



NPA/22/033

Dartmoor National Park Authority

11 November 2022

DARTMOOR COMMONS ACT 1985 'Minded-to-Make' Amendments to Byelaws following Public Consultation in 2021

Report of the Director of Conservation and Communities

Recommendation: That Members:

- (i) review and note the 'minded-to-make' amendments as set out in Appendix 3;
- (ii) note the requirement of Section 11 of the Dartmoor Commons Act 1985 to allow owners the requisite time to be heard in respect to the proposed byelaws. Other interested parties may also express their views via email to byelaws@dartmoor.gov.uk;
- (iii) note that the intention is to present a final set of proposed byelaws to the Authority, for their approval, early in 2023.
- (iv) Authorise the Chief Executive (National Park Officer), in consultation with the Chair and Deputy Chair of the Authority, to make any further amendments to the revised byelaws that may result from discussion and actions arising from the Authority meeting on 11 November 2022

1 Background

- 1.1 The Dartmoor Commons Act 1985 created a right for the public to access 35,310 hectares of common land on Dartmoor on foot or by horseback for the purpose of open-air recreation. The Act allowed for the making of byelaws to regulate access to the commons. The first set of Byelaws were made in 1989 and have not been reviewed since they were formally approved.
- 1.2 The byelaws are a key tool to help conserve the National Park for all to enjoy. The byelaws provide a framework for Authority staff to engage with the public; to help inform and educate people about what they can, and cannot, do and where; and, as a last resort, to enforce against persons who continue to break the byelaws and harm the special qualities of the National Park.
- 1.3 The purpose of this review is to ensure that we have a set of byelaws that provide an up-to-date framework to manage 'Access Land'¹ and the public's enjoyment of it. A framework that:

¹ The term 'Access Land' is used to refer the rights of access to land conferred under the Dartmoor Commons Act 1985, National Parks and Access to the Countryside Act 1949 and the Countryside and Rights of Way Act 2000.

- Helps protect the special qualities and fabric of the National Park – its nature, beauty and archaeology.
- Recognises the importance of the Access Land for grazing and the legitimate interests of landowners.
- Ensures enjoyment by the public today does not damage the ability of future generations to enjoy the National Park.
- Provides a consistency of approach across the various categories of land to which the public have a statutory right of access under the Dartmoor Commons Act 1985, the National Parks and Access to the Countryside Act 1949 and the Countryside and Rights of Way (CROW) Act 2000 – ‘Access Land’.

1.4 It should be noted that the process of reviewing the byelaws commenced prior to the Covid 19 pandemic: it was not a direct response to some of the issues faced after the various lockdowns were removed.

2 Revision and Consultation

2.1 A proposed revised set of Byelaws were presented to Members of Dartmoor National Park Authority on 3rd September 2021. At that meeting, Members approved the revised byelaws (subject to amendments to the ‘Extent’ and ‘Camping’ Sections) for the purposes of public consultation.

2.2 The public consultation ran for six weeks until November 2021 and the Authority received nearly 4,000 consultations via the online survey, email, and hard copy.

2.3 Staff have completed a thorough analysis of all responses and a summary of this analysis can be found at appendix 2. Based on this analysis a series of ‘minded-to-make’ amendments were drafted and are presented in Appendix 3.

3 Minded-to-Make Amendments

3.1 The proposed byelaws, with ‘minded-to-make’ amendments following the responses from the consultation, are attached as Appendix 3. The summary analysis of the responses are attached as Appendix 2. The following summarises the key ‘minded to make’ amendments arising from the consultation:

3.2 Extent:

Original Byelaw Number 2/Revised Byelaw Number 2

Reason for update: To provide consistency and clarity with a single set of byelaws to cover both open access land under CROW and the Dartmoor Commons Act 1985.

The revised draft byelaws include land dedicated as “access land” in Section 1(1) of the CROW Act 2000. The change will not alter the legal right of access or the general restrictions of access pertaining to CROW land, but it will enable enforcement of the byelaws where necessary. The Authority as “Access Authority” under the CROW Act is able to make byelaws under Section 17 of that Act (and section 90 of the 1949 Act and section 11 of the 1985 Act). Furthermore, they have been drafted to ensure that owners of the land and those persons authorised by them, do not lose their existing rights.

3.3 **Parking:**

Original Byelaw Number 4/Revised Byelaw Number 5

Revised byelaw 5 (iii)

Between the hours of 11pm and 6am no person shall sleep in any mechanically propelled vehicle, caravan, or trailer on Access Land except on land where overnight camping is permitted by the Authority or by the owner of any land and the vehicle is parked with their permission.

Reason for update: To address overnight camping in vehicles that are not in a regulated location.

It has been amended to clarify the position with regard to occupying or sleeping in a vehicle overnight. It is not a change in policy, but the wording has been amended to address, more effectively, sleeping in a vehicle on Access Land.

Revised byelaw 5 (iv)

No person shall park any mechanically propelled vehicle on Access Land in such a manner as to obstruct agricultural vehicles or the movement of livestock, whether by blocking (in whole or part) a gateway or a cattlegrid side gate entrance or otherwise.

Reason for update: To address anti-social parking that affects the operation of agricultural businesses.

We are minded to retain the new provision, 5 (iv) to control parking that is blocking gates and cattlegrid bypass gates and thereby impeding access for livestock and agricultural traffic. This issue has been increasing over recent years, particularly at peak times, and has been highlighted by the Dartmoor Commoners' Council.

3.4 **Camping:**

Original Byelaw Number 6/Revised Byelaw Number 7

A legal challenge has been brought against Dartmoor National Park Authority regarding the practice of wild camping. That claim is due to be considered by the High Court in December 2022. The Authority will not look to make any amendment to the current camping byelaw until the current Court action is concluded and the outcome considered.

Therefore, this byelaw remains unaltered.

3.5 **Fires:**

Original Byelaw Number 8/Revised Byelaw Number 9

Revised byelaw 9 (i – iv)

- I. No person shall light or **tend** an open fire on the Access Land, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
- II. **No person shall use a camping stove or other cooking device in such a manner as to cause a fire or the danger of fire.**
- III. **No person shall use a barbecue of any kind on Access Land.**
- IV. **No person shall gather fuel for a fire from the Access Land.**
- V. **No person shall launch Chinese Lanterns, fireworks, or flares from Access Land.**

Reason for update: Clarity of language and also to address the prevalence of barbecues and the associated risk of fire and ecological damage.

This byelaw has been changed to reflect the increasing use of barbecues and we are now minded to ban the use of barbecues on the Access Land. This extends to disposable and portable barbecues and all fuel types.

3.6 **Dogs:**

Original Byelaw Number 9/Revised Byelaw Number 10

The language used in revised byelaw 10 has been changed to reflect the national restrictions (on access land) applicable under the Countryside and Rights of Way Act 2000 and to improve clarity of message for the public.

Revised byelaw 10 (i)

No person in charge of a dog shall permit it to attack or worry any stock or wildlife or cause any nuisance or reasonable grounds for annoyance to any person on the Access Land.

Reason for change: clarity of language.

This now states that any dog that attacks or worries stock or wildlife rather than disturb.

Revised byelaw 10 (ii)

No person in charge of a dog shall cause or allow it to be exercised on Access Land other than under effective control and, if directed to do so by a Ranger, must keep the dog on a lead.

Reason for update: clarity of language.

This now uses the word effective rather than close. This brings the byelaw in line with other Acts and gives greater definition to the meaning of effective.

Revised byelaw 10 (iii)

Between 1 March and 31 July each year any dog that is brought onto Access Land shall be kept under effective control and on a lead

Reason for update: to ensure that stock and ground-nesting birds are not placed at risk by attack or disturbance from dogs.

This now states that between 1 March and 31 July each year all dogs have to be under effective control and held at all times on a lead. This section of the consultation did provide a significant amount of response but also highlighted that many thought that the byelaw applied all year and across all of Dartmoor. If agreed by Members, then the Authority will work with partners to ensure that people are aware of when, and where, they can walk with their dog off the lead during this time.

Revised byelaw 10 (iv)

No person shall bring more than 6 dogs on to the Access Land at any time.

Reason for update: to align the byelaw with existing Public Spaces Protection Orders and ensure continuity.

A new provision has been included to limit the number of dogs one person can bring onto the access land to six. This is consistent with the Public Spaces Protection

Orders (PSPOs) currently in place for Teignbridge and West Devon/South Hams and has been made necessary by the increasing number of people who are bringing large numbers of dogs onto the access land, including those doing so on a commercial basis.

3.7 **Recreation Events**

A new byelaw had been suggested to confirm the Recreation Events policy which was adopted by Authority in 2018. Following the consultation, the Authority is not minded to proceed with this proposed byelaw.

3.8 **Kites, Model Aircraft and Drones:**

Original Byelaw Number 18/Revised Byelaw Number 19

Revised byelaw 19 (ii)

No person shall operate a powered model aircraft or drone on or over Access Land unless they are authorised to do so in writing by the Authority, and no model aircraft or drone shall be operated in such a manner that may or does startle or disturb stock or wildlife or which gives reasonable cause for annoyance to any person.

Reason for update: clarity of language and technology.

Revised byelaw 19 has been updated to clarify the position with regard to drones, a technological development that has occurred since the introduction of the byelaws in 1989. The revised wording reflects the Civil Aviation Authority Guidance and is intended to ensure that any use of drones over the access land will not impact on the enjoyment of others nor disturb stock and wildlife.

3.9 **Entertainments:**

Original Byelaw Number 19/Revised Byelaw Number 20

Revised byelaw 20

No person shall hold any unlicensed music event, show, concert, exhibition or other entertainment on the Access Land unless they are authorised to do so in writing by the Authority.

Reason for update: clarity of language and terms.

The word 'rave' has now been replaced by 'unlicensed music event', which reflects how the Police refer to these activities.

3.10 **Music and audio devices:**

Original Byelaw Number 20/Revised Byelaw Number 21

Revised byelaw 21

No person shall play or operate or knowingly cause or permit to be played or operated, any instrument or device, whether mechanical, electrical, or any other method of operation, which emits noise in such a manner as to give reasonable cause for annoyance to another person on the Access Land.

Reason for update: clarity of language and technology.

This has been modified so it is more encompassing and future proofed for all audio devices. 'Whether mechanical, electrical, or any other method of operation, which emits noise.'

3.11 **Rangers:**

Original Byelaw Number 21/Revised Byelaw Number 22

Revised byelaw 22 (iv)

No person shall on the Access Land:

Fail to follow an instruction by a Ranger or officer of the Authority acting within their authority.

This byelaw has been updated to include 22 (iv) which enables Rangers and other authorised officers of the Authority the ability to ensure that appropriate instructions and guidance is followed.

3.12 **Penalty:**

Original Byelaw Number 22/Revised Byelaw Number 23

Revised byelaw 23

Any person who offends against any of these Byelaws shall be liable on summary conviction to a fine on level 2 on the Standard Scale.

The standard scale of penalty is unchanged but the amendment to apply a further fine for each day during which the offense continues has been dropped.

As stated below (5.2) despite the fine being a criminal sanction it is not a recordable offence and does not therefore result in a criminal record.

4 **Process**

4.1 Devon County Council's legal team have continued to advise on the process and wording of the new byelaws. The initial minded-to-make amendments were sent to the Department for Environment, Food and Rural Affairs (DEFRA) in 2021 and they did not have any suggested amendments. DEFRA will be sent the amended byelaws in 2023 – see 4.2.

4.2 If Members agree with the amendments, then the following timetable will be undertaken:

- Following the Authority meeting of 11th November 2022, officers will ensure that owners and other statutory consultees have the requisite time to be heard in respect to the proposed byelaws as stated in Section 11 of the Dartmoor Commons Act 1985. Other interested parties may also express their views on the changes via email 'byelaws@dartmoor.gov.uk'. Note that this is not a formal public consultation.
- Approve and Seal: Officers will prepare an Authority report, with the agreed changes, for member's approval in early 2023. If Members formally approve the paper, the byelaws will be sealed.
- Publish: The revised byelaws will be published in local newspapers for six weeks as per DEFRA Guidance.
- After the six week notice period the sealed byelaws and any representations made are sent to DEFRA for confirmation and approval by the Secretary of State. There is no specific timeline for this element of the process, but officials advise that it could take between three and six months.

5 Enforcement and Criminality

- 5.1 The revised byelaws, if adopted, will continue to be primarily a tool for informing and educating the public however, there will be times when enforcement is necessary and justified. Enforcement must always be evidence-based and in the public interest. At the Authority meeting on 10 June 2022 Members approved an enforcement policy for the National Park Authority.
- 5.2 Through the public consultation exercise there was concern from some that breaking a byelaw would result in a criminal record and this was thought to be disproportionate to the potential offence. Whilst the commission of a byelaw is a serious offence and a criminal matter, it is not a recordable offence and does not therefore result in the perpetrator receiving a criminal record.

6 Financial Implications

- 6.1 The change to the byelaws has had impact on staff time across the Authority. There has also been a direct financial cost in terms of legal advice beyond the terms of the service level agreement with Devon County Council. There will also be additional costs to communicate, advertise and promote the byelaws. There is provision in the 2022/23 revenue budget for some of these costs but there will also be an impact for the 2023/24 revenue budget and revised Medium-term Financial Plan.

7 Equality and Sustainability Impact Assessment

- 7.1 The Authority seeks to treat all people equally, honestly and fairly in any, or all its business activity, including partners, visitors, suppliers, contractors, service users.
- 7.2 The Authority undertook an Equality and Sustainability Impact Assessment, and this is attached at Appendix 1.

8 Conclusion

- 8.1 A set of byelaws relating to access land on Dartmoor have been in place since 1989. The byelaws apply to Common Land and other land that the Authority has a legal interest in. They are in place to protect the special qualities of the National Park. Rangers and other staff use the byelaws as a way of engaging and educating the public and for most of the last 30 years people were very willing to listen and respect those views. However, as people increasingly look to question the basis for the advice it is recognised that the byelaws required updating and modernising to reflect societal and technological changes and to ensure they are relevant, easy to understand and communicate.
- 8.2 Members are asked to consider and agree the following recommendations:
- (i) review and note the 'minded-to-make' amendments as set out in Appendix 3;
 - (ii) note the requirement of Section 11 of the Dartmoor Commons Act 1985 to allow owners the requisite time to be heard in respect to the proposed byelaws. Other interested parties may also express their views via email to byelaws@dartmoor.gov.uk;
 - (iii) note that the intention is to present a final set of proposed byelaws to the Authority, for their approval, early in 2023.

- (iv) authorise the Chief Executive (National Park Officer), in consultation with the Chair and Deputy Chair of the Authority, to make any further amendments to the revised byelaws that may result from discussion and actions arising from the Authority meeting on 11 November 2022.

RICHARD DRYSDALE

Appendix 1 – Equality and Sustainability Impact Assessment
Appendix 2 – Summary of consultation review
Appendix 3 – Minded-to-make amendments
Appendix 4 – Proposed new byelaws

20221111 RD Dartmoor Commons Act - 'Minded-to-Make' Amendments to Byelaws Following Consultation in 2021



**Dartmoor National Park Authority
Proposed Revisions to Byelaws**

**Impact Assessment (IA)
Report**

October 2022

enfusion



Dartmoor National Park Authority Proposed Revisions to Byelaws

Impact Assessment (IA) Report

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1.0 INTRODUCTION

The Dartmoor National Park and its Byelaws

1.1 The work of the Dartmoor National Park Authority (DNPA) is focused towards the two statutory¹ purposes of the National Park designation:

- to conserve and enhance the natural beauty, wildlife and cultural heritage
- to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public

Also, the duty of National Park Authorities in pursuing National Park purposes:

- to seek to foster the economic and social well-being of local communities (within the National Park) by working closely with the agencies and local authorities responsible for these matters

1.2 Byelaws are local laws made by local government requiring something to be done – or not done – in a specified area, and they are accompanied by some sanction or penalty for their non-observance. Byelaws² were established for the Dartmoor National Park (DNP) by Devon County Council (DCC) acting as DNPA with respect to access land within the Dartmoor National Park. These byelaws aim to protect and support the designation of the DNP and the statutory purposes and duty of the DNPA. The current set of byelaws for access land on Dartmoor was adopted in 1989 and aims to protect the special qualities of the DNP including its wildlife, habitats, cultural heritage, archaeology, and the livestock that graze the commons.

1.3 The overall intention of the proposed changes to the DNP byelaws is to manage overuse of the open land and thus reduce damage/negative effects to the protected sites and wildlife. The DNPA has agreed draft proposals to update and amend Dartmoor's byelaws to ensure that they are:

- relevant and proportionate for modern society
- clear and easy to understand
- cover the right activities and areas
- complement other powers and legislation

1.4 Initially, the proposed updated byelaws were published on the DNPA's website for formal consultation with the public and stakeholders in early September for 6 weeks until 1 November 2021. Some concerns were raised as to whether the updating of the byelaws was subject to environmental assessment and/or consideration of likely impacts on equalities. Therefore, the

¹ National Parks & Access to the Countryside Act 1949 as amended by the Environment Act 1995

² Under s90 of the National Parks & Access to the Countryside Act 1949 and s11 of the Dartmoor Commons Act 1985

DNPA investigated which assessment processes might be most applicable to apply and to be most relevant and effective to inform decision-making.

Environmental Assessments & Impact Assessments

- 1.5 **Strategic Environmental Assessment (SEA)**³ is a systematic process used during the preparation of plans and programmes and it aims to provide a high level of protection for the environment. SEA contributes to the integration of environmental considerations in plan and programme preparation with a view to promoting sustainable development. In England, for many plans and programmes, SEA is incorporated into Sustainability Appraisal (SA) that includes consideration of socio-economic factors in the same way as environmental factors. SA is mandatory for development plans in England and the emerging new Local Plan (2018-2036)⁴ for the DNP was subject to SA incorporating SEA, HRA and EqIA.
- 1.6 Government provides guidance⁵ on requirements for SEA and it is considered that the updated byelaws are not within the scope of the SEA Regulations since they are not a plan that:
- is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2)
 - is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4)
 - will apply to a wider area other than a small area at local level and is not a minor modification to an existing plan or programme (Regulation 5, para. 6).
- 1.7 **Habitats Regulations Assessment/Appropriate Assessment HRA/AA** of plans and projects is an assessment process required by the Habitats Regulations⁶ to determine if a plan or project is likely to have significant effects against the nature conservation objectives of any site designated for its nature conservation importance. Designated sites are Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites. Dartmoor NP includes the Dartmoor and South Dartmoor Woods SACs; small areas of the South Hams SAC, important for bats, are located just within the south-east boundary of the NP with most of the designated site and broader sustenance zones and landscape connectivity zone being outside the NP boundary.
- 1.8 Government guidance⁷ explains that all plans and projects require consideration of whether the plan or project is likely to have significant effects on the integrity of the habitats site, alone or in combination with other plans or projects. The proposed revision to the DNP byelaws is not a plan - it does

³ Environmental Assessment of Plans and Programmes Regulations, 2004

<http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

⁴ <https://www.dartmoor.gov.uk/living-and-working/planning/planning-policy/local-plan-review>

⁵ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

⁶ The Conservation of Habitats & Species Regulations 2010

<http://www.legislation.gov.uk/uksi/2010/490/contents/made>

⁷ <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

not “set out where future activities or developments should take place within a certain area”. A project can be “any activity or a number of activities that either needs a new or renewed permission from a competent authority before it goes ahead, or that a competent authority proposes to carry out itself. Examples include - applications for planning permission, licences, consents or permits issued under byelaws and other legislation...”. The updating of the DNPA byelaws is not a project as such but it could be asserted that the proposals, might affect the designated habitat sites since the access land to which the byelaws apply is located within the designated areas.

