

The Renfrewshire Council
Civic Government (Scotland) Act 1982

Rules for the Management of Public Parks

By virtue of and in terms of the powers conferred on them by Section 112 of the Civic Government (Scotland) Act 1982, The Renfrewshire Council hereby make the following rules for the management of public parks.

INTERPRETATION OF TERMS

1. In these rules the following expressions shall have the meanings hereby assigned to them;
 - (i) "The Council" means The Renfrewshire Council constituted in terms of the Local Government etc. (Scotland) Act 1994.
 - (ii) "Any park" is defined as the following; a park, playing field or play area, or other place of public resort or recreation, owned or managed by the Council.
 - (iii) The "2003 Act" means the Land Reform (Scotland) Act 2003.
 - (iv) Words importing the masculine gender include the feminine gender and vice versa, and words in the singular include the plural and vice versa.
 - (v) The Interpretation Act 1978 applies to these Rules as it does to an Act of Parliament.
 - (vi) Where any conflict exists or arises between these Rules and the 2003 Act, the 2003 Act shall have priority.

RULES OF ADMISSION

2. No person shall enter or leave any park except through the designated entrances and exits. No one may enter or remain within any part of any park after it is closed in terms of these Management Rules.
3. The Council may close any part of any park to the public for so long as it considers necessary, having due regard to the provisions of the 2003 Act, relating to access rights. In the event the Council decides to close any park or part thereof as aforesaid, the Council may direct people to leave the park, and they must do so within ten minutes.

4. Where any part of any park is not subject to access rights under the 2003 Act, the Council reserves the right to specify opening and closing times for such part, and these opening and closing times may be displayed in the vicinity of the area in question.
5. The Council reserves the right to refuse admission to any park to any person, group or organisation where this is considered necessary in the public interest, provided that such refusal shall not contravene the terms of the 2003 Act.
6. No unauthorised person shall enter areas or buildings marked with notices prohibiting entry or restricting access in any way.

BEHAVIOUR

7. No person shall:
 - (a) Disturb or interfere with the privacy of any person legitimately using any park, or cause any obstruction to any entrance or exit pertaining to any park.
 - (b) Except with the express consent of the occupier seek admission to any changing room within any park at any time when the changing room is occupied by a person authorised to do so.
 - (c) Enter or attempt to enter or use any facility within any park which has been reserved for use by the opposite sex. This does not apply to children under the age of eight years provided that they are accompanied by an adult of the opposite sex.
 - (d) Swear or use offensive language or behave in an offensive, disorderly or insulting manner or commit any offence whilst in any park.
 - (e) Obstruct, disturb or interrupt any officer of the Council in any park in the exercise of his duties.
 - (f) Endanger his or any other person's safety in any park.
 - (g) Disobey any instructions given by any officer of the Council in any park or bring into any park any object which may be considered by a member of park staff to be dangerous.
 - (h) Cause, or allow any person for whom he is responsible, e.g. a child, to cause, any damage to the ground forming part of any park, or to any vegetation or wildlife therein, or otherwise to harm the biodiversity of any park.

- (i) Cause disturbance, nuisance or annoyance to any other person within the park .
- 8. No person shall climb on any structure that is not designed specifically as a play area in any park.
- 9. No person shall damage, or permit any animal to damage, any planted beds, trees, shrubs or any other vegetation in any park nor shall any person remove any flowers or other vegetation, nor any animal, fish, bird, nest or egg from any park.
- 10. No person shall ride, race or train any animal in any park without written permission from the Council (with the exception of horse riding which may be undertaken where it can be done responsibly and safely in accordance with the 2003 Act and the Scottish Outdoor Access Code, taking due account of the prevailing weather conditions, and having due regard for the safety of the rider and for the safety of all other persons using the park). No person shall bring any vehicle or motorcycle into any area of a park except a car park without written permission from the Council. This does not apply to prams, non-motorised cycles and wheelchairs (including motorised wheelchairs), nor ambulances, fire engines and/or police vehicles, or similar, in the event of an emergency.
- 11. Any person driving a vehicle or riding a horse etc. in any park shall comply with all relevant legislation in force for regulating such driving or riding on public streets or roads, and for showing of vehicle lights on such public streets or roads.
- 12. Dogs and other animals must be kept under proper control, and on a short lead, where appropriate, and must not interfere with any person or animal or damage anything in any park. Any faeces deposited by a dog or other animal within any park must be collected and placed in any bin which may be provided for the purpose within the park in question, failing which it must be disposed of in an appropriate manner. The provisions of the Dog Fouling (Scotland) Act 2003 and any amendment or extension thereof, and any other relevant legislation, shall apply.
- 13. No person shall pollute, bathe, wade, wash in or otherwise interfere with any fountain or other structural water feature in any park, or permit any animal to pollute, bathe, wade or otherwise interfere with any such structural water features in any park. Further, no person shall pollute any pond or pool in any park or permit any animal to pollute any pond or pool in any park. All warning signs with regard to water features should be taken account of. No canoes or boats shall be used in any park, except with the express permission of the Council.

