

Clifton and Durdham Downs - Byelaws

Byelaws made by the Council of the City of Bristol under Section 5 of the Clifton and Durdham Down (Bristol) Act 1861.

Interpretation

1. In these byelaws:

'the Act' means the Clifton and Durdham Downs (Bristol) Act 1861;

'the Council' means Bristol City Council;

'the Downs Committee' means the Joint Committee nominated in accordance with the provisions of the Act;

'the Downs' means Durdham Down and the portion of Clifton Down coloured pink on the plan referred to in the Act.

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 the Downs, or bring or cause to be brought onto the Downs a motor cycle, motor vehicle, trailer or any other propelled vehicle (other than a cycle), except on any part of the Downs where there is a right of way for that class of vehicle.

(2) If the Downs Committee has set apart a space for the Downs 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 Downs.

(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 kilogram s;

'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 Downs, 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 Downs 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 Downs.

Erection of Structures

5. No person shall on the Downs, without the consent of the Downs Committee, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

Trading

6. No person shall on the Downs, without the consent of the Downs Committee, sell or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

Grazing

7. No person shall, without the consent of the Downs Committee, turn out or permit any animal to graze on the Downs.

Protection of Flower Beds, trees, Grass etc

8. No person who brings or causes to be brought onto the Downs a vehicle shall wheel or park it over or upon:
- (a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or
 - (b) any part of the Downs where the Downs Committee, by a notice placed in a conspicuous position on the Downs, prohibits its being wheeled or parked.
9. No person shall on the Downs enter upon:
- (a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or
 - (b) any part of the Downs set aside for the renovation of grass or turf, where adequate notice to keep off such grass or turf is exhibited.

Games

10. Where the Downs Committee has, by a notice placed in a conspicuous position on the Downs, set apart an area for the playing of such games as may be specified in the notice, no person shall:
- (a) play in such an area any game other than the game for which it has been set apart; or
 - (b) use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or
 - (c) play any game so specified on any other part of the Downs in such a manner as to exclude any person not playing the game from the use of that part.
11. No person, shall, on any area of the Downs which may have been set apart by the Downs Committee for any game, play any game when the state of the ground or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play on that area of the Downs.
12. (1) No person shall on the Downs play any game:
- (a) so as to give reasonable grounds for annoyance to any other person on the Downs; or
 - (b) which is likely to cause damage to any tree, shrub or plant on the Downs.

- (2) This byelaw shall not extend to any areas set apart by the Downs Committee for the playing of any game.

Golf

13. No person shall on the Downs drive, chip or pitch a hard golf ball.

Horse-riding

14. Where any part of the Downs has, by notices placed in conspicuous positions on the Downs, been set apart by the Downs Committee as an area where horse-riding is permitted, no person shall, without the consent of the Downs Committee, ride a horse on any other part of the Downs.

Obstruction

15. No person shall on the Downs:
- (a) intentionally obstruct any officer of the Council or the Downs Committee in the proper execution of his duties;
 - (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council or the Downs Committee; or
 - (c) intentionally obstruct any other person in the proper use of the Downs, or behave so as to give reasonable grounds for annoyance to other persons on the Downs.

Savings

16. (1) An act necessary to the proper execution of his duty on the Downs by an officer of the Council or Downs Committee, or any act which is necessary to the proper execution of any contract with the Council or Downs Committee, shall not be an offence under these byelaws.
- (2) 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 Downs, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the Downs or any part thereof.

Penalty

17. 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

18. The following byelaws relating to the Downs are hereby revoked:
- (a) the byelaws made by the Mayor, Aldermen and Burgesses of the City of Bristol on 10 May 1982;
 - (b) the byelaws made by the Lord Mayor, Aldermen and Burgesses of the City of Bristol on 4 October 1935 and confirmed by the Minister of Health on 19 November 1935;
 - (c) the byelaw made by the Lord Mayor, Aldermen and Burgesses of the City of Bristol on 14 February 1950 and confirmed by the Secretary of State for the Home Department on 26 June 1950; and
 - (c) the byelaws made by the Council on 15 May 1978 and confirmed by the Secretary of State for the Home Department on 27 April 1978.

(Effective 11 June 1998)

Byelaws made by the Council of the City of Bristol under Section 5 of the Clifton and Durdham Down (Bristol) Act 1861.

Interpretation

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'the Council' means Bristol City Council;

'the Downs Committee' means the Joint Committee nominated in accordance with the provisions of the Act;

'the Downs' means Durdham Down and the portion of Clifton Down coloured pink on the plan referred to in the Act.

Fires

2. (1) No person shall on the Downs 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.

(2) Byelaw 2(1) shall not apply to any event held with the consent of the Council.

Obstruction

3. No person shall on the Downs:

(a) intentionally obstruct any officer of the Council or the Downs Committee in the proper execution of his duties;

(b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council or the Downs Committee; or

(c) intentionally obstruct any other person in the proper use of the Downs, or behave so as to give reasonable grounds for annoyance to other persons on the Downs.

Savings

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

(3) 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 Downs, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the Downs or any part thereof.

Penalty

5. 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.

(Effective 11 April 2003)