

REPORT OF THE CHAIRMAN OF CULTURE COMMITTEE**ADOPTION OF BYELAWS FOR BESTWOOD COUNTRY PARK****Purpose of the Report**

1. To seek approval for the adoption of a set of byelaws for Bestwood Country Park.

Information and Advice

2. The majority of Bestwood Country Park is managed by Nottinghamshire County Council's Country Parks Service. A smaller section is now managed by Gedling Borough Council, following their withdrawal from a joint management agreement two years ago. There are currently no byelaws in force at the park.
3. Park byelaws are traditionally a means of discouraging nuisance behaviours and minor anti-social behaviour. This assists park managers, park rangers and local police in their job. Though the penalties for breaking byelaws are not high, they do provide a deterrent, increasing the authority of park staff to tackle minor nuisances such as unauthorised fishing, fires and camping. Other country parks and Local Nature Reserves under the Council's control have byelaws in place for this reason.
4. The subject of byelaws has been discussed with park users and stakeholders at meetings of Bestwood Development Group, which is an informal group of local park users and stakeholders. Not all local people present believed byelaws were necessary. Some suggested adopting a voluntary code of behaviour. However, on the evidence of their past experience, park managers feel that a voluntary code is insufficient, and gives them little tangible power to counter nuisance behaviour.
5. The procedure for introducing byelaws is as follows:
 - Draft byelaws must first be approved by Full Council before being 'sealed.'
 - An advertisement is then placed in a local newspaper giving notice of the Authority's intention to apply to the Government for confirmation of the byelaws.
 - Any objections raised should be resolved locally if possible, before the byelaws are forwarded for confirmation. If unresolved objections remain at the end of the deposit period, a further report must be put before Full Council before proceeding. If no objections received, the byelaws are forwarded to the Secretary of State for confirmation.

6. It is therefore recommended that a set of byelaws for Bestwood Country Park - drawn up in consultation with the Authority's Legal team - are approved and sealed by Council. The proposed byelaws are set out in **Appendix 1**.

Other Options Considered

7. The option of asking park users to abide by a voluntary code of conduct was rejected, as it gives no power of enforcement to park officers to tackle nuisance behaviour.

Reason/s for Recommendation/s

8. Though byelaws are unlikely to deter serious anti-social behaviour they are a useful tool in managing minor infringements and deterring actions which inconvenience other park users. A well-advertised set of byelaws removes any uncertainty on what is acceptable and unacceptable behaviour, and gives law abiding park users more confidence to report problems.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of finance, public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

10. The byelaws will be reassuring for park users and may reduce the incidence of petty anti-social behaviour.

RECOMMENDATION/S

That:

- 1) the proposed byelaws be adopted by the Council and placed on deposit for public inspection, following an advertisement in a local newspaper, as detailed in paragraph 6 above.
- 2) if no objections are raised, the byelaws be forwarded to the Secretary of State for confirmation.

Councillor John Knight
Chairman of Culture Committee

For any enquiries about this report please contact:

Gareth Broome
Service Manager, Country Parks Service.
T: 01623 821313
E: gareth.broome@nottsc.gov.uk

Constitutional Comments (LM 10/04/14)

11. Approval for the making of byelaws falls within the remit of the Full Council.

Financial Comments (KLA 10/04/14)

12. There are no financial implications arising directly from the report.

Background Papers and Published Documents

None.

Electoral Division(s) and Member(s) Affected

All.

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