14. No person shall walk on or venture onto any frozen water area in the park.
15. No person shall play or prepare to play organised games, races or athletics in any park without written permission from the Council. No person shall play any game or sport in contravention of a notice prohibiting such game or sport. Any games or sports which are played must be done so in such a way as not to interfere with or injure other persons using the park.
16. No apparatus or equipment may be left overnight in any park, nor shall any aircraft nor power driven model, nor any metal detector, be used within any park without the prior written consent of the Council
17. No person shall organise or participate in any gaming activity in any park without written permission from the Council.
18. No person shall erect any structure in any park, nor insert any item into the ground therein, or affix any item to any tree, bush, wall, fence or structure without written permission from the Council.
19. No person shall hold any public meetings, religious service, lecture or concert, or play any musical instrument or give or take part in any performance or exhibition in any park without written permission from the Council which will not be unreasonably withheld.
20. No person shall, except with the Council's prior written consent, sell, lease, hire, offer for sale, lease or hire, or deal in, any article whatsoever, carry out any market research or survey or similar activity, or solicit money, goods or services.
21. Play equipment within any park shall not be used by any person over the age of fourteen years (or such younger age as may be specified in a notice in the vicinity of such play equipment).
22. No person shall deposit litter within any park, except in a bin or other container provided for that purpose.
23. No person shall light any fires, nor do anything which may result in a fire being lit within any park.

PROPERTY AND EQUIPMENT

24. No person shall
 - (a) Vandalise or break any structure in any park or any article supplied for use by the Council in any park.

- (b) Keep or remove from any park any article supplied for use by the Council after the purpose for which it was issued has been served.

SPECIAL PROVISIONS

25. No person shall

- (a) Give formal instructions in any organised sport or other organised public activity in any park without written permission from the Council, nor organise such sport or public activity without such written permission.
- (b) Bring or consume any alcohol in any park, nor smoke in any playground nor any other part of any park where this would contravene a notice forbidding smoking.
- (c) Scatter human ashes or bury any animal within any park, without the prior written consent of the Council.

OUTDOOR FACILITIES

26. Any person using any of the facilities in any park shall be held to have satisfied themselves as to the condition of the facilities and as to the suitability thereof for the purpose of use.

CAR PARKING AND VALUABLES

27. Where car parking is provided by the Council, it is available during such times as the park is open.

28. No car parking is permitted outwith the designated car parking areas, without the prior consent of the Council.

RIGHT TO LEVY CHARGES

29. The Council reserves the right to levy a charge or charges for the use of any park or part thereof or any building therein, or for any facilities or services provided in any park or building therein. Any exemption thus required from the access rights under the 2003 Act will be subject to an order under Section 11 of the 2003 Act, if appropriate.

30. Subject to an order under section 11 of the 2003 Act, if appropriate, the Council reserves the right to agree to the hire of any park for the exclusive use of any hirer during or outwith normal working hours.

31. In the case of any hire, the Council reserves the right to require the hirer to provide details relating to the organisation of any event, including details of all admission charges and any ancillary charges. The Council may cancel the hire on the basis of this information

PENALTIES

32. Any person contravening any of these Management Rules will be liable to the following penalties under the Civic Government (Scotland) Act 1982:

- (a) Where an authorised officer of the Council has reasonable grounds to believe that a person has contravened, is contravening, or is about to contravene any of these Management Rules, that officer may expel or exclude that person from the land or premises to which the rules apply (s116).
- (b) Where a person has, in respect of particular premises covered by these Management Rules, contravened or attempted to contravene any of these Management Rules and is, in the Council's opinion, likely to contravene them again the Council may make that person the subject of an exclusion order with respect to the premises in question. Such an order may remain in effect for a period of no longer than one year from the date of its creation (s117).
- (c) Any person who:
 - (j) fails to leave any land or premises on being required to leave by an authorised officer of the Council who has reasonable grounds to believe that person has contravened, is contravening or is about to contravene any of these Management Rules;
 - (ii) enters or attempts to enter land or premises covered by these Management Rules after being informed by an authorised officer of the Council, who has reasonable grounds to believe that person is about to contravene any of these Management Rules, that he is excluded from that land or premises; or
 - (iii) enters or attempts to enter land or premises covered by these Management Rules whilst subject to an exclusion order relating to that land or premises;

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 1 on the standard scale (s118).

INFORMATION

33. A copy of these Management Rules may be obtained at Renfrewshire Council, Legal Services, Renfrewshire House, Cotton Street, Paisley PA1

1TT, Telephone number: 0300 300 0300, or on Renfrewshire Council's website www.renfrewshire.gov.uk IN WITNESS WHEREOF