

Byelaws

East Cliff and The Warren Country Park

CONFIRMED: 17 FEBRUARY 1997

OPERATIVE: 1 APRIL 1997

SHEPWAY DISTRICT COUNCIL

Byelaws made by the District Shepway Council under section 41 of the Countryside Act 1968, with respect to the East Cliff and The Warren Country Park, Folkestone, Kent.

Interpretation

1. In these byelaws:

“the Council” means Shepway District Council;

“the land” means The East Cliff and The Warren Country Park, Folkestone, Kent.

Vehicles

2. (1) No person shall, without reasonable excuse, ride or drive a cycle, motor cycle, motor vehicle or any other mechanically propelled vehicle on land, or bring or cause to be brought on to the land a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle), except on any part of the land where there is a right of way for that class of vehicle.

(2) If the Council has set apart a space on the land for use by vehicles of any class, this byelaw shall not prevent the riding or driving of those vehicles in the space so set apart, or on a route, indicated by signs placed in conspicuous positions, between it and the entrance to the land.

(3) This byelaw shall not extend to invalid carriages.

(4) In this byelaw:

“cycle” means a bicycle, a tricycle or a cycle having four or more wheels, not being in any case a motor cycle or motor vehicle:

“invalid carriage” means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person.

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

“motor vehicle” means a mechanically propelled vehicle, not being an invalid carriage, intended or adapted for use on roads;

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

Climbing

3. No person shall, without reasonable excuse, climb any wall or fence on or enclosing the land, or any tree, or any barrier, railing, post or other structure.

Removal of Structures

4. No person shall, without reasonable excuse, remove from or displace on the land any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the land.

Camping

5. No person shall on the land, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except on any area which may be set apart and indicated by notice as a place where camping is permitted.

Fires

6. (i) No person shall on the land intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.

(ii) This byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker in any area set aside for the purpose, in such a manner as not to cause danger of or danger by fire.

Trading

7. No person shall on the land, without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

Protection of wildlife

8. (i) No person shall on the land intentionally kill, injure, take or disturb any animal or fish, or engage in hunting, shooting or fishing, or the setting of traps or nets, or the laying of snares.

(ii) This byelaw shall not prohibit any fishing which may be authorised by the Council.

Noise

9. (1) No person on the land shall, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed or by any person acting on his behalf:
 - a. by shouting or signing;
 - b. by playing on a musical instrument; or
 - c. by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument;

cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the land.

- (2) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

Obstruction

10. No person shall on the land:

- (1) intentionally obstruct any officer of the Council in the proper execution of his duties;
- (2) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council: or
- (3) intentionally obstruct any other person in the proper use of the land, or behave so as to give reasonable grounds for annoyance to other persons on the land.

Savings

11. (1) An act necessary to the proper execution of his duty on the land by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.

- (1) Nothing in or done under any of the provisions of these byelaws shall in any respect prejudice or injuriously affect any public right of way through the land, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the land or any part thereof.

Penalty

12. 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.

THE COMMON SEAL of THE SHEPWAY)
DISTRICT COUNCIL was hereunto affixed)
in the presence of:-)

(sgd) K D Hudson
Chairman

(sgd) P J Wignall
Chief Assistant Solicitor

The foregoing byelaws are hereby confirmed by the Secretary of State for the Environment and shall come into force on 1 April 1997.

Signed by authority of
the Secretary of State
17 February 1997

sgd Susan E Carter