- 1.9 The requirement for an HRA or AA of a plan or project is determined through a screening process by the responsible authority – in this case, the DNPA. It may be noted that the new Local Plan (DNPLP, 2018-2036)⁸ for the DNP was subject to HRA/AA; also, the new Dartmoor Partnership Plan (2021-2026)⁹ (DNPPP – previously known as the Management Plan) was subject to HRA/AA. These HRA/AAs were undertaken at each stage of plan preparation and subject to public consultations and informed by discussions with Natural England, especially in regard to recreational disturbance.
- 1.10 The preparation of the proposed updated byelaws was undertaken with consideration of the Dartmoor MP – and thus, in this respect, the implications for effects on the designated habitats sites has already been considered. However, within this Impact Assessment, regard will be made to possible effects on the protected sites.
- 1.11 **Public Sector Equality Duty (PSED, 2011)¹⁰:** Under the Equality Act 2010, public authorities such as the Dartmoor National Park Authority must in the exercise of their functions, have due regard to the need to eliminate discrimination, promote equality of opportunity, and foster good relations between people who share a relevant protected characteristic and persons who do not. The Equality Act identifies nine characteristics of people by groups – Age; Marriage & Civil Partnership; Pregnancy & Maternity; Race; Religion or Belief; Gender Reassignment; Sexual Orientation; Sex; and Disability.
- 1.12 **Equality Impact Assessment (EqIA):** An EqIA is a tool that seeks to improve the work of an authority and helps ensure that its activities do not discriminate in the way services are provided. The Equality Act 2010 does not specifically require them to be carried out, but they are a way of enabling and evidencing compliance with the PSED. The systematic approach involves identifying relevant baseline information and assessing whether the proposed activity or change will have negative effects on any of the protected characteristics. Can any of the negative effects be removed or minimised? Can any positive effects be enhanced? Is any monitoring of the issue required?
- 1.13 Both the DNPLP and DNPPP were subject to EqIA during their preparation. Within this Impact Assessment, particular regard has been made to possible

⁸ <https://www.dartmoor.gov.uk/living-and-working/planning/planning-policy/local-plan-review>

⁹ <https://www.dartmoor.gov.uk/living-and-working/management-plan>

¹⁰ <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty>

effects on equality and will be undertaken within the outline of an EqIA screening approach.

- 1.14 **Impact Assessment (IA):** There is no mandatory requirement for environmental assessment (SEA or HRA) or equality impact assessment for draft legislation. Regulatory Impact Assessments (often abbreviated to Impact Assessments IAs) are used by both central and local government to support legislative change and to inform decision-making. An IA includes a description of the proposal with reasons for the change/review and any options; the people affected; assessment of equality, environment and economy; any actions required to reduce negative impacts and/or enhance positive impacts.
- 1.15 The DNPA has decided to prepare this IA to address representations that have expressed concern regarding how environmental and equalities considerations have been taken into account during the preparation of the proposed updated byelaws. A pragmatic and proportionate approach has been taken to inform decision-making.
- 1.16 The DNPA has commissioned independent assessors (SA, SEA, HRA, AA, EqIA, IA) specialists Enfusion Ltd to undertake the impact assessment on behalf of the Authority.

This Impact Assessment (IA) Report

- 1.17 This document reports the IA amended to reflect the changes made to the proposed DNPA byelaws. Having taken into account the analysis of the consultation responses and being further informed by impact and sustainability assessments, evidence, and legal advice, revised proposals for update byelaws have been prepared. A key aspect has been to not progress the earlier intentions for changes to Byelaw No 6 Camping because of concerns raised through an ongoing legal challenge. The issue of camping will be addressed again at a later date.
- 1.18 This report sets out the context and the reasoning for undertaking an Impact Assessment. Methods are outlined and relevant baseline information described and signposted to more detail. A pragmatic and proportionate assessment is reported and including any suggestion for actions that might be needed; particular consideration is given to impact assessment for designated habitat sites and equalities. This IA report will be published on the DNPA for public consultation alongside the proposed updated DNP byelaws and report to the Authority.

2.0 METHODS

Impact Assessment (IA)

- 2.1 The original Byelaws were established for the DNP by Devon County Council (DCC) acting as DNPA with respect to access land within the Dartmoor National Park. Close collaborative working on relevant matters continues between DCC and the DNPA. Therefore, it seems sensible to align the IA with the approach and method used by the DCC, described as an IA toolkit and available on the DCC website¹¹. This toolkit follows the approach taken by other Councils in England and includes detail on equalities that demonstrates the PSED. The relevant sections of the DCC standard IA form were used to structure the assessment – as set out in the following section 4.
- 2.2 Baseline information was collated and analysed during the preparation of the SA/SEA, HRA/AA and EqIAs of the Local Plan (2018-2021) and the Management Plan (2019-2021). Details are available in the appendices to the published reports and summaries provided in the main reports. Detailed information is provided through the DNPA's Authority Monitoring Report (most recent 2019) and the State of the Park Report (most recent 2017). Therefore, only a brief summary of key topics relevant to the changes to the byelaws is described within this IA report - as summarised in the following section 3.

Habitats Regulations Assessment (HRA)

- 2.3 The methods for HRA screening and Appropriate Assessment (AA) are well established in the UK and Government guidance is available¹². These methods were used for the HRA/AA of both the DNPLP and the DNPPP and published in 2019-2021 on the DNPA's website. A pragmatic and proportionate approach was taken with regard to the proposed changes to the Byelaws and how these might affect the designated habitat sites.

Equality Impact Assessment (EqIA)

- 2.4 The methods for EqIA are well established in the UK and tend to follow a 2-stage process. The initial screening considers the main purpose and aims of the strategy/plan/change, baseline information on issues and needs relevant to each of the 9 characteristics, and then assessment. If no negative effects are likely, then no further assessment is required. If there are any likely or uncertain significant negative effects that cannot be easily mitigated, then stage 2 a full EqIA applies.

¹¹ <https://www.devon.gov.uk/impact/toolkit/>

¹² <https://www.gov.uk/guidance/appropriate-assessment>

- 2.5 The EqlAs that were undertaken during the preparation of the DNPLP and the DNPPP included screening – it was concluded after stage 1 of the EqlAs that there were no significant negative impacts. The proposed changes to the Byelaws include details that may affect some of the protected groups. This is a level of detail which was not considered in relation to the overarching plans, therefore, an EqlA screening table is included within the IA to explicitly demonstrate how each protected group has been considered.

3.0 BASELINE INFORMATION

Context

- 3.1 Comprehensive baseline information is available on the DNPA website, including within the DNP Management Plan¹³, the DNPA Local Plan¹⁴, through the Authority Monitoring Reports¹⁵, the State of the Park Reports and a range of up-to-date Topic Papers and other evidence, which informed the Local Plan review. Baseline information is also compiled and used for the SA/SEA, HRA/AA, and EqlA of both the DNPPP and the DNPLP. Therefore, this section only seeks to summarise key relevant information and with particular consideration of equalities.

Social & Equalities

- 3.2 Dartmoor is home to around 35,000 people and a place of work for around 10,000 people. As with many rural areas, the National Park is characterised by an ageing population and workforce; net out-commuting to surrounding areas for work; rural isolation; lack of sustainable transport and connectivity; difficulties accessing services and facilities; high house prices; and low wages. These characteristics, together with the implications from climate change, present challenges and opportunities for the people and local communities. Dartmoor has a higher proportion of ageing residents compared to Devon and England. Data for live births, fertility and stillbirth rates in Devon are similar to the national rates. The ethnic composition of Dartmoor is predominantly White British and is higher than the national average. Other national parks in the UK have similar ethnicity compositions and the biggest non-White racial group is Asian/Asian British. Devon residents have a lower percentage of their population with long-term limiting illness or disability than the national average.
- 3.3 The DNPPP 'Better for People' explains that sometimes visitor behaviour or the sheer number of visitors to one part of the NP causes conflict with local communities and those that manage the land, and it can cause harm to the fabric of the NP and to conservation issues. Visitor numbers are expected to increase over the next ten years driven by the new housing development around the NP. This was recognised during the preparation of the DNP Local Plan review and reported in the supporting evidence¹⁶. Future population projections suggest that the overall population in the Exeter and Plymouth region will increase by 13% over the 25 years between 2014 and 2039, rising from around 1 million people in mid-2014 to 1.1 million in mid-2039.

¹³ <https://www.yourdartmoor.org/the-plan/>

¹⁴ <https://www.dartmoor.gov.uk/living-and-working/business/planning-policy/local-plan-review>

¹⁵ <https://www.yourdartmoor.org/delivering/measuring>

¹⁶ DNPA (August 2020 Topic Paper No 1 Natural Environment <https://www.dartmoor.gov.uk/living-and-working/planning/planning-policy/background-evidence>)

- 3.4 Research (SWEEP 2018)¹⁷ undertaken for the DNPA examined the impacts of increased recreation as a result of the population growth in the districts around the NP and significant new housing development. SWEEP estimated that Dartmoor currently receives around 7.8million day visits annually, with the majority of these visits (92%) coming from the eight neighbouring Local Authority areas. The draft figures predict that the estimated population growth will lead to 870,000 additional visits a year, an increase of 12%. This evidence led to Policy 4.3 in the DNPLP which states that *“The Authority will seek to ensure development within or outside the National Park which is likely to increase harmful recreational pressure on Dartmoor’s Special Qualities, particularly biodiversity, cultural heritage and the access network, is appropriately mitigated.”*
- 3.5 The SWEEP Report identified that activity types which have negative effects differ between wildlife species but walking, dog-walking, and large events are key concerns across many of the investigated species. Levels of walking for leisure and utility have remained broadly similar since 2005 in England – except for 2020 following the impacts of the coronavirus pandemic. It is not yet known whether these increases in walking for leisure will be maintained post-pandemic¹⁸. In August 2022, the UK government advised that it was making funding available for walking, wheeling and cycling to be offered on prescription in 11 local authority areas including Plymouth¹⁹.
- 3.6 The population of dogs kept as pets in the UK was estimated at 13 million in 2020/21, which constitutes a marked increase from a decade earlier in 2010/11, when the dog population in the UK was around 7.6 million, and around 9 million in 2019/20 before the covid pandemic (April 2022)²⁰. The national increase in dog ownership prompted animal groups to jointly launch guidelines for professional dogwalkers in 2019²¹. Locally, Teignmouth District Council has extended its Public Space Protection Order until end March 2025 and this includes a maximum of 6 dogs walked by an individual (applies to professional dog walkers too)²².
- 3.7 The DNPPP ‘Better for Cultural Heritage’ recognises that Dartmoor is internationally renowned as a rich cultural landscape with evidence of thousands of years of human interaction from at least the Mesolithic period to present day. Archaeological remains range from Bronze Age cists, stone rows and hut circles to deserted medieval settlement and field-systems, and the remains of the tin-mining industry. The history and culture of Dartmoor National Park is written in its buildings, public spaces, historic landscapes and towns and villages. The National Park is also rich in intangible cultural heritage, having many distinctive local traditions, festivals, markets and celebrations, oral histories, customs and skills. There are a variety of threats to Dartmoor’s

¹⁷ SWEEP (2018) Population futures and Dartmoor National Park. Implications of development around the outskirts of Dartmoor for recreational use and management of access <https://sweep.ac.uk/population-futures/sweep-dnpa-dartmoor-recreation-futures-extended-summary/>

¹⁸ <https://www.gov.uk/government/statistics/walking-and-cycling-statistics-england-2020/>

¹⁹ <https://www.gov.uk/government/news/walking-wheeling-and-cycling-to-be-offered-on-prescription-in-nationwide-trial>

²⁰ <https://www.statista.com/statistics/515379/dogs-population-in-the-united-kingdom-uk/>

²¹ <https://www.dogstrust.org.uk/latest/2019/animal-groups-join-forces-to-launch-guidelines-for-professional-dog-walkers>

²² <https://www.teignbridge.gov.uk/environmental-health-and-wellbeing/dogs/dog-pspo/dog-controls/>

cultural heritage, including: climate change; lack of or inappropriate management; and recreational pressure.

Environmental

- 3.8 Dartmoor National Park is an extraordinary landscape, one of Britain's finest. It is internationally important for a range of habitats including blanket bogs, upland heaths, upland oak woods, Rhôs pastures, lowland pastures, rivers and valley mires. It also supports many rare and common species. It hosts the headwaters of nine main river catchments and is the principal source of drinking water for much of Devon. Its deep peat, soils and woodlands are important stores of carbon. In recognition of the wider ecological crisis, the DNPA declared a climate and ecological emergency in June 2019.
- 3.9 The SWEEP research provides an understanding of the sensitivity of key Dartmoor species to predicted increases in recreation levels. Predicted spatial distribution of activity and intensity of footfall was used to identify areas where key species and recreation are predicted to come into increased conflict. Key species were grouped into three sensitivity categories based on the current status of each species, current recreation levels and predicted future recreation levels. The research investigated impacts from a range of different recreational activities, including walking, hiking, running, large events, dog-walking, mountain-biking, horse-riding, camping and others
- 3.10 The data suggests that the Cuckoo, Nightjar and Wood Warbler are of relatively high concern, with recreation levels likely to increase across most of their known hotspots. Increased footfall is also expected at important sites for Ring Ouzel, Red Grouse, Greater Horseshoe Bat and Dipper. Four vulnerable wildlife locations were also highlighted where particularly high levels of increased footfall are expected between now and 2039, these include the areas around Burrator, Dart Valley/Venford Reservoir, Haytor and Warren House/Soussons and Fernworthy. Many of the areas where impacts are forecasted to increase are designated as or close to Special Areas of Conservation (SACs) and thus where proposals would need to consider an HRA/AA. The research made recommendations for potential measures for mitigating the impacts on wildlife, including continuing with measures to discourage access to rare bird nesting areas, regulating large events, and ensuring dogs on leads.

Economic

- 3.11 Dartmoor is a farmed landscape and has been for several millennia, farming and forestry are an integral part of Dartmoor's landscape, including the iconic wildlife and natural capital it supports. The support provided to farming, especially hill farming as practiced on Dartmoor, and to forestry is undergoing seismic change. The challenge is to ensure future farming and forestry practice is economically viable, helping to protect and manage Dartmoor's special qualities and contributing positively to nature recovery and the climate crisis. The SWEEP research investigated the costs to Dartmoor from

increased recreation arising specifically from footpath erosion and wildlife disturbance. The DNPPP asserts that partners will support a resilient economy, including encouraging new ways of working with collaboration between businesses that sustain Dartmoor's special qualities – landscape and cultural heritage.

4.0 IMPACT ASSESSMENT

Description of Proposed Byelaw Updates and Reason for Change

- 4.1 The byelaws are in place to protect the special qualities of the DNP including its wildlife, habitats, cultural heritage, archaeology, and the livestock that graze the commons. The current byelaws were adopted in 1989 and require updating for the reasons set out below. The DNPA published²³ its initial proposed changes to the byelaws in September 2021 after agreement by the Authority at its meeting held in public on 3 September. The aims of the updating are to ensure that the byelaws are:
- Relevant and proportionate for modern society
 - Clear and easy to understand
 - Cover the right activities and areas
 - Complement other powers and legislation.
- 4.2 The DNPA is seeking to update the byelaws to make them more relevant and applicable, and where appropriate, more effective to be enforced. As a result of the analysis of consultation responses and legal advice, it is now not proposed to progress changes to the Camping byelaw.
- 4.3 A document presents the changes with a side-by-side comparison of the existing and proposed byelaws. A map shows the common and access land to which the byelaws apply. The current 22 byelaws have been amended to 23. Many byelaws have not changed, some have minor amendments for clarification, and others have more substantive additional text.

