



## AGENDA ITEM NO. 5

### GREATER FISHPONDS NEIGHBOURHOOD PARTNERSHIP

20<sup>TH</sup> JUNE 2013

**Report Title: Development of New Byelaws for Parks and Green Spaces** (abridged version if you would like the full version it can be found at [www.bristol.gov.uk/have-your-say](http://www.bristol.gov.uk/have-your-say))

#### 1. Context

Byelaws are local laws which are made by a statutory body, such as a local authority, under an enabling power established by an Act of Parliament. Since byelaws create criminal offences, they cannot come into effect unless they have been confirmed by the Secretary of State.

There are byelaws already in place in Bristol (from early 1900s) covering some parks and green spaces. The byelaws give the police and some council officers the power to take enforcement action against people who carry out anti-social activities that are listed in the byelaws. The penalties for non-compliance vary, but are generally dealt with by the Courts imposing a fine following summary conviction.

The aim of having byelaws would not be to stop people enjoying or having fun in parks but to be able to tackle people whose behaviour is persistent and a significant nuisance to others. Some issues are not covered by byelaws e.g. dog fouling, dogs that are not controlled but the council and police do have powers to deal with those issues under separate legislation.

#### 2. Purpose and Scope of New Byelaws for Parks/Green Spaces

- To ensure that all citizens can access and enjoy parks and green spaces free from the effects of anti-social behaviour
- To prevent and enforce against anti-social behaviour in parks and green spaces
- To cover parks/green spaces not covered in the existing byelaws and to fill any gaps in the type of anti-social activities covered by existing byelaws i.e. achieve consistency across the city

The aim of the council and the police is not to criminalise one-off offenders but to provide the leverage where necessary to take enforcement action against persistent or repeat offenders. The approach of the agencies involved is to request that people stop the anti-social behaviour and ensure that people understand what the rules are for any given park or green space. If people choose to continue the behaviour we will take enforcement action.

Enforcement usually involves a fine of a few hundred pounds in the first instance.

### **3. Public Consultation**

The public consultation will run from 28 May to 9 August 2013, a period of 12 weeks.

### **4. Questions for Neighbourhood Partnerships and other interested parties**

- 1) Do you agree with the issues we propose covering in the byelaws?
- 2) Which types of anti-social behaviour do you think we should not include and why? (You will find the full range of issues that can be covered by the byelaws at [www.bristol.gov.uk/have-your-say](http://www.bristol.gov.uk/have-your-say))
- 3) What types of anti-social behaviour have we missed that you think we should include and what evidence do you have that these behaviours are a problem? ( please give locations, a description of the behaviour/activity and approximate date). We are interested in all types of issues including those that might not be covered by byelaws but could be covered by other legislation.
- 4) Do you have any questions about the implementation of the byelaws?

### **5. Next steps**

Proposals amended in view of consultation results – September 2013

Byelaws drafted and provisional approval sought from DCLG – September 2013

The council formally resolves to adopt the byelaws at Full Council – October 2013

1 month public notice period – November 2013

Byelaws submitted to DCLG/ Secretary of State December 2013

Byelaws in place January 2014

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