

# **BYELAWS**

*for the protection of the*

**Nature Reserve at  
Turbary Common**



**BOURNEMOUTH  
BOROUGH COUNCIL**  
Central Services Directorate

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The Bournemouth Borough Council in exercise of the powers conferred upon them by sections 20, 21 (4) and 106 of the National Parks and Access to the Countryside Act 1949 in accordance with section 236 of the Local Government Act 1972 hereby make the following byelaws for the protection of the Nature Reserve at Turbary Common in the Borough of Bournemouth in the County of Dorset.

1. In these byelaws:
  - (a) *'The Reserve'* shall mean the pieces or parcels of land containing in the whole 42.87 hectares or thereabouts and situate in the Borough of Bournemouth in the County of Dorset declared to be managed as a Nature Reserve by the declaration dated the 30 day of July 1996 made by Bournemouth Borough Council in pursuance of section 21 of the National Parks and Access to the Countryside Act 1949, and the Reserve is for the purposes of identification shown as nearly as may be on the map annexed to these byelaws and therein shaded grey;
  - (b) *'The Council'* shall mean Bournemouth Borough Council;
  - (c) *'Firearm'* shall have the same meaning as in section 57 of the Firearms Act 1968;

(d) *'Invalid Carriage' shall mean 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.*

2. Within the Reserve the following acts are hereby prohibited except insofar as they may be authorised by a permit issued by the Council in accordance with Byelaw 3, or are necessary to the proper execution of his duty by an officer of the Council or by any person, or servant of any person, employed or authorised by the Council.

#### **RESTRICTION OF ACCESS**

- (i) Entering at any time those parts of the Reserve where notice to keep out has been posted by order of the Council.

#### **DAMAGE TO OR DISTURBANCE OF THINGS IN THE RESERVE**

- (ii) Spreading or using any net, or setting or using any lamp or other instrument, or any snare or lure, for the taking, injury or destruction of any living creature.
- (iii) Taking, molesting or intentionally disturbing, injuring or killing any living creature.

- (iv) Taking or intentionally disturbing or destroying the eggs, larvae, pupae or other immature stages, or the place used for the shelter or protection of any living creature.
- (v) Intentionally removing or displacing any tree, shrub, plant, fungus or part thereof, or any unfashioned mineral thing including water.
- (vi) Climbing or ascending any tree or climbing or placing a ladder or steps against any tree.

#### **BRINGING ANIMALS INTO THE RESERVE**

- (vii) Intentionally bringing, or permitting to be brought, into the Reserve any living creature, or the egg of any living creature, or any plant, or any seed or any other part of any plant, in such circumstances that it is likely that such creature or plant will reproduce or propagate itself, or such egg will hatch, or such seed will germinate.
- (viii) Bringing into, or permitting to remain within, the Reserve any dog or other animal, unless it is kept under proper control and is prevented from worrying or disturbing any animal or bird.
- (ix) Turning out any animal or poultry to feed or graze.

#### **HORSES**

- (x) Except in the exercise of any lawful right or privilege, riding a horse in the Reserve.
- (xi) Intentionally or negligently riding a horse to the danger of any other person.

## AREAS OF WATER

- (xii) Committing any act which pollutes or is likely to cause pollution of any water.
- (xiii) Bathing or wading in any water in contravention of a notice exhibited beside that water by order of the Council.
- (xiv) Ice skating.
- (xv) Sailing model boats.
- (xvi) Obstructing the flow of any drain or watercourse.

## USE OF VEHICLES

- (xvii) Driving, riding, propelling or leaving any mechanically propelled vehicle (including hovercraft) elsewhere than on a highway or on a road, or in a place indicated by a notice as being available for the purpose. This byelaw shall not extend to invalid carriages.
- (xviii) Landing any aircraft except in case of emergency.
- (xix) Launching or landing except in an emergency a hang glider or paraglider.
- (xx) Operating any hang glider or paraglider at such a height that persons on the ground or in buildings may be inconvenienced or annoyed.

## USE OF CERTAIN EQUIPMENT

- (xxi) Using any camera or any apparatus for the transmission, reception, reproduction, or amplification of sound, speech or images by

electrical or mechanical means, except apparatus designed and used as an aid to defective hearing and apparatus used in a vehicle so as not to produce sound audible by a person outside the vehicle.