People Affected & Scope of the IA

- 4.4 The list of proposed changes to the byelaws was considered using professional judgment and the baseline information in order to identify which changes are likely to be significant with regard to IA, as follows:

Table 4.1: Changes to Byelaws that are Significant for IA

Change to Byelaw (in italics)	People affected?	Likely impacts on economic or environmental factors?
1. Interpretation <i>(ii) defined as "access land" in Section 1 of the Countryside and Rights of Way Act 2000;</i>		Negligible – for some activities, some landowners/businesses may need to get permission before allowing an activity on

²³ <https://www.dartmoor.gov.uk/about-us/who-we-are/byelaws-consultation>

		land – this is negated for landowners by the 'Extent' clause of the byelaws.
<p>4. Vehicles <i>No person shall without reasonable excuse drive, ride or propel any mechanically propelled vehicle or bicycle (whether or not electrically powered or assisted) on any Access Land other than on a highway where there is a right of way for that class of vehicle</i></p>	Change of wording clarifies – no significant effects on people	Negligible - change of wording clarifies – no effects on socio-economic factors
<p>5. Parking <i>(iii) Between the hours of 11pm and 6am no person shall sleep in any mechanically propelled vehicle, caravan or trailer parked on Access Land. (iv) No person shall park any mechanically propelled vehicle on Access Land in such a manner as to impede the flow of agricultural traffic or livestock, to block (in whole or part) a gateway or a cattlegrid side gate entrance or otherwise</i></p>	Visitors Residents Workers – agricultural, DNPA rangers	Stopping impediment of agricultural traffic or livestock should reduce risks to farming economy Clarification enables DNPA rangers to more effectively enforce
<p>9. Fires <i>(iii) No person shall use a barbecue of any kind on Access Land. (iv) No person shall gather fuel for a fire from the Access Land. (v) No person shall launch either Chinese Lanterns, fireworks or flares from Access Land</i></p>	Residents Visitors Workers – agricultural	Reduces damage to wildlife, habitats, landscape & agricultural land
<p>10. Dogs <i>(i) No person in charge of a dog shall permit it to attack or worry any stock or wildlife or cause any nuisance or reasonable grounds for annoyance to any person on the Access Land (iii) Between 1 March and 31 July each year any dog that is brought onto Access Land shall be kept under effective control and on a lead. (iv) No person shall bring more than 6 dogs on to the Access Land at any one time</i></p>	Residents Visitors DNPA workers Professional dog walkers	Reduces damage to wildlife & habitats – direct disturbance & through erosion Demand on DNPA resources Professional dog walkers
<p>13 Protection of Wildlife No person shall without lawful excuse or authority on Access Land: <i>(i) Intentionally or recklessly take, injure or disturb any wild animal, bird or fish; intentionally or recklessly take, damage or destroy any eggs or nests (ii) Engage in hunting, shooting, fishing trapping, snaring, taking or destroying of animals, birds or fish or have with them any engine, instrument or apparatus used for</i></p>		Additional wording for clarification & to make explicit the protection of wildlife

hunting, shooting, fishing trapping, snaring taking or destroying animals, birds of fish.		
15. Damage to Land <i>(i) break or damage any wall or fence on or enclosing the Access Land;</i> <i>(iii) remove from, displace or damage on Access Land any vegetation, wood, soil, peat, dung or stones.</i>	Workers	Reduces risk of damage to land, stock getting out/going missing; removal of peat is illegal. Demand on DNPA resources.
19. Kites, Model Aircraft & Drones <i>(ii) No person shall operate a powered model aircraft or drone on or over Access Land unless they are authorised to do so in writing by the owner of the land, and no model aircraft or drone shall be operated in such a manner that may or does startle or disturbs stock or wildlife ore which gives reasonable cause for annoyance to any person.</i>	Residents Visitors – noise	Less likely disturbance to wildlife
21. Music & Audio Devices No person shall play or operate or knowingly cause or permit to be played or operated <i>any instrument or device, whether mechanical, electrical, or any other method of operation, which emits noise</i> in such a manner as to give reasonable cause for annoyance to another person on the Access Land	Residents Visitors - noise	None – clarification and updating
23. Rangers <i>(iv) fail to follow an instruction by a Ranger or officer of the Authority acting within their authority</i>	Visitors Residents DNPA workers	Implementation more likely such that protection of environmental & economic factors more likely.

4.4 The changes to the byelaws that were identified to be potentially significant for the IA were further considered according to equality, environmental, and economic impact assessments. The proposed changes that might have significant impacts comprised the following: 5. Parking; 9. Fires; 10. Dogs; 15. Damage to Land; and 22. Noise. Other changes were identified to have negligible impacts; these seek to clarify the byelaw requirements. They do not imply any change in meaning or emphasis but overall, they will support more effective enforcement – and this will enable the DNPA to better manage overuse of the open land and thus reduce negative effects to the protected sites and wildlife.

Equality Impact Assessment Screening

4.5 The EqIA screening aims to assess whether it is necessary to carry out a full equality impact assessment. The screening assessment considered what impact (positive, negative, none/negligible) is the change to the byelaw

likely to have on any of the different groups of people and/or will it promote equality of opportunity?

Table 4.2: EqIA screening for changes to DNP Byelaws

Equality Group	Impact	Commentary
Age	Negligible	The changes are not likely to have any impacts on a person belonging to a particular age or range of ages. The proposed ban on fires/barbecues on Access Land will benefit all ages through reducing risk of harm, including the very young and elderly who may be less able to respond easily/promptly to fire risks.
Disability – physical or mental	Negligible	The changes are not likely to have any impacts on persons with physical disability. The new clause (iv) to 5. Parking is to avoid impediment to flow of agricultural traffic or livestock; vehicle parking is still managed to avoid damage to verges & restricted to places set aside for mechanically propelled vehicles. Parking is still available as before & including for those with disabilities. The changes to the byelaws are unlikely to affect people with mental health issues; the DNP remains an accessible area for a diversity of uses & activities, providing high quality green/open space with equal opportunities for people with mental disabilities. The proposed restrictions to dogwalking – short leads between 1 March & 31 July, and no more than 6 dogs onto the Access Land at any one time is not likely to have any impacts on people with disabilities. Dog walking is still permitted and accessible. The proposed ban on fires/barbecues on Access Land could benefit those people with disabilities who may be more sensitive or less able to avoid risk to health or wellbeing. Noise can affect the health & wellbeing of everyone but people with disabilities may be more sensitive. The proposed change to make explicit that that all noise emitters should not give reasonable cause for annoyance to another person is likely to reduce any adverse impacts more effectively.
Gender Reassignment	Neutral	There is no clear relationship or direct impact on equal opportunities from the byelaw changes for people proposing to undergo, undergoing, or that have undergone gender reassignment.
Marriage & Civil Partnership	Neutral	There is no clear relationship or direct impact on equal opportunities from the byelaw changes for people who are married or within a civil partnership.
Pregnancy & Maternity	Neutral	There is no clear relationship or direct impact on equal opportunities from the byelaw changes for pregnant women or women on maternity leave.
Race	Neutral	Race relates to a group of people defined by their race, colour & nationality, ethnic or national origins, and including gypsies & travellers. There is no clear

		relationship or direct impact on equal opportunities from the byelaw changes for people of different race. The DNPA Local Plan recognises gypsy & traveller accommodation within the Spatial Strategy SP1.3 & Policy 3.11 – evidence indicated that there is a low level of need for gypsy & traveller accommodation in the DNP.
Religion or Belief	Neutral Negligible	There is no clear relationship or direct impact on equal opportunities from the byelaw changes for people of different religion, faith, belief. Any activity involving large groups wishing to celebrate a faith/belief in open land is still permitted when there is agreement with the landowner & the DNPA.
Sex/Gender	Neutral	There is no clear relationship or direct impact on equal opportunities from the byelaw changes for women or men. Women may be more affected through other equality groups – age & disability – as women are more often involved in responsibilities for children, the elderly and the disabled. However, the byelaw changes were found to have negligible impacts on these groups of people & thus such interactions or cumulative impacts are negligible.
Sexual Orientation	Neutral	There is no clear relationship or direct impact on equal opportunities from the byelaw changes for different sexual orientation groups.

Equality Impacts: Summary & Conclusions

- 4.6 The EqIA screening of the proposed changes to the DNPA Byelaws has found that most impacts are neutral or negligible – the changes are unlikely to result in significant negative equality impacts that would require justification or mitigation. The changes seek to resolve certain issues, particularly associated with overuse of some land and risks of harm to protected sites and wildlife – there is no relevant option to further promote equality of opportunity and further details do not need to be provided of any action required. Thus, the Public Sector Equality Duty (PSED) has been met. Overall, the proposed changes to the byelaws provide clarification, including on fire risk and noise that will benefit all people including those with protected characteristics.

Social Impacts

- 4.7 The possibility for significant effects on people from the proposed changes to the DNP Byelaws was identified for residents, visitors and agricultural workers – and as summarised previously in the screening table 4.1. The EqIA screening has considered impacts on the protected characteristics in the Equality Act 2010. This IA also considers the wider social implications more generally and not specific to any protected equality group.

- 4.8 The overall intention of the proposed changes to the DNP Byelaws is to manage overuse of the open land and thus reduce damage/negative effects to the protected sites and wildlife. The proposed changes to parking with clarification regarding the restrictions on sleeping in any vehicle will help resolve issues raised by landowners and local people. The opportunities for groups and individuals to stay, camp and engage in recreational activities in the defined areas, including open land, remain and have not changed. The clarification to requirements is likely to have positive effects for DNPA workers through better enabling their management of the NP.
- 4.9 The limit to the numbers of dogs that can be led/walked by any single person will reduce the threat of disturbance and/or concern to other visitors from large and/or uncontrolled groups of dogs. This aligns with the approach taken by many local authorities²⁴ to limit the number of dogs that may be walked by any individual (including professional dog walkers). Also, likely positive effects for residents and other visitors through less risk of damage to the land and wildlife, including issues of litter, soil erosion, that can impact on the wider enjoyment of the areas. The reduction in risk to vehicle/livestock flow, damage to land, or fire will have positive effects for agricultural workers. The limitations in the proposed byelaw changes regarding the use of drones and music/sounds will have positive effects for residents and other visitors by avoiding nuisance noise. One of the defined Special Qualities of Dartmoor is tranquillity and timelessness.

HRA Screening & Environmental Impacts

- 4.10 Generally, the registered common/open land on Dartmoor aligns with two of the relevant designated Special Areas of Conservation – Dartmoor SAC and South Dartmoor Woods SAC. The proposed changes to the DNP byelaws remove some small areas for permitted camping scattered around the common land adjacent or near to the Dartmoor and South Dartmoor Woods SACs. Wild camping areas remain as previously on common/open land and including that within the Dartmoor and South Dartmoor Woods SACs. The limits to dog numbers, the clarifications to requirements for parking, fires, damage to land, noise, and rangers/penalties are all together likely to reduce the overuse of sensitive areas and risk of negative effects to designated sites. The implications for recreational disturbance on these two SACs from the Management Plan and the Local Plan was investigated and discussed with Natural England during the preparation of the plans. It is not considered that there will be any significant adverse effects on the SACs from the proposed byelaw changes and this need not be investigated any further.
- 4.11 The common/open land does not align with the South Hams SAC that is located outside of the designated common/open land and to the south-east of the DNP. The South Hams SAC is partially located within the National Park boundary is thought to hold the largest population of greater horseshoe bats in the UK with both maternity and hibernation sites. Within the National Park boundary there are 3 bat roosts (on the south-eastern edge of Dartmoor), with associated sustenance and landscape connectivity zones. However, the

²⁴ Control of Dogs Act 2010 permits local authorities to set their own maximum numbers and restrictions

areas of the South Hams SAC that are within the DNP boundary are some distance from the common/open land. The proposed changes to the DNP byelaws remove some small areas for permitted camping scattered around the common land adjacent or near to the Dartmoor and South Dartmoor Woods SACs. It is not considered that this change, nor any of the other proposed changes, will have any significant effects on the integrity of the South Hams SAC, and there is no need to investigate the implications of the proposed byelaws in any detail.

- 4.12 The possibility for effects on the wider environment from the proposed changes to the DNP Byelaws was identified for habitats, land/soil, landscape, and wildlife. Limits to dog numbers, the clarifications to requirements for parking, fires, damage to land, and rangers/penalties are all together likely to reduce the overuse of sensitive areas and risk of negative effects on these environmental factors. The restriction of the use of drones and music/all noise emitters will reduce the incidence of noise and risk of disturbance to wildlife with likely positive effects. The clarification regarding instructions by a Ranger or officer and the extension to penalties for offences will support the implementation of the byelaws, helping to ensure that these mitigation measures to minimise overuse of the common/open land will be effective to reduce potential negative effects.

Economic Impacts

- 4.13 The possibility for economic effects from the proposed changes to the DNP Byelaws was identified for agricultural workers and the DNPA Rangers/officers. Ensuring that there is no impediment to agricultural traffic or livestock, with clarification regarding fires and damage to land, will overall reduce the potential for negative effects on farming activities. Overall, the reduction in the risk of overuse of common/open land, the limits to dog numbers, the clarifications to requirements for parking, fires, damage to land, and rangers/penalties are all together likely to contribute to reducing any overloading on the resources of the DNPA. The limitation to the number of dogs that may be walked by any individual (including professional dog walkers) aligns with the approach taken by many local authorities, including Teignmouth District Council.

Monitoring & Review

- 4.14 The DNP Partnership Plan is the key plan for the future of Dartmoor National Park – for the NP as a whole - with many stakeholders and the local communities. There is a comprehensive monitoring system with indicators that are relevant to the proposed changes to the byelaws and annual reporting through the Your Dartmoor website²⁵. Therefore, there are mechanisms in place to monitor and review the impacts of the proposed changes to the Byelaws.

²⁵ <https://www.yourdartmoor.org/delivering/measuring/annual-progress-report>

5.0 SUMMARY & CONCLUSION

- 5.1 The DNPA has agreed draft proposals to update and amend Dartmoor's byelaws seeking to ensure that they are relevant and proportionate, clear and easy to understand, covering the right activities and areas, and complement other powers and legislation. The initial proposed changes to the byelaws were published for public consultation for 6 weeks until 1 November 2021. Some concerns were received as to whether the updating of the byelaws was subject to environmental assessment and/or consideration of likely impacts on equalities. Therefore, the DNPA investigated which assessment processes might be most applicable to apply and to be most relevant and effective to inform decision-making.
- 5.2 The requirements for strategic environmental assessment (SEA) were considered and it was confirmed that the updated byelaws are not within the scope of the SEA Regulations. The requirements for habitats regulations assessment/appropriate assessment were considered and it was determined that there are no likely significant effects on the Dartmoor, South Dartmoor Woods or South Hams Special Areas of Conservation (SACs) arising from the proposed changes and that HRA need be considered no further.
- 5.3 An Equality Impact Assessment (EqIA) was undertaken, scoping the likely effects of the proposed changes on the groups of characteristics protected by the Equality Act 2010, and then carrying out a screening assessment of each equality group against the scoped byelaw changes. Key changes were associated with clarification regarding parking, fires, dog-walking, damage to land, and noise. Overall, the proposed changes to the byelaws provide clarification, including on fire risk and noise that will benefit all people including those with protected characteristics.
- 5.4 Most impacts are neutral or negligible – the changes are unlikely to result in significant negative equality impacts that would require justification or mitigation. The changes seek to resolve certain issues, particularly associated with overuse of some land and risks of harm to protected sites and wildlife – there is no relevant option to further promote equality of opportunity and further details do not need to be provided of any action required. Thus, this EqIA demonstrates that the DNPA's Public Sector Equality Duty (PSED) has been met.
- 5.5 The DNPA has chosen to provide this information within the format of an Impact Assessment (IA) in order to demonstrate that it has responded to early comments made on the proposed changes to the Byelaws. The DNPA has explained that environmental assessment (SEA or HRA) is not a requirement for changes to Byelaws; however, a proportionate IA is a suitable approach and the social, environmental, and economic impacts of the changes have been investigated and reported in this IA Report.

- 5.6 Overall, the proposed changes to the Dartmoor byelaws aim to balance socio-economic and environmental effects through managing the overuse of the open land in certain places and thus reduce negative impacts to the protected sites and wildlife, cultural heritage and archaeological landscape. This IA Report will be available as an appendix to the proposed changes to the DNP byelaws and comments are welcomed.

Consultation Survey Summary Responses and Comments

Note: comments were not sought for byelaws where no change was being drafted.

BYELAW 1 : INTERPRETATION

In the construction of these byelaws “the Authority” means Dartmoor National Park Authority and “Access Land” shall be land:

- (i) defined as “the commons” in Section 2 of the Dartmoor Commons Act 1985; and/or
- (ii) defined as “access land” in Section 1(1) and Section 16 of the Countryside and Rights of Way Act 2000; and/or**
- (iii) land within the Dartmoor National Park to which the public has access by virtue of the Authority having an interest in that land and which is more particularly identified in Schedule 1 to these byelaws.

Do you have any comment on this byelaw?

Key Themes

- Most respondents did not comment

Those that disagreed said:

- Not necessary or an overreach.
- Overly restrictive, adds levels of restrictions to CROW access land or it is an attempt to curb public access.
- Current laws adequate.
- It will criminalise off lead dog walking and cycling on CROW.
- Too complicated.
- Landowner concerns expressed in regard to greater restrictions on what they can do with and/or on their land.
- Scouting groups concerned on impact of this on their ability to undertake activities on Dartmoor.

BYELAW 2 : EXTENT

Nothing in these byelaws shall apply to:

- (i) any act done in pursuance of the exercise of any right of common
- (ii) the owner of any part of the Access Land as respects any act done on that part by him or by any person acting with his consent and the consent of the Authority where necessary to accord with Byelaws
7(i), 12, 16, 17, 18, 19 and 20 (ii)

Do you have any comment on this byelaw?

Key Themes

- Most respondents did not comment

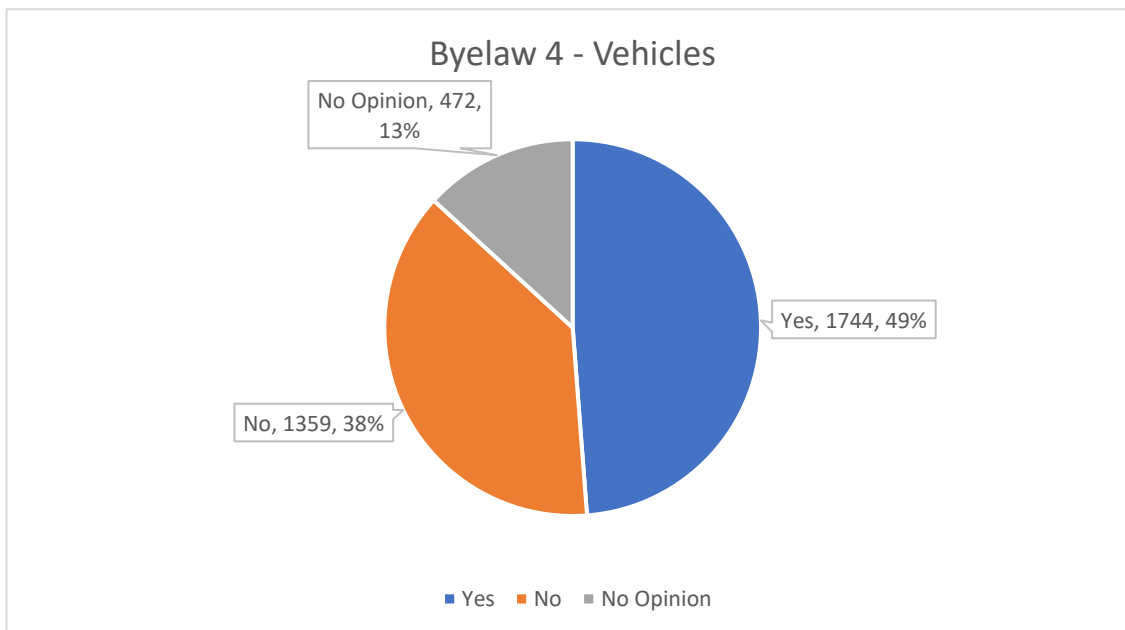
Those that disagreed said:

- Owners should also have to abide by these rules.
- Fails to address canoeing and wild swimming.
- Landowners reserve right to use their land as they wish in a reasonable/lawful manner without hindrance (from DNPA).
- Needs clarity - can DNPA overrule landowner and vice versa?
- Contravenes Human Rights Act (mentioned several times)

BYELAW 4 : VEHICLES

No person shall without reasonable excuse drive, ride or propel any mechanically propelled vehicle or any pedal propelled vehicle on any part of the Access Land other than on a highway where there is a right of way for that class of vehicle.

