsible for parks and open spaces.

Initial progress was made fairly rapidly and in December 2017 a report was taken to Regulatory Committee. At that stage, it was felt the Review could be completed by July 2018. The completion of the identification and mapping of each of the open spaces still needed to be completed and then the review could begin the consultation process. However, in February 2018, in contact with the Department for Communities and Local Government (DCLG) we learned of the DCLG's plans to make changes to the current "Model" Byelaw for Parks and Open Spaces.

Officers were advised that amendments to the "Model" would include adding reference to the banning of Sky Lanterns, which was an issue that had been raised by Cllr Bedford in February 2018. Officers felt it was prudent to wait until the DCLG's amendments were implemented before continuing with the review to ensure that the Council is putting into effect the most up to date version. In communication with DCLG, we were assured that their review would be completed shortly and would only contain a few updates to the current 'Model'. At the time of writing, the revised 'Model' has not been published, but we are advised that it is due "in the next few weeks".

Once the freshly completed 'Model' from DCLG is introduced, the TRDC review of the Open Spaces Byelaws will continue to completion. We currently anticipate this to be by the end of 2018.

### Background

Government have introduced regulations which allow local councils to review byelaws by using "Model" byelaws as a template. TRDC will use these regulations, over the coming months, to modernise some of our Byelaws.

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

The regulations simplify the procedures for making 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.

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](#)

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