- (xxii) Using any device designed or adapted for detecting or locating any metal or mineral in the Reserve.

## USE OF FIREARMS ETC

- (xxiii) Being in possession of a firearm (with ammunition suitable for use in that firearm) otherwise than on a public paved road, or discharging a firearm or lighting a firework.
- (xxiv) Projecting any missile manually or by artificial means.

## GENERAL PROHIBITIONS

- (xxv) Erecting, occupying or using any tent, shed, caravan or other structure for the purpose of camping elsewhere than in an area indicated by a notice as being available for camping.
- (xxvi) Flying any model aircraft.
- (xxvii) Flying or causing or permitting to be flown any kite in such a manner as to cause a danger, nuisance or annoyance to any other person.
- (xxviii) Erecting any post, rail, fence, pole, booth, stand, building or other structure.
- (xxix) Neglecting to shut any gate or to fasten it if any means of doing so are provided.
- (xxx) Posting or placing any notice or advertisement.

- (xxxix) Selling or offering or exposing for sale, or letting for hire or offering or exposing for letting for hire, any commodity or article, or selling or offering for sale any service.
- (xxxixii) (a) *Engaging in any activity which is causing or likely to cause a disturbance.*  
(b) *Holding any show, performance, public meeting, exhibition or sports or the playing of any organised games.*
- (xxxixiii) Intentionally or recklessly removing or displacing, any notice board, notice exhibited by order of the Council, apparatus, wall, boundary bank, fence, barrier, railing, post, hide or bench.
- (xxxixiv) Roller skating, skiing, tobogganing, or skateboarding.
- (xxxixv) Lighting any fire, stove, heater or other appliance capable of causing a fire, elsewhere than in an area indicated by a notice as being available for camping.
- (xxxixvi) Letting fall or throwing any lighted match or lighted substance in a manner likely to cause a fire.
- (xxxixvii) Intentionally leaving items in a place other than a receptacle provided by the Council for deposit of litter or refuse.

#### **INTERFERENCE WITH DULY AUTHORISED OFFICER**

- (xxxixviii) Intentionally obstructing any officer of the Council or any person, or the servant of any person, employed or authorised by the Council in

the execution of any works including research or scientific work connected with the laying out, maintenance or management of the Reserve.

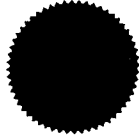
- 3. (1) The Council may issue permits authorising any person to do any act or class of acts within the Reserve or any part thereof which would otherwise be unlawful under these byelaws.  
(2) Any such permit shall be issued subject to the following conditions:
  - (a) *that it must be carried whenever a visit is made to the Reserve, and produced for inspection when required by a person duly authorised by the Council in that behalf; and*
  - (b) *that it may be revoked by the Council at any time.*
- 4. These byelaws shall not operate so as to interfere with the exercise:
  - (a) *by a person of –*
    - (i) *a right vested in him as owner, lessee or occupier of land in the Reserve;*
    - (ii) *any easement or profit a prendre to which he is entitled;*
    - (iii) *any public right of way;*
  - (b) *of any functions of a local authority, statutory undertaker or drainage authority;*
  - (c) *by a constable or a member of the armed forces or of any fire brigade or ambulance service of the performance of his duty.*

5. Any person who offends against any of these byelaws shall be liable on summary conviction to a fine on level 2 as laid down in the Criminal Justice Act and in the case of a continuing offence to a further fine for each day during which the offence continues after the said conviction.

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**GIVEN** under the Common Seal of The Council of the Borough of Bournemouth this 27th day of April 1998.

THE COMMON SEAL of )  
THE COUNCIL OF THE )  
BOROUGH OF BOURNEMOUTH )  
was hereunto affixed in the presence of )



*David Newell*

**DAVID NEWELL**  
*Chief Executive*

The Secretary of State for the Environment, Transport and the Regions hereby confirms the foregoing Byelaws.

Signed by the authority of the Secretary of State

*L Smith*  
**L SMITH**

Department of the Environment, Transport and the Regions  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

*26 August* 1998

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