Do you agree with the amendments relating to the byelaws on the use of vehicles?



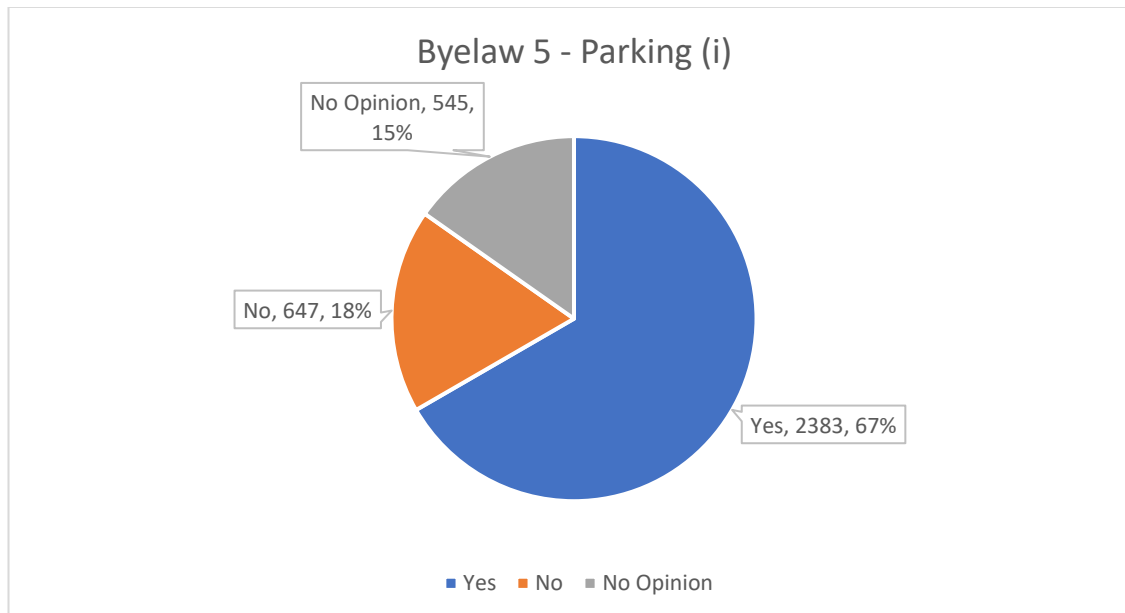
Key Themes

- Pedal propelled vehicles should not be included in the same byelaw as mechanically propelled vehicles as their impacts are not comparable, it is therefore disproportionate to include cycling
- Strong support for cyclists having the same access rights as walkers and horse riders
- It is felt that there needs to be better provision for cycling within the National Park, including a better bridleway network with improved links and access to hard surfaced tracks,
- Many respondents were under the impression that cycling was to be banned from the National Park entirely.
- Confusion on the interpretation and the impact of parking i.e. roadside parking, parking on verges, car parks
- The term 'reasonable excuse' needs defining

BYELAW 5 : PARKING(i)

The parking of a vehicle is not permitted on those verges where the Authority has erected signs indicating that parking off the highway at those points is prohibited.

Do you agree with the amendment i relating to the byelaws on the parking of vehicles?



Key Themes

- People support the byelaw due to concerns around damage/erosion and the blocking of emergency vehicles. However, it is felt that the byelaw must be used within reason and when the byelaw is used, it must be clearly justifiable. A clear policy must be in place for the prohibition of parking
- There is widespread concern that the byelaw could lead to a proliferation of uncontrolled signage and gives the impression that you can park anywhere where there isn't a sign - there is some misinterpretation of the byelaw, many people responded with the belief that there will be a blanket ban on verge parking. Banking and bouldering is preferred over signage
- The Byelaw is an overreach of power and overly restrictive that allows the Authority to limit access without further consultation
- It is felt that current parking provision is not adequate, and that limiting verge parking is a move to force people into pay and display car parks. Again, further limiting access – there

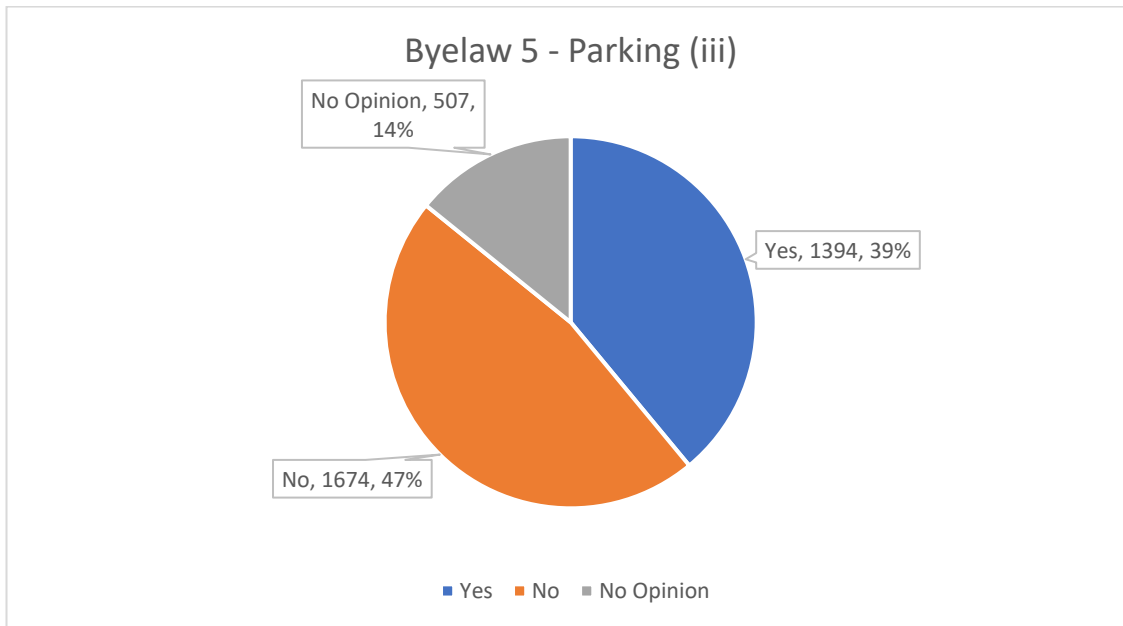
are concerns about the recent loss of car parks, consider permits, improve Public Transport

- It is not clear how the Byelaw will be enforced

BYELAW 5 : PARKING (iii)

Between the hours of 9pm and 9am no person shall occupy or sleep in any mechanically propelled vehicle, caravan or trailer parked on Access Land.

Do you agree with the amendment iii relating to the byelaws on the parking of vehicles?



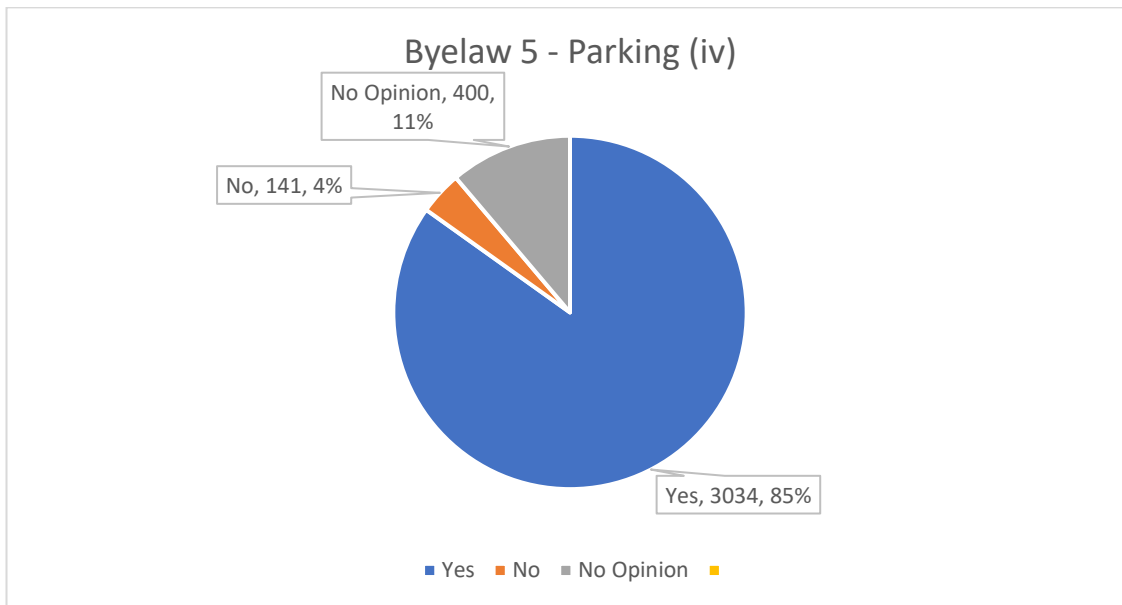
Key Themes

- The main concern was the impact of the Byelaw on activities and groups,
- Concern was also expressed for people with disabilities or mental health problems who want to experience the National Park within these time frames or people who need to stop whilst driving (this goes against the Highway Code).
- The Byelaw is too restrictive, with a particular reference to the timings which appear to set a curfew
- Use of the word 'occupy' is inappropriate
- Overnight camping in vehicles needs to be better managed following issues around fires, litter, and the visual impact on the National Park
- In recognition of the growing use of campervans, the Authority needs to develop provision for overnight sleeping in vehicles (it is felt to be discriminatory that wild camping in tents is permitted but not in self-contained vehicles).

BYELAW 5 : PARKING (iv)

No person shall park any mechanically propelled vehicle on Access Land in such a manner as to impede the flow of agricultural traffic or livestock, to block (in whole or part) gateways or cattlegrid sidegate entrances that are not on the highway.

Do you agree with the amendment iv relating to the byelaws on the parking of vehicles?



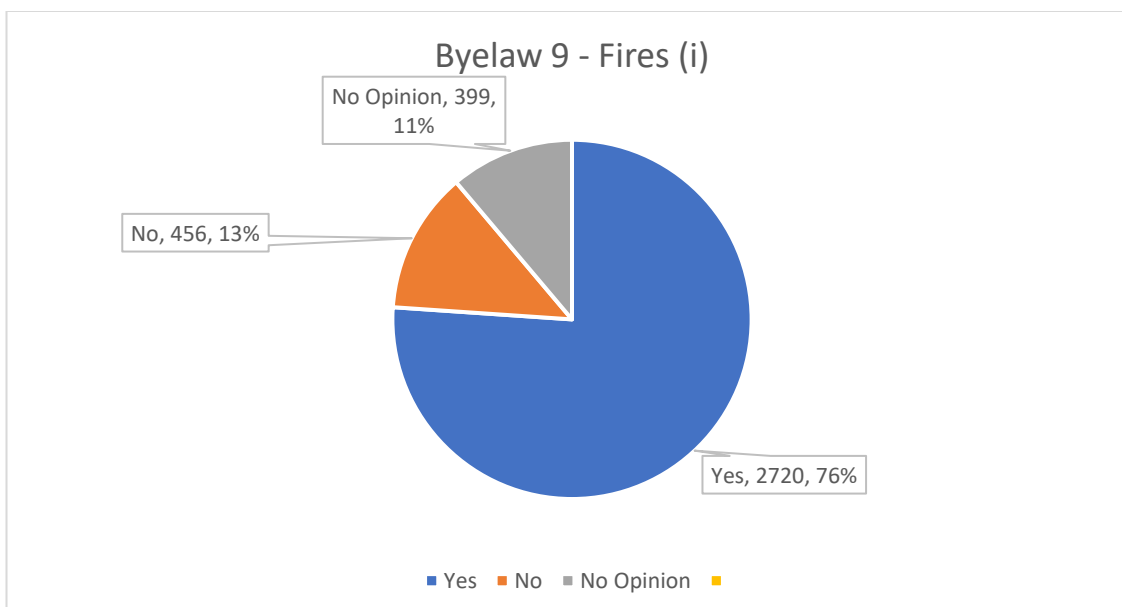
Key Themes

- The Byelaw is essential to allow farmers to carry out their work given the growing issues with inconsiderate parking
- This is common sense and shouldn't be a Byelaw, there is existing highways legislation for this but would now become a criminal offence

BYELAW 9 : FIRES(i)

No person shall light or tend a fire on the Access Land, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire

Do you agree with the amendment i relating to the byelaws on the use of fires?



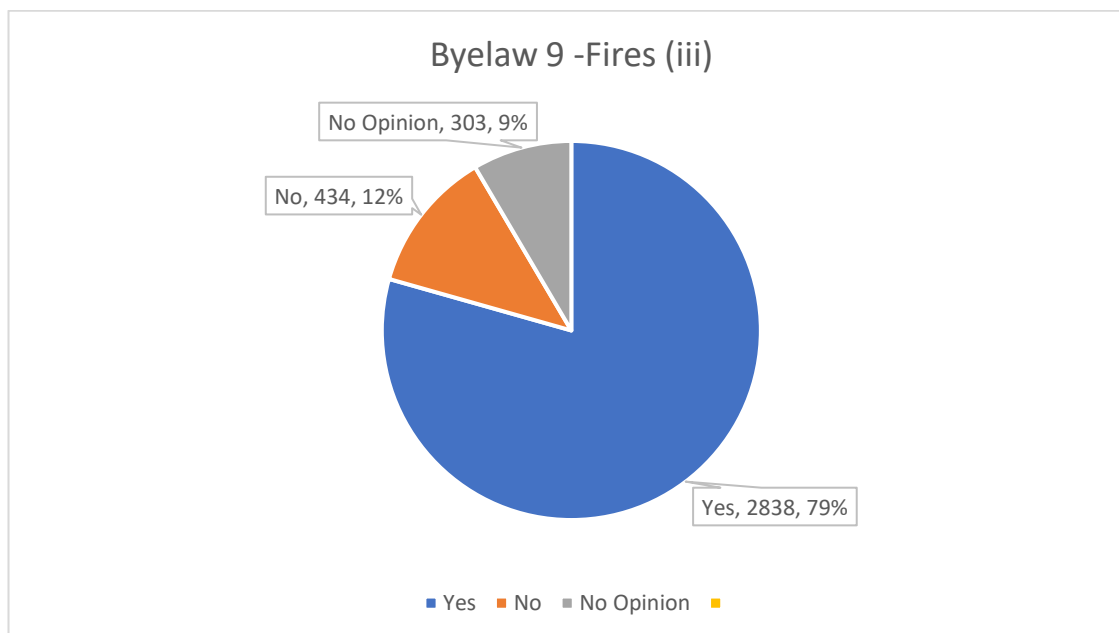
Key Themes

- The majority of responses suggest that the wording needs clarifying, it is not clear what is meant by fire. Concerns from people wanting to wild camp
- Existing bylaws sufficient.
- Please ban disposable BBQs
- Some questions around how this effects swaling.
- Should the wording say open fire?
- Enforcement is key.
- Lots of support for this.
- Needs to be enforced.
- More signage and more rangers needed.
- Need to clarify camping stove position.
- Needs more enforcement.
- Should add a seasonality clause to when fires are allowed. Many comments suggest that fires should only be banned during high-risk periods and that fire should be permitted in some designated areas. Some comments suggest that wildfires are part of the Dartmoor experience, particularly for Duke of Edinburgh, Ten Tors, Scouts etc.

BYELAW 9 : FIRES(iii)

The use of barbecues, including disposable barbecues whether manufactured as such or otherwise, is not permitted anywhere on the Access Land if it is used in such a manner as to cause fire, damage or harm to the land or vegetation or when the Fire Severity Index reaches High or at other such times when directed by signs

Do you agree with the amendment iii relating to the byelaws on the use of fires?

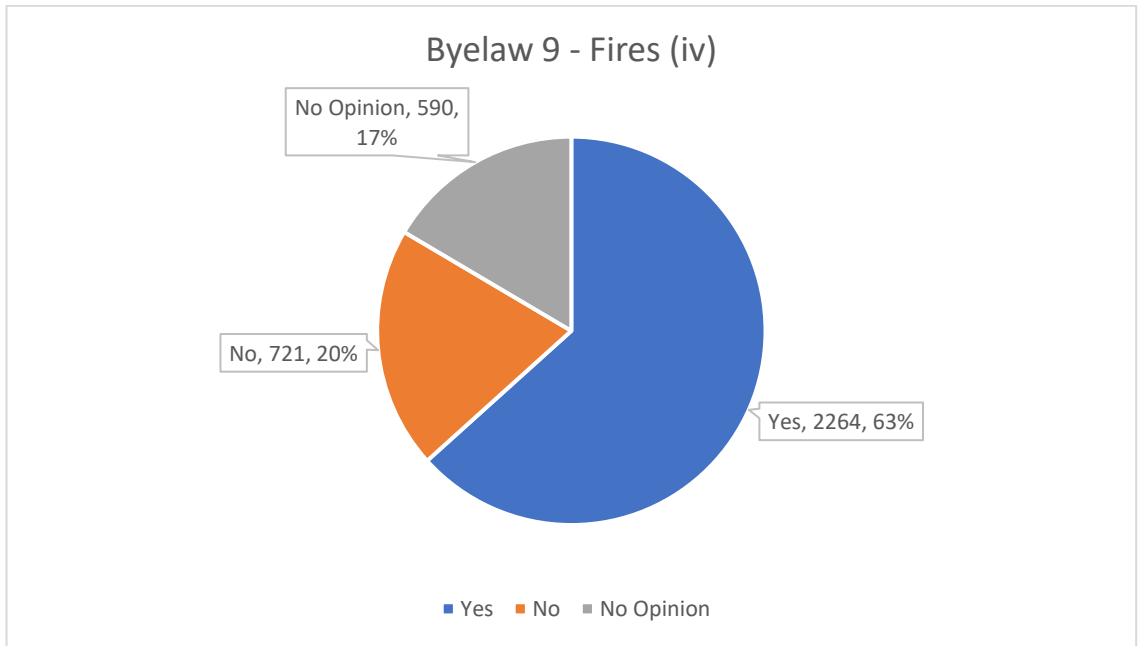


Key Themes

- Education will be key.
- Should ban BBQs entirely
- Should ban BBQs from April to September.
- Should be designated BBQ friendly sites.
- Preventing wildfires is so important.
- The damage BBQs can cause is widely mentioned.
- Wording is ambiguous - not clear what 'used in such a manner as to...' means.

BYELAW 9 : FIRES (iv)

No person shall gather any material from the Access Land to use as fuel for any fire Do you agree with the amendment iv relating to the byelaws on the use of fires?

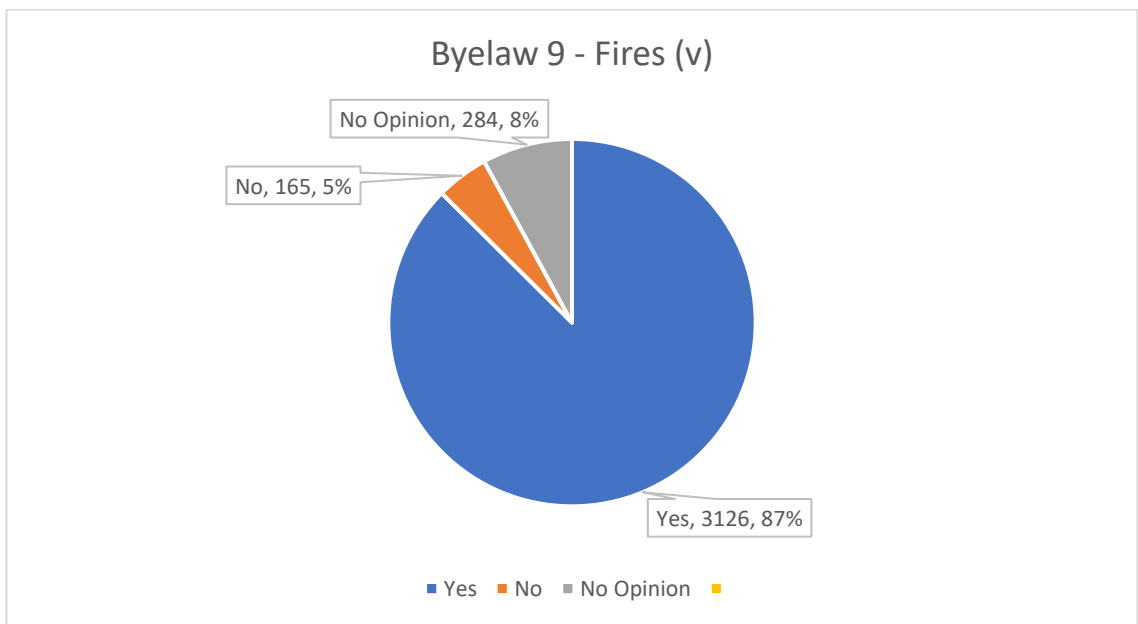


Key Themes

- Lots of people not understanding the harm.
- Polarised again between what's the harm to completely agree.
- People saying this conflicts commoners' rights.
- Lots of people saying that locals should be allowed to do this, particularly gorse sticks after swaling.
- Many people not understanding the value of deadwood.

BYELAW 9 : FIRES (v)

No person shall launch Chinese Lanterns, fireworks, or flares from the Access Land Do you agree with the amendment v relating to the byelaws on the use of fires?



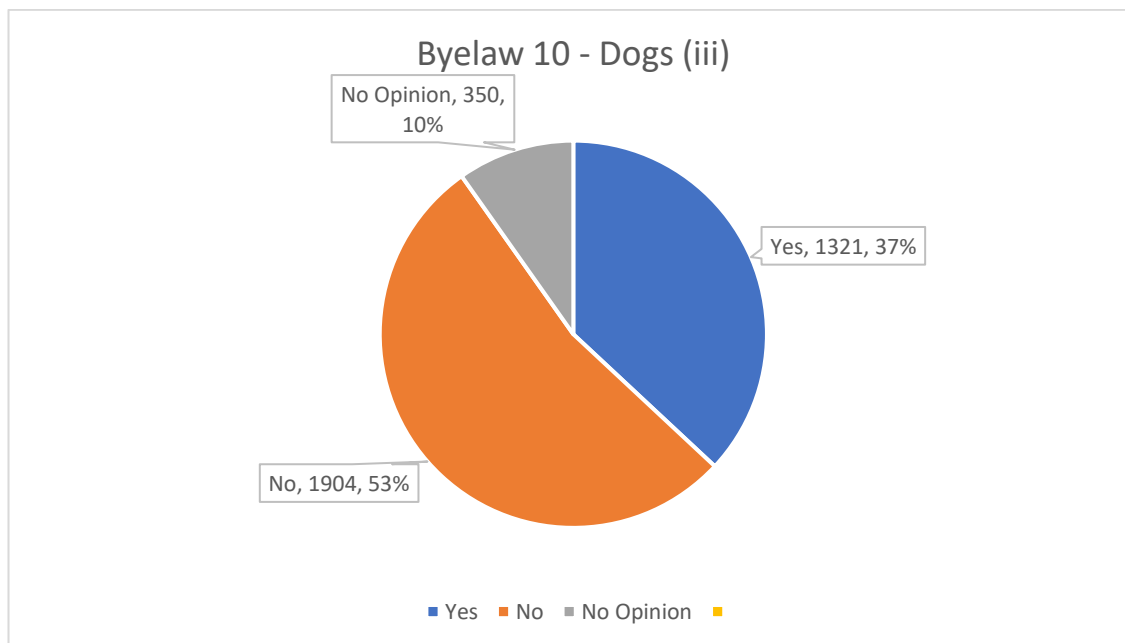
Key Themes

- Flares should be allowed in emergencies.
- Owners of land should be allowed to set fireworks off.
- Lots of people agreeing.
- What about the military?
- The release of helium balloons should be included.
- Rangers aren't out in the evening when these are being let off so how will you enforce?

BYELAW 10 : DOGS (iii)

Between 1 March and 31 July each year all dogs have to be kept on a short lead of no more than 2 metres in length

Do you agree with the amendment iii relating to the byelaws on dogs?



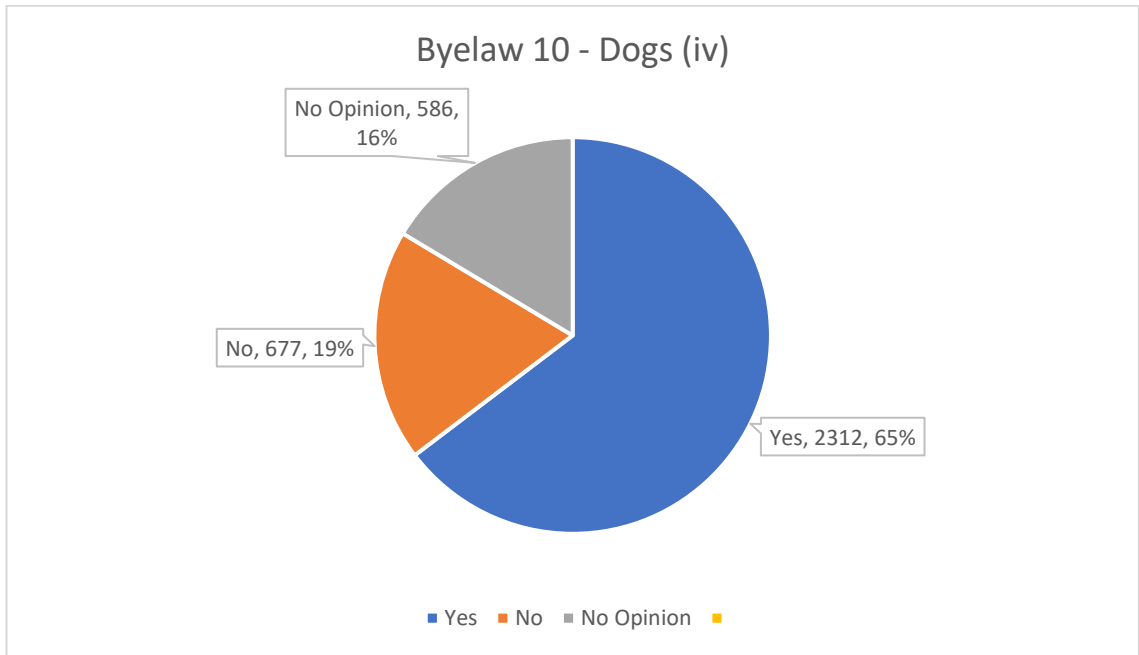
Key Themes

- Too restrictive and disproportionate
- Current byelaw is sufficient and needs to be enforced.
- Punishes responsible owners.
- Could displace dog walkers into other areas.
- Support for dogs to be on leads where livestock are present.
- 2m lead is unreasonable.
- This would take away the enjoyment of walking on Dartmoor with your dog(s).
- Impact negatively on people with limited mobility, running, horse-riding.
- Negative impact on tourism if Dartmoor is perceived as not dog friendly.
- Dogs present a risk to wildlife and livestock.
- Too many dogs off lead and causing a nuisance or out of control.
- Too many irresponsible owners.
- Restriction should be all year round and apply to the hunts.
- Livestock and wildlife need to be protected from dogs.

BYELAW 10 : DOGS (iv)

No single person shall bring more than 6 dogs on to the Access Land at any one time

Do you agree with the amendment iv relating to the byelaws on dogs?



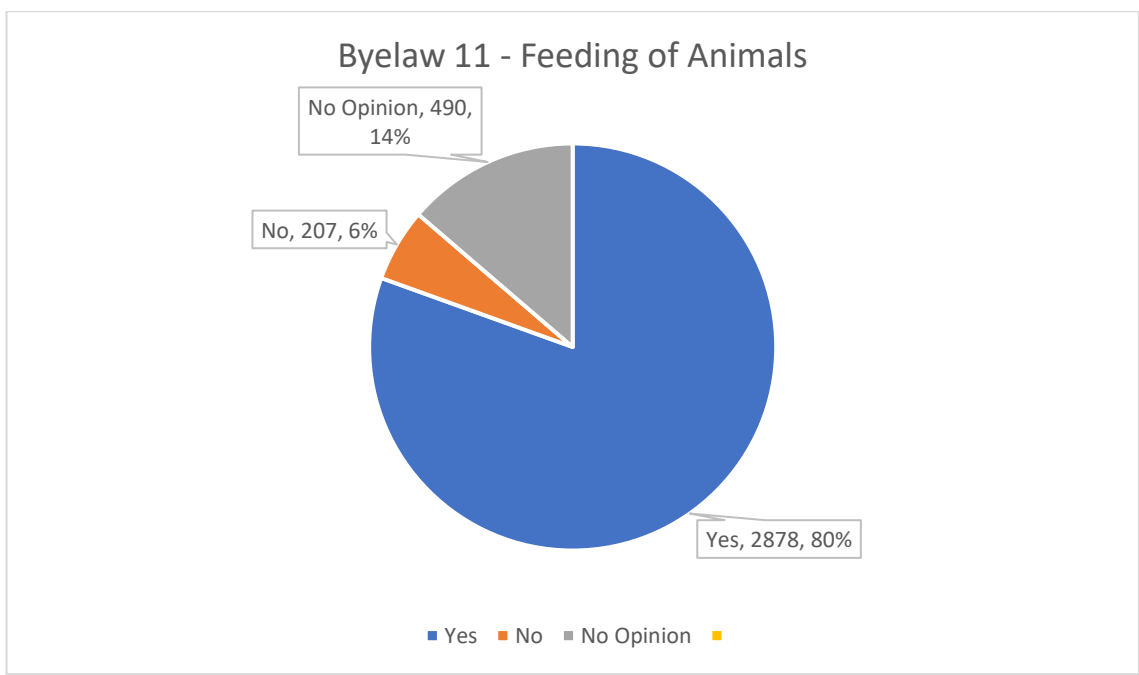
Key Themes

- Most respondents supported this measure.
- Some respondents thought that six dogs were too many - suggested a maximum limit of four dogs per person.
- Some concerns were raised on the impact this might have on commercial dog walkers.

BYELAW 11 : FEEDING OF ANIMALS

No person other than the owner of any animal or the owner's authorised agent shall feed or permit to be fed any animal lawfully grazing on the Access Land.

Do you agree with the amendments relating to the byelaws on the feeding of animals?



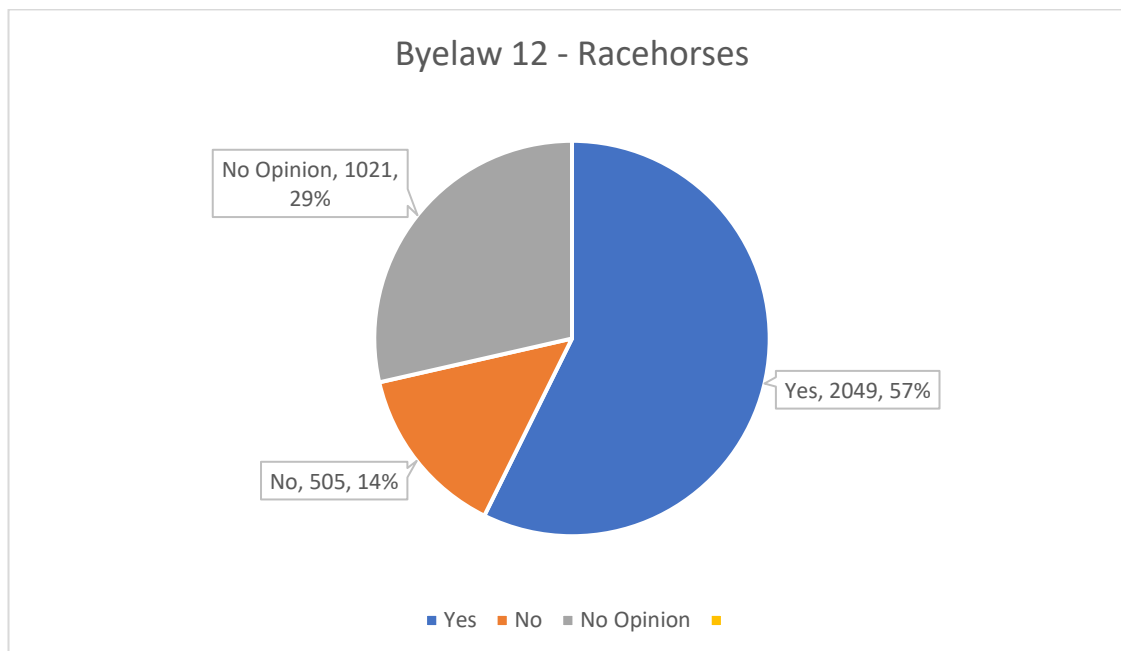
Key Themes

- Education is needed to help people understand the harm and better signage at car parks to explain this.
- Signs should explain Why not just Don't
- Wording is not clear - how do you know if an animal is 'lawfully grazing'?
- Unclear as to how the byelaw will be enforced. Please enforce more often.
- Feeding livestock grass should be ok and feeding animals is part of an experience for children
- Ensure livestock are properly fed.
- Perhaps better to define ponies, sheep, horses, cattle

BYELAW 12 : Racehorses

No person shall ride, train or exercise racehorses on the Access Land unless the owner of the land and the Authority has given written permission

Do you agree with the amendments relating to the byelaws on racehorses?



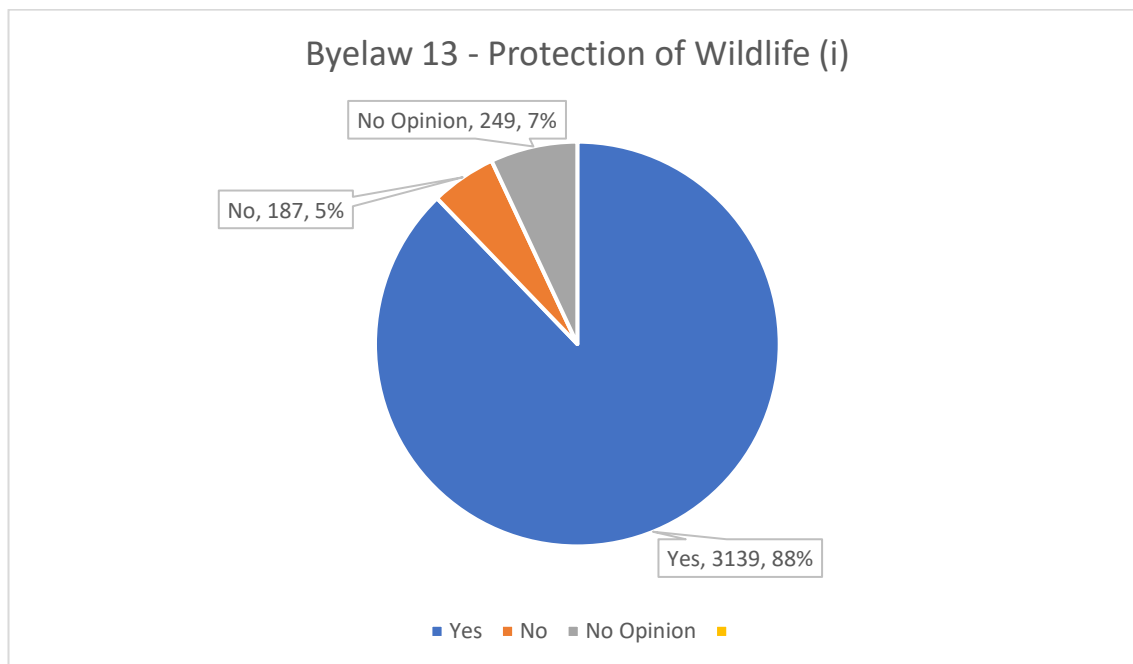
Key Themes

- Some confusion over definition of 'racehorse', more clarity asked for, wording of byelaw too vague
- Does 'racehorse' category also apply to retired racehorses? Commons Act allows access by horse.
- Some respondents wondering whether this is really 'an issue' & where is the 'evidence for the problem'
- Concern over damage done by this activity, Dartmoor not suitable - should apply to trekking as well
- Hunting also causes damage - and does this byelaw affect point to point horses and hunt?
- Permission seems sensible and should be sought, clarification on terms: ride, train, exercise
- Shouldn't be using public land for commercial activities, some rider behaviour can frighten public

BYELAW 13 : PROTECTION OF WILDLIFE (i)

No person shall without lawful excuse or authority:(i) intentionally or recklessly take, kill, injure or disturb any wild animal, bird or fish; intentionally or recklessly take, damage or destroy any eggs or nests

Do you agree with the amendment i relating to the byelaws on the protection of wildlife?



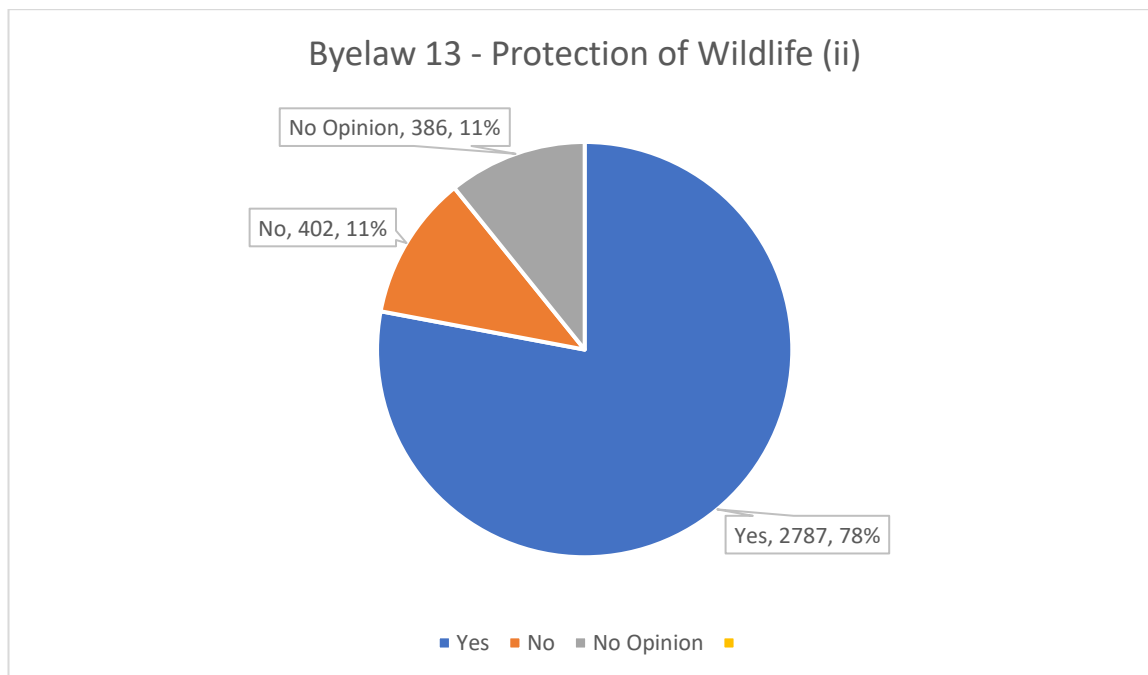
Key Themes

- Majority of respondents strongly agree that Dartmoor's wildlife needs to be protected and welcomed this amendment.
- Many respondents said the Authority was trying to take too much power and questioned if this Byelaw was necessary as existing legislation already covers this - Wildlife and Countryside Act
- Many respondents didn't understand why the Byelaw doesn't include livestock
- Many respondents wanted the wording to be changed to include invertebrates – butterflies, insects, pollinators, reptiles. What about plant life? Make the wording more all-encompassing – all living creatures, flora and fauna?
- Many responses indicating that dogs should be included e.g. to use to enforce good dog and dog owner behaviour.
- What about permits for hunting and foraging? Foraging is becoming a popular activity and how will this be included?
- Concerns raised from hunting, shooting, fishing community. But also concerns from people who oppose this, 'ban all hunting including trail hunting.....'
- Is 'recklessly' easy to define and enforce?

BYELAW 13 : PROTECTION OF WILDLIFE (ii)

Engage in any operations of or connected with hunting, shooting, fishing, trapping, snaring, taking or destroying of animals, birds or fish or have with them any engine, instrument or apparatus used for hunting, shooting, fishing, trapping, snaring, taking or destroying animals, birds or fish

Do you agree with the amendment ii relating to the byelaws on the protection of wildlife?



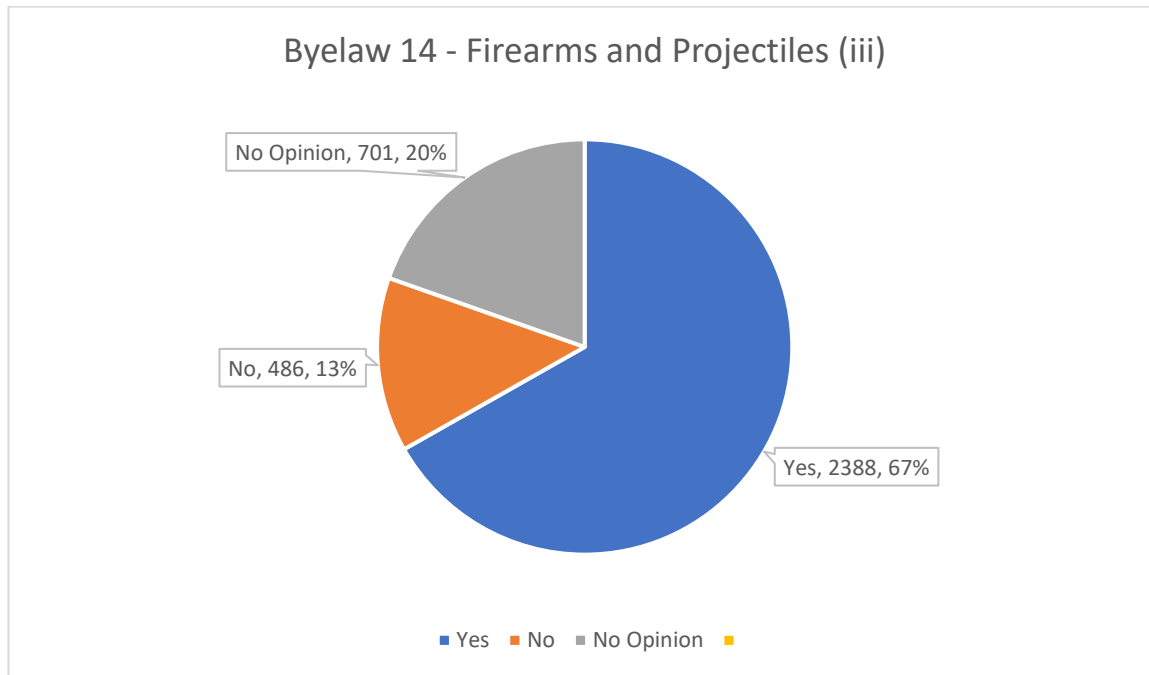
Key Themes

- Vast majority of respondents strongly agreed with this amendment.
- Demonstrated confusion as some of these activities are allowed under licence or permit whereas some are always illegal – e.g. ‘snaring’.
- Many of those who disagreed felt that there was a lack of flexibility with this byelaw as it was felt that it doesn’t offer any options for example controlling vermin “one size fits all”. Farmers should be allowed to cull foxes and other vermin for example.
- Many respondents reported that the wording for this byelaw is confusing with multiple respondents pointing that it denotes that driving through Dartmoor with a fishing rod to go to the sea is illegal, or camping with a knife is illegal?
- Many suggest lawful fishing should be allowed in some way saying it is good for the economy and already covered by other regulations.
- Want more information on enforcement.
- Additional comments wanting the banning of all hunting including trail hunting – Why do DNPA not deal with this effectively? Contrast with comments that explain this is a ‘restriction on country pursuits’ and ‘heritage’ which are already covered in other law and regulation.

BYELAW 14 : FIREARMS AND PROJECTILES

No person shall:(iii) hit a golf ball or similar on any of the Access Land

Do you agree with the amendment iii relating to the byelaws on the use of firearms and projectiles?



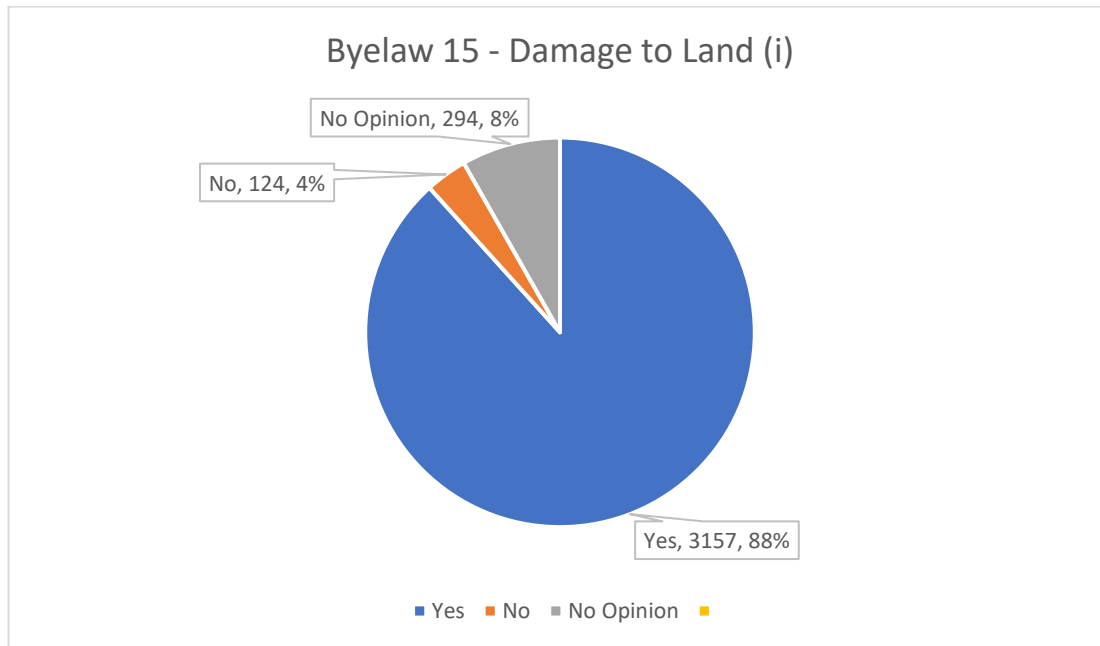
Key Themes

- The majority of comments suggest that the wording is too vague and needs clarity - what does 'or similar mean'? i.e does it include footballs, cricket balls, dog toys etc. There is confusion as to why there is a specific focus on golf balls.
- It is felt that golf balls should not be included in the same byelaw as firearms. Many comments also state that a Byelaw singling out golf balls is restrictive and unnecessary and that there seems to be little evidence of a problem
- Some comments raised concerns about existing golf courses and what this means for them and suggested that their exemption should be included within the Byelaw
- Some comments suggested that stock and wildlife should be included with person

BYELAW 15 : DAMAGE TO LAND

No person on the Access Land shall without reasonable excuse or lawful authority:(i) break or damage any wall or fence on or enclosing the Access Land

Do you agree with the amendment i relating to the byelaws on damage to land?



Key Themes

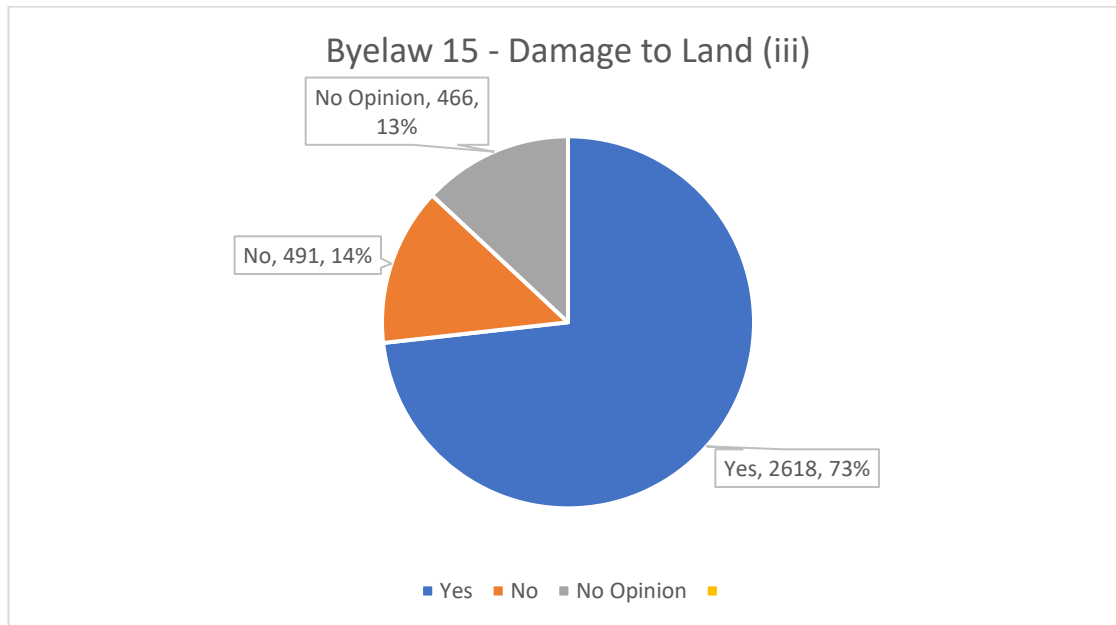
Overwhelming support for Byelaw but -

- Byelaw is covered by existing Criminal Damage legislation – therefore is a Byelaw required?
- Define reasonable excuse
- Byelaw should include wording on wilful damage - as accidents can happen
- Access points should be reviewed to ensure fit for purpose, so people don't have to damage walls or fencing (access points shouldn't be blocked)

BYELAW 15 : DAMAGE TO LAND (iii)

Remove from, displace or damage on the Access Land any vegetation, wood, soil, peat, dung or stones

Do you agree with the amendment iii relating to the byelaws on damage to land?



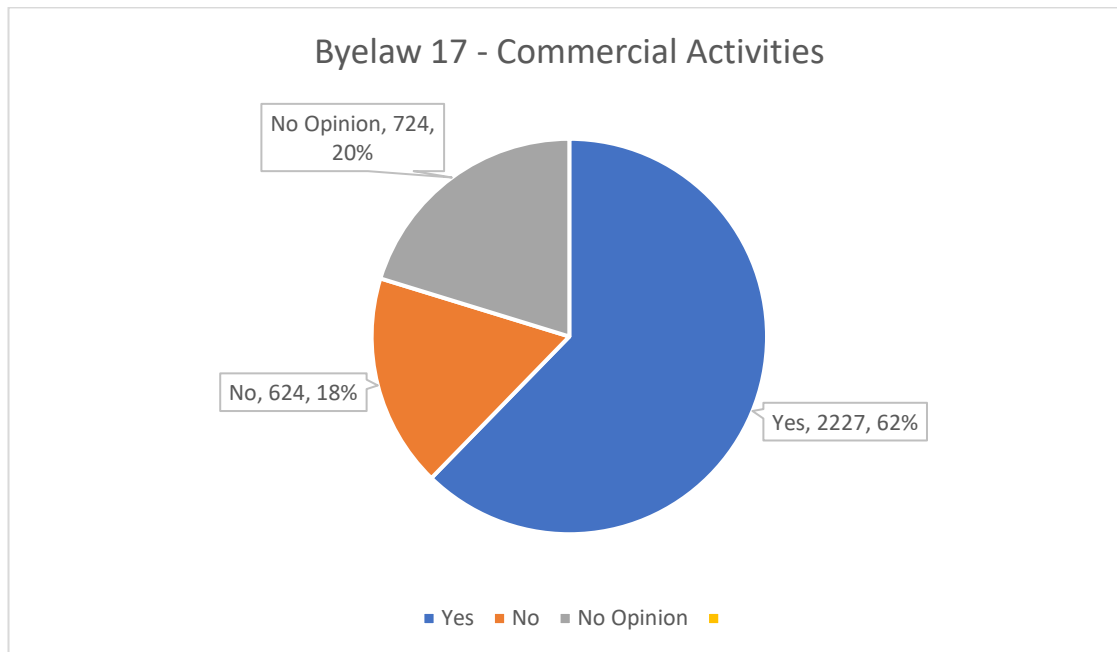
Key Themes

- Agree - fabric of the moor must be protected, more education is needed
- The wording is too broad and vague. Not clear what is classes as damage or displacement e.g. walking on a muddy path could displace/damage, diggings holes for excrement whilst wild camping, children picking flowers, clearing nettles to pass a Public Right of Way
- What about foraging - will this impact people picking blackberries, bilberries, mushrooms etc.
- Byelaw shouldn't include deadwood used for firewood (e.g. local people should be able to use deadwood for fuel and dung for gardens)
- Moss should be explicitly stated within the Byelaw
- Queries on impact on commoners' rights
- More education needed

BYELAW 17 : COMMERCIAL ACTIVITIES

No person shall offer for sale or hire any goods or services on the Access Land in exchange for payment or reward unless he is authorised to do so in pursuance of an agreement with the owner of the land and the Authority

Do you agree with the amendments relating to the byelaws on the carrying out of commercial activities?



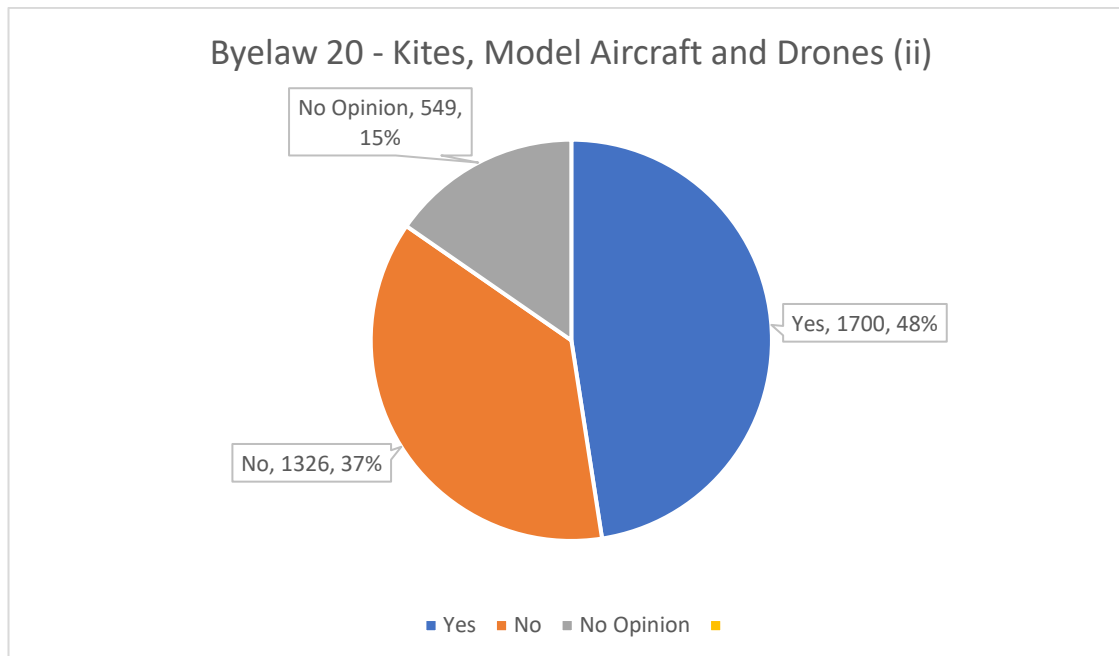
Key Themes

- There is general support as Dartmoor should not be commercialised
- There are concerns about the impact of the byelaw, particularly for people who are offering guided walks, education groups, recreation activities. Additional concerns about impact on riding stables or B&B's offering walks
- It is felt that Byelaw would place unnecessary burden on businesses, particularly if having to identify landowners. Not clear what the process would be. Concern that DNPA want to introduce a permit system
- The Byelaw is overly restrictive and limits positive engagement with the National Park
- Ice cream vans should be kept - lots of positive support
- Why is landowner permission and Authority permissions required - landowner permissions should be sufficient. Prevents landowners carrying out activities on their own land
- Concern that Authorisation will be unduly upheld

BYELAW 20 KITES, MODEL AIRCRAFT AND DRONES (ii)

No person shall launch any model aircraft or drone from the Access Land unless authorised to do so by the owner of the land and the Authority

Do you agree with the amendment ii relating to the byelaws on the use of kites, model aircraft and remotely piloted/unmanned air systems?



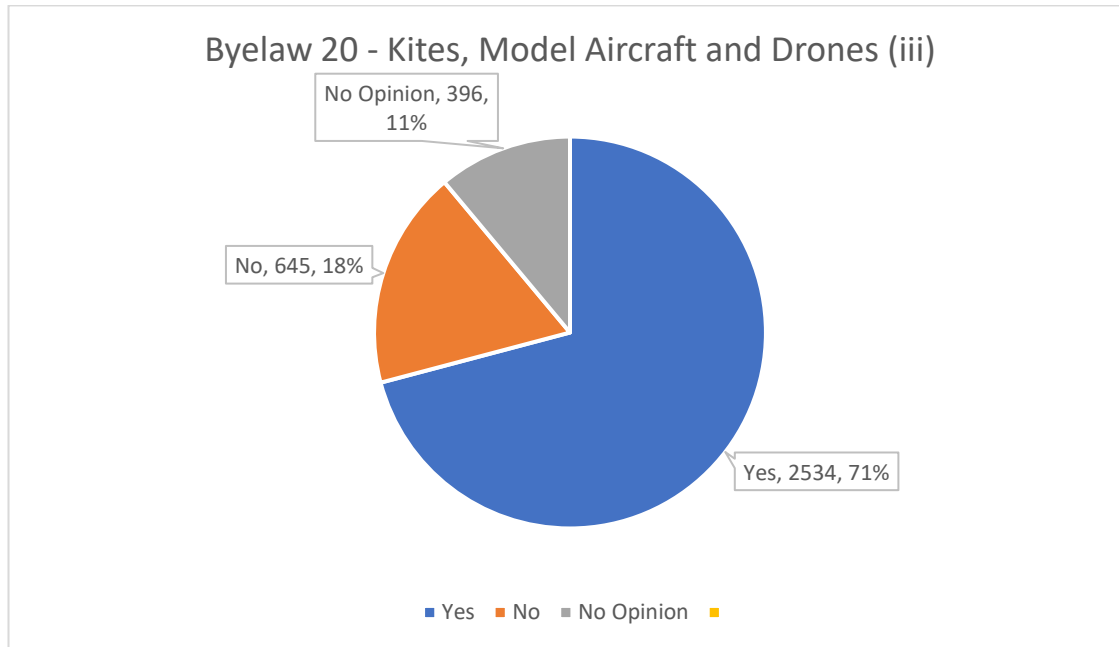
Key Themes

- Unpowered model gliders should not be treated in same way as powered model aircraft and drones
- Kite flying is a nice family activity and has been taking place for many years - it gets young people outdoors, why do the Authority want to criminalise kite flying
- There are existing regulations for Unmanned Aircraft
- It is draconian, be more specific (toy drones). The Authority should try and identify places where people can fly model aircraft (old and young enjoy this activity)
- Why is this a problem? Countered by a number of people expressing concern that they have seen dangerous flying of drones
- If permission is going to be required, we need an accessible and easy system. Should only require landowner consent
- Need enforcement, those who don't adhere now wont in the future
- Drones with cameras could help tourism by posting photos
- What about the future - Amazon delivering by drone

BYELAW 20 : KITES, MODEL AIRCRAFT AND DRONES (iii)

No person shall operate any model aircraft or drone over the Access Land at a height or location that may disturb stock or wildlife or cause a nuisance to another person

Do you agree with the amendment iii relating to the byelaws on the use of kites, model aircraft and remotely piloted/unmanned air systems?



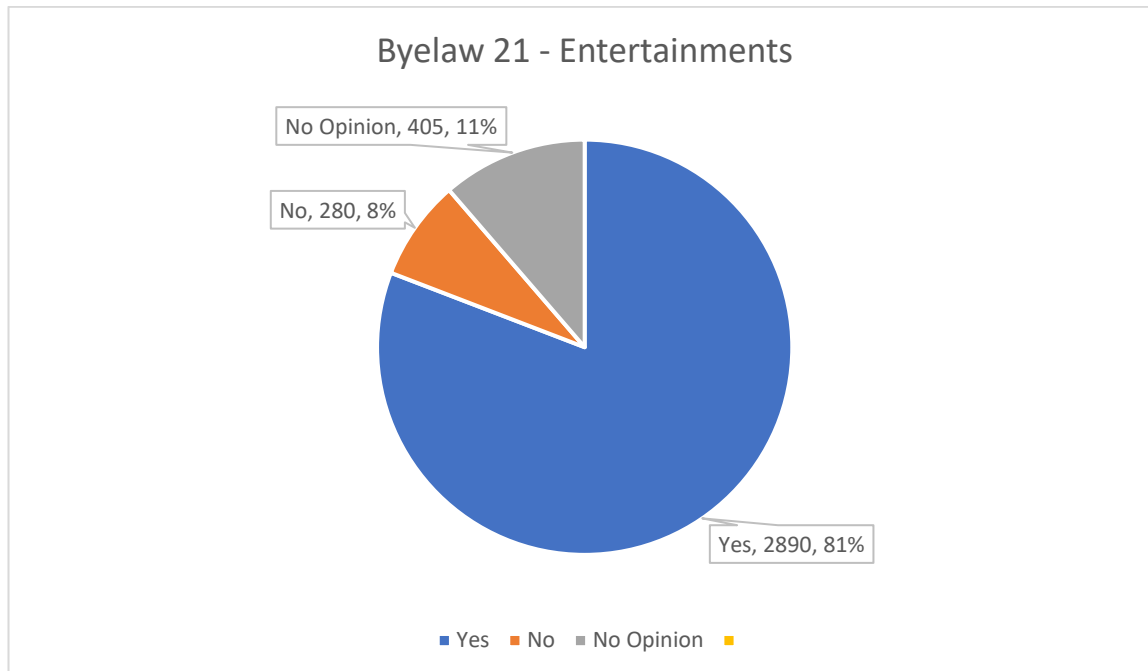
Key Themes

- As above in Byelaw 20 (ii)
- Ambiguous - how do you define may disturb or nuisance
- Why not just have a general byelaw that limits any activity that disturbs wildlife or livestock

BYELAW 21 : ENTERTAINMENTS

No person shall hold any rave, show, concert, exhibition or other entertainment on the Access Land unless authorised in writing by the owner of the land and the Authority.

Do you agree with the amendments relating to the byelaws on entertainments?



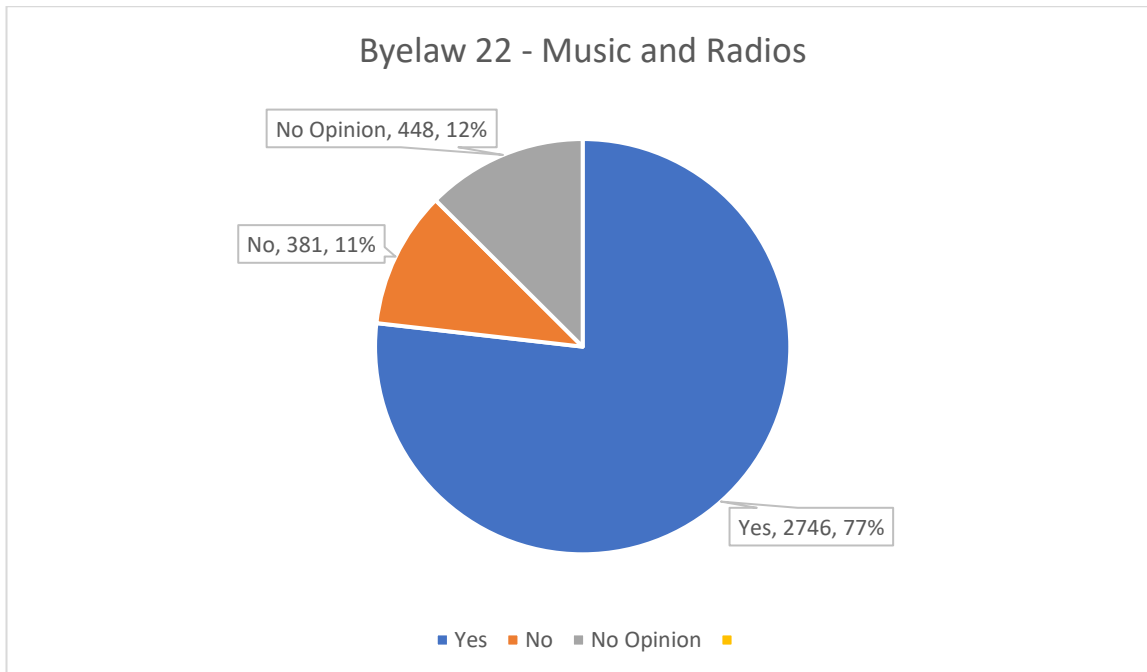
Key Themes

- Should festivals be included specifically, how are raves and shows defined and at what scale i.e. no. of people attending
- Wording is ambiguous - what are 'other entertainments'
- Should landowners not be solely responsible for the approval of these events on their own land
- Should it also be a byelaw offence to promote and advertise these events (if unauthorised) - considering the impacts of social media? "No person shall hold, promote or advertise...?"
- Can local consultation be embedded into the authorisation process?
- Include lightshows and fireworks if not already specifically stated elsewhere.

BYELAW 22 : MUSIC AND RADIOS

No person shall play or operate or knowingly cause or permit to be played or operated any musical instrument, radio, television set, record, CD, DVD player, amplifier or smart speaker using an internet or mobile connection, or similar appliance in such a manner as to give reasonable cause for annoyance to another person on the Access Land

Do you agree with the amendments relating to the byelaws on music and radios?



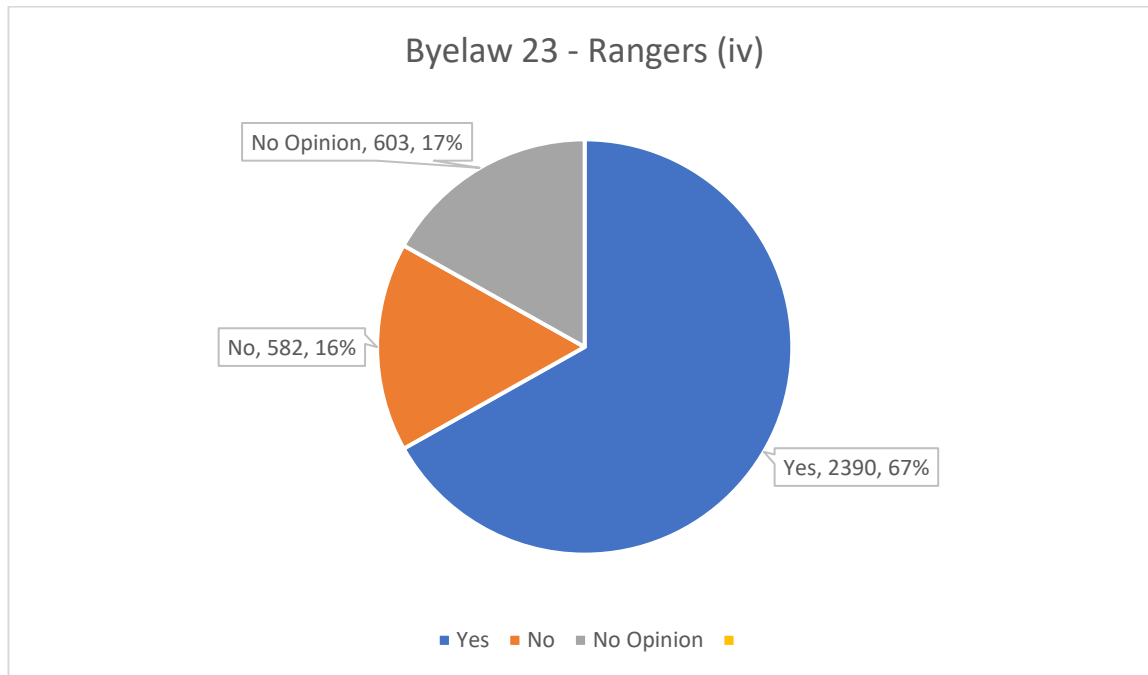
Key Themes

- The Byelaw is widely supported with many comments referring to the need to control noise pollution and preserve peace and quiet, however, there were many themes that called for better drafting
- How is 'reasonable cause for annoyance defined'? Too subjective, what is reasonable and what is annoyance
- The wording is too vague
- Concern that the playing of musical instruments is included in the Byelaw
- Should the Byelaw include annoyance to wildlife alongside person
- Byelaw should not state individual equipment (numerous references) as it implies other equipment is not included and therefore does not account for new technology
- Unnecessary to include 'using an internet or mobile connection' as implies gadgets with storage are not included and therefore easily misinterpreted? The source is not relevant, it is the sound it makes

BYELAW 23 : RANGERS

No person shall on the Access Land:(iv) fail to follow an instruction by a Ranger or officer of the Authority acting within their authority

Do you agree with the amendment iv relating to the byelaws on DNPA Rangers?



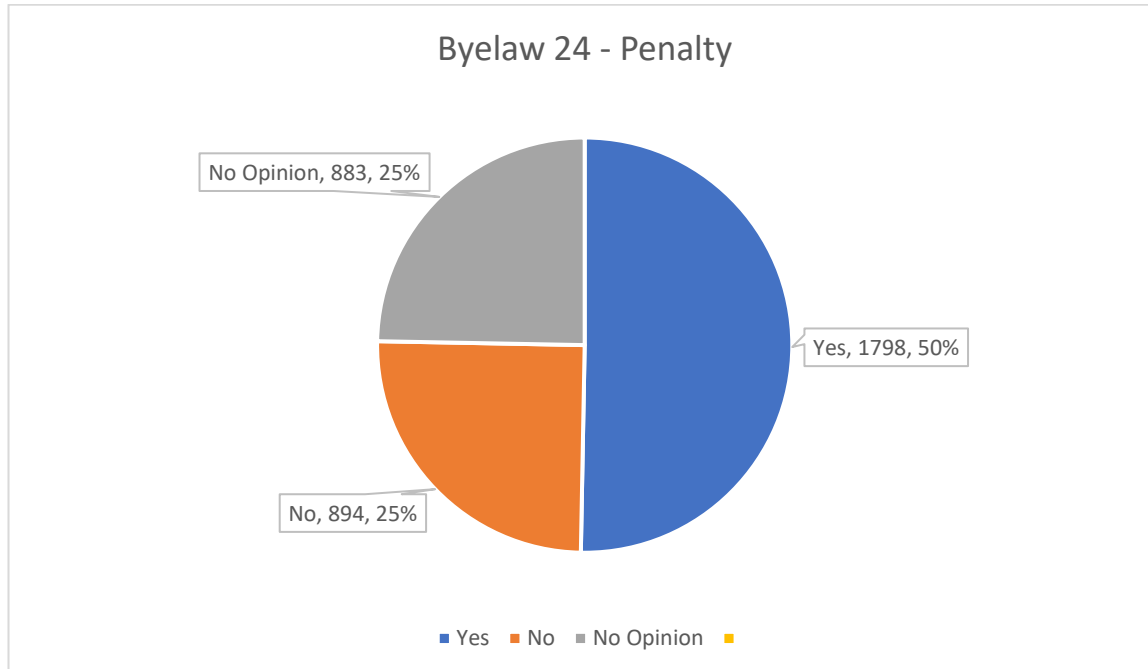
Key Themes

- The word reasonable needs reinserting.
- Majority of the comments refer to what Authority the Rangers have - this should be made publicly available and include codes of conduct
- Must carry ID - how will they be identified
- Rangers are not police, some concern regarding the role of the Rangers changing into more of a policing one, this included comments around already having a police force. There were also concerns around Ranger bias, potential for misuse and abuse of authority.
- Yes, if rangers fully trained.

BYELAW 24 PENALTY

Any person who offends against any of these Byelaws shall be liable on summary conviction to a fine on level 2 on the Standard Scale and in the case of a continuing offence to a further fine for each day during which the offence continues after the said conviction.

Do you agree with the amendments relating to the byelaws on the penalties for the breaching of byelaws?



Key Themes

- Very polarised between “fine them as much as you can” to this is just to make money for Authority
- This may disproportionately hit people on lower income.
- Penalties are necessary and should be greater
- Seems heavy handed.
- There was a misunderstanding of fine scales.
- How will this be policed?
- Can’t agree until byelaws are evidence based.
- Rangers should be able to issue parking fines!
- Educate before issuing fines.
- Not enforcing current byelaws
- Yes, if applied with common sense.
- Seen by some as a money-making exercise.
- There is a general misunderstanding of the overall process.

Byelaw Review – Minded-to-make amendments

Current wording of Byelaws	Wording presented at Authority – 03/09/21 (Changes have been highlighted in bold)	Minded-to-Make amendments – following consultation
<p>1 Interpretation</p> <p>In the construction of these byelaws “the Authority” means Devon County Council acting in its capacity as Dartmoor National Park Authority and “access land” shall be all that land:</p> <p>(i) defined as “the commons” in Section 2 of the Dartmoor Commons Act 1985 and</p> <p>(i) land within the Dartmoor National Park to which the public has access by virtue of the Authority having an interest in that land and which is more particularly identified in Schedule 1 to these byelaws.</p>	<p>1 Interpretation</p> <p>In the construction of these byelaws “the Authority” means Dartmoor National Park Authority and “Access Land” shall be land:</p> <p>(i) defined as “the commons” in Section 2 of the Dartmoor Commons Act 1985; and/or</p> <p>(ii) defined as “access land” in Section 1(1) and Section 16 of the Countryside and Rights of Way Act 2000; and/or</p> <p>(iii) land within the Dartmoor National Park to which the public has access by virtue of the Authority having an interest in that land and which is more particularly identified in Schedule 1 to these byelaws.</p>	<p>1 Interpretation</p> <p>In the construction of these byelaws “the Authority” means Dartmoor National Park Authority and “Access Land” shall be land:</p> <p>(i) defined as “the commons” in Section 2 of the Dartmoor Commons Act 1985;</p> <p>(ii) defined as “access land” in Section 1 of the Countryside and Rights of Way Act 2000 being land identified as open country on a map in conclusive form issued by Natural England under Part 1 of the Act;</p> <p>(iii) land within the Dartmoor National Park belonging to the National Park Authority or to which the public are given access under an agreement or order made under Part V of the National Parks and Access to the Countryside Act 1949.</p>
<p>2 Extent of Byelaws</p> <p>Nothing in these byelaws shall apply to:</p> <p>(i) any act done in pursuance of the exercise of any right of common; or</p> <p>(ii) the owner of any part of the access land as respects any act done on that part by him or by any person acting with his consent (and the consent of the Authority where necessary to accord with byelaws 15, 16, 17, 18 and 19).</p>	<p>2 Extent of Byelaws</p> <p>Nothing in these byelaws shall apply to:</p> <p>(i) any act done in pursuance of the exercise of any right of common</p> <p>(ii) the owner of any part of the Access Land as respects any act done on that part by him or by any person acting with his consent and the consent of the Authority where necessary to accord with Byelaws 7(i), 12, 16, 17, 18, 19 and 20 (ii)</p>	<p>2 Extent of Byelaws</p> <p>Nothing in these byelaws shall apply to:</p> <p>(i) any act done in pursuance of the exercise of any right of common</p> <p>(ii) the owner of any part of the Access Land or persons authorised by them in writing.</p>
	<p>3 Revocation</p> <p>The Byelaws made by Devon County Council (acting as Park Authority for Dartmoor National Park) on 17 April 1989 and confirmed by the Home Secretary relating to the Access Land are hereby revoked.</p>	<p>3 Revocation</p> <p>All byelaws, save for Number Six (Camping), made by Devon County Council (acting as Park Authority for Dartmoor National Park) on 17 April 1989 and confirmed by the Home Secretary relating to the Access Land are hereby revoked.</p>

<p>3 Vehicles</p> <p>No person shall without reasonable excuse ride or drive a cycle, motorcycle, motor vehicle or any other mechanically propelled vehicle on any part of the access land where there is no right of way for that class of vehicle.</p> <p>The right to park a vehicle within 13.75 metres of a road contained in Section 34 Road Traffic Act 1988 shall not apply to those verges where the Authority has erected signs indicating that parking off the highway at those points is prohibited. <i>(Removed and covered in revised Byelaw 4 below)</i></p> <p>This byelaw shall not extend to invalid carriages.</p> <p>If the Authority has set apart a space on the access land 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 direct route between it and the public road.</p> <p>In this byelaw:</p> <p>“cycle” means bicycle, a tricycle or a cycle having four or more wheels not being in any case a motorcycle or motor vehicle;</p> <p>“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;</p> <p>“motorcycle” means a mechanically propelled vehicle not being an invalid carriage with fewer than four wheels and the weight of which unladen does not exceed 410 kilograms;</p> <p>“motor vehicle” means a mechanically propelled vehicle not being an invalid carriage intended or adapted for use on roads.</p>	<p>4. Vehicles</p> <p>No person shall without reasonable excuse drive, ride or propel any mechanically propelled vehicle or any pedal propelled vehicle on any part of the Access Land other than on a highway where there is a right of way for that class of vehicle.</p> <p>If the Authority has set apart a space on the Access Land 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 direct route between it and the highway.</p> <p>This byelaw shall not extend to mobility scooters or powered wheelchairs (together known legally as ‘invalid carriages’). “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.</p>	<p>4. Vehicles</p> <p>No person shall without reasonable excuse drive or ride any mechanically propelled vehicle or bicycle (whether or not electrically powered or assisted) on any Access Land other than on a highway where there is a right of way for that class of vehicle.</p> <p>If the Authority has set apart a space on the Access Land 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 direct route between it and the highway.</p> <p>This byelaw shall not extend to mobility scooters or powered wheelchairs (together known legally as ‘invalid carriages’). “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.</p>
<p>4 Parking</p> <p>No person shall without reasonable excuse park or knowingly cause to remain on the access land a caravan or trailer unattached to a towing vehicle, except on any area which is set apart and indicated</p>	<p>5 Parking</p>	<p>5 Parking</p>

<p>by notice as a place where the parking of such caravans or trailers is permitted.</p>	<p>(i) The parking of a vehicle is not permitted on those verges where the Authority has erected signs indicating that parking off the highway at those points is prohibited.</p> <p>(ii) No person shall without reasonable excuse park or cause to remain on the Access Land a caravan or trailer attached or unattached to a towing vehicle, except on any area which is set apart and indicated by notice as a place where the parking of such caravans or trailers is permitted</p> <p>(iii) Between the hours of 9pm and 9am no person shall occupy or sleep in any mechanically propelled vehicle, caravan or trailer parked on Access Land.</p> <p>(iv) No person shall park any mechanically propelled vehicle on Access Land in such a manner as to impede the flow of agricultural traffic or livestock, to block (in whole or part) gateways or cattlegrid sidegate entrances that are not on the highway.</p>	<p>(i) Motor vehicles must not be parked on a verge in places where the Authority has erected a sign that states parking on the verge is prohibited.</p> <p>(ii) No person shall without reasonable excuse park or cause to remain on any Access Land a caravan or trailer (whether or not attached to a towing vehicle), except on any land which is set apart and indicated by notice as a place where the parking of caravans or trailers is permitted</p> <p>(iii) Between the hours of 11pm and 6am no person shall sleep in any mechanically propelled vehicle, caravan, or trailer on Access Land except on land where overnight camping is permitted by the Authority or by the owner of any land and the vehicle is parked with their permission.</p> <p>(iv) No person shall park any mechanically propelled vehicle on Access Land in such a manner as to obstruct agricultural vehicles or the movement of livestock, whether by blocking (in whole or part) a gateway or a cattlegrid side gate entrance or otherwise.</p>
<p>5 Repairs of Vehicles</p> <p>No person shall clean, paint or carry out repairs on any vehicle parked on the access land except in the event of an accident, breakdown or other emergency.</p>	<p>6 Repairs of Vehicles</p> <p>No person shall clean, paint or carry out repairs on any vehicle parked on the access land except in the event of an accident, breakdown or other emergency.</p>	<p>6 Repairs of Vehicles</p> <p>No person shall clean, paint or carry out repairs on any vehicle parked on Access Land except in the event of an accident, breakdown or other emergency.</p>
<p>6 Camping</p> <p>No person shall knowingly use any vehicle, including a caravan or any structure other than a tent for the purpose of camping on the access land or land set out for the use or parking of vehicles except on any area which may be set apart and indicated by notice as a place where such camping is permitted.</p> <p>No person shall knowingly erect a tent on the access land for the purpose of camping:</p> <p>(a) in any area listed in Schedule 2 to these byelaws;</p>	<p>7 Camping</p> <p>No person shall camp on the Access Land other than in accordance with the provisions of this section. For the avoidance of doubt:</p> <p>(i) Camping is only permitted in single person bivouacs or in tents that sleep no more than 3 people and can be carried in a backpack and in groups of no more than 6 people; This byelaw does not apply to agreed expeditions who have written permission from the owner of the land and the Authority;</p> <p>(ii) No person shall erect or use any tent, hammock, tarpaulin or other temporary structure that requires support by cords or bands placed on trees.</p>	<p>7 Camping</p> <p>No person shall knowingly use any vehicle, including a caravan or any structure other than a tent for the purpose of camping on the Access Land or land set out for the use or parking of vehicles except on any area which may be set apart and indicated by notice as a place where such camping is permitted.</p> <p>No person shall knowingly erect a tent on the Access Land for the purpose of camping:</p> <p>(a) in any area listed in Schedule 2 to these byelaws;</p> <p>(b) within 100 metres of any public road or in any enclosure.</p>

<p>(b)within 100 metres of any public road or in any enclosure.</p> <p>No person shall camp in a tent on the same site on the access land for more than two consecutive nights, except on any area which may be set apart and indicated by notice as a place where such camping is permitted.</p>	<p>(iii) Camping is only permitted in the areas as detailed in the Camping Map which shall be (1) published on the Authority’s website and (2) available for inspection at the Dartmoor National Park visitor centres and at the headquarters of the Authority and</p> <p>(3) amended from time to time after approval by the National Park Authority at a public meeting; and</p> <p>(iv) No person shall camp in a tent for more than 2 consecutive nights at the same location.</p>	<p>No person shall camp in a tent on the same site on the Access Land for more than two consecutive nights, except on any area which may be set apart and indicated by notice as a place where such camping is permitted.</p>
<p>7 Water</p> <p>No person shall knowingly cause or permit the flow of any watercourse, leat or drain on the access land to be obstructed or diverted or interfere with any sluice gate or similar apparatus on the access land.</p>	<p>8 Water</p> <p>No person shall knowingly cause or permit the flow of any watercourse, leat or drain on the access land to be obstructed or diverted or interfere with any sluice gate or similar apparatus on the access land.</p>	<p>8 Water</p> <p>No person shall knowingly cause or permit the flow of any watercourse, leat or drain on the Access Land to be obstructed or diverted or interfere with any sluice gate or similar apparatus on Access land.</p>
<p>8 Fires</p> <p>No person shall light a fire on the access land, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire. This byelaw shall not prevent the lighting or use in such a manner as not to cause danger of or damage by fire of a properly constructed camping stove or cooker.</p>	<p>9 Fires</p> <ul style="list-style-type: none"> i. No person shall light or tend a fire on the Access Land, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire. ii. This byelaw shall not prevent the use of a camping stove manufactured as a camping stove or cooker, provided it is used in such a manner as not to cause danger of or damage by fire. iii. The use of barbecues, including disposable barbecues whether manufactured as such or otherwise, is not permitted anywhere on the Access Land if it is used in such a manner as to cause fire, damage or harm to the land or vegetation or when the Fire Severity Index reaches High or at other such times when directed by signs. iv. No person shall gather any material from the Access Land to use as fuel for any fire. v. No person shall launch either Chinese Lanterns, fireworks or flares from the Access Land. 	<p>9 Fires</p> <ul style="list-style-type: none"> i. No person shall light or tend an open fire on the Access Land, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire. ii. No person shall use a camping stove or other cooking device in such a manner as to cause a fire or the danger of fire. iii. No person shall use a barbecue of any kind on Access Land. iv. No person shall gather fuel for a fire from the Access Land. v. No person shall launch Chinese Lanterns, fireworks, or flares from Access Land.

<p>9 Dogs</p> <p>Every person in charge of a dog on the access land shall as far as is reasonably practicable keep the dog under close control and restrain the dog from behaviour giving reasonable grounds for annoyance</p> <p>Every person in charge of a dog on the access land shall, as far as is reasonably practicable, comply with a direction given by a Ranger or other officer of the Authority to keep the dog on a lead.</p> <p>A direction under paragraph 2 above may only be given if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any person on the access land or the worrying or disturbance of any animal or bird.</p>	<p>10 Dogs</p> <p>(i) No person in charge of any dog shall permit any dog to disturb or worry any stock or wildlife or cause any nuisance or annoyance to any person on the Access Land.</p> <p>(ii) No person in charge of any dog shall cause or allow a dog to be exercised other than under close control and, if directed to do so by a Ranger, must keep any dog on a lead.</p> <p>(iii) Between 1 March and 31 July each year all dogs have to be kept on a short lead of no more than 2 metres in length</p> <p>(iv) No single person shall bring more than 6 dogs on to the Access Land at any one time.</p> <p>“Dog” shall exclude police dogs, search and rescue dogs, guide or assistance dogs and any dog that is working on the Access Land with the consent of the landowner.</p>	<p>10 Dogs</p> <p>(i) No person in charge of a dog shall permit it to attack or worry any stock or wildlife or cause any nuisance or reasonable grounds for annoyance to any person on the Access Land.</p> <p>(ii) No person in charge of a dog shall cause or allow it to be exercised on Access Land other than under effective control and, if directed to do so by a Ranger, must keep the dog on a lead.</p> <p>(iii) Between 1 March and 31 July each year any dog that is brought onto Access Land shall be kept under effective control and on a lead</p> <p>(iv) No person shall bring more than 6 dogs on to the Access Land at any time.</p> <p>“Dog” shall exclude police dogs, search and rescue dogs, guide or assistance dogs and any dog that is working on Access Land with the consent of the landowner.</p>
<p>10 Feeding of Animals</p> <p>No person on the access land shall feed or permit to be fed any animal lawfully grazed upon the land.</p> <p>Notice of the effect of this byelaw shall be given by signs placed in such positions as the Authority may consider adequate to inform persons on the access land.</p>	<p>11 Feeding of Animals</p> <p>No person other than the owner of any animal or the owner’s authorised agent shall feed or permit to be fed any animal lawfully grazing on the Access Land.</p>	<p>11 Feeding of Animals</p> <p>No person other than the owner of any animal or the owner’s authorised agent shall feed or permit to be fed any animal lawfully grazing on Access Land.</p>
<p>11 Racehorses</p> <p>No person shall ride, train or exercise racehorses on an area of access land where the Authority has given a direction to the owner, trainer or rider of those racehorses that that area is not to be used for that purpose.</p>	<p>12 Racehorses</p> <p>No person shall ride, train or exercise racehorses on the Access Land unless the owner of the land and the Authority has given written permission.</p>	<p>12 Racehorses</p> <p>No person shall ride, train or exercise racehorses on an area of Access Land where the Authority has given a direction to the owner, trainer or rider of those racehorses that that area is not to be used for that purpose.</p>
<p>12 Protection of Wildlife</p> <p>No person shall without lawful excuse or authority on the access land, kill, molest or intentionally disturb any animal or engage in</p>	<p>13 Protection of Wildlife</p> <p>No person shall without lawful excuse or authority: (i) intentionally or recklessly take, kill, injure or disturb any wild</p>	<p>13 Protection of Wildlife</p> <p>No person shall without lawful excuse or authority on Access Land: (i) intentionally or recklessly take, kill, injure or disturb any wild</p>

<p>hunting, shooting or fishing or the setting of traps or nets or the laying of snares.</p>	<p>animal, bird or fish; intentionally or recklessly take, damage or destroy any eggs or nests.</p> <p>(ii) engage in any operations of or connected with hunting, shooting, fishing, trapping, snaring, taking or destroying of animals, birds or fish or have with them any engine, instrument or apparatus used for hunting, shooting, fishing, trapping, snaring, taking or destroying animals, birds or fish.</p>	<p>animal, bird or fish; intentionally or recklessly take, damage or destroy any eggs or nests.</p> <p>(ii) engage in hunting, shooting, fishing, trapping, snaring, taking or destroying of animals, birds or fish or have with them any engine, instrument or apparatus used for hunting, shooting, fishing, trapping, snaring, taking or destroying animals, birds or fish.</p>
<p>13 Firearms and Projectiles</p> <p>No person shall:</p> <p>discharge on the access land without lawful authority any firearm, air weapon or crossbow; or</p> <p>release any projectile or throw any missile on the access land to the danger of any other person or so as to give reasonable grounds for annoyance; or</p> <p>drive, chip or pitch a hard golf ball on any area of the access land listed in Schedule 2 to these byelaws down to and including Plasterdown or on any other area of access land so as to give reasonable grounds for annoyance.</p>	<p>14 Firearms and projectiles</p> <p>No person shall:</p> <p>(i) discharge on the Access Land without lawful authority any firearm, air weapon, crossbow: or</p> <p>(ii) release any projectile or throw any missile on the Access Land to the danger of any other person or so as to give reasonable grounds for annoyance; or</p> <p>(iii) hit a golf ball or similar on any of the Access Land.</p>	<p>14 Firearms and projectiles</p> <p>No person shall:</p> <p>(i) discharge on Access Land without lawful authority any firearm, air weapon, crossbow: or</p> <p>(ii) release any projectile or throw any missile on Access Land to the danger of any other person or so as to give reasonable grounds for annoyance; or</p> <p>(iii) play golf on Access Land</p>
<p>14 Damage to Land</p> <p>No person on the access land shall without reasonable excuse:</p> <p>(a) climb any wall or fence on or enclosing the land;</p> <p>(b) remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the access land;</p> <p>No person shall without reasonable excuse remove from or displace on the access land any soil, peat, dung or stones.</p>	<p>15 Damage to land</p> <p>No person on the Access Land shall without reasonable excuse or lawful authority:</p> <p>(i) break or damage any wall or fence on or enclosing the Access Land;</p> <p>(ii) remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the Access Land; or</p> <p>(iii) remove from, displace or damage on the Access Land any vegetation, wood, soil, peat, dung or stones.</p>	<p>15 Damage to land</p> <p>No person shall without reasonable excuse or lawful authority:</p> <p>(i) break or damage any wall or fence on or enclosing Access Land;</p> <p>(ii) remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of Access Land; or</p> <p>(iii) remove from, displace or damage on Access Land any vegetation, wood, soil, peat, dung or stones.</p>

<p>15 Metal Detectors</p> <p>No person shall on the access land use any device designed or adapted for detecting or locating any metal or mineral in the ground unless he is authorised to do so by the Authority.</p>	<p>16 Metal detectors</p> <p>No person shall on the Access Land use any device designed or adapted for detecting or locating any metal or mineral in the ground unless they have written permission from the owner of the land and the Authority</p>	<p>16 Metal detectors</p> <p>No person shall use any device designed or adapted for detecting or locating any metal or mineral in the ground on Access Land unless they are authorised to do so in writing by the Authority</p>
<p>16 Commercial Activities</p> <p>No person shall on the access land offer for sale or let to hire any commodity or article, or offer any service for reward unless he is authorised to do so in pursuance of an agreement with the Authority and the owner of the land.</p>	<p>17 Commercial activities</p> <p>No person shall offer for sale or hire any goods or services on the Access Land in exchange for payment or reward unless he is authorised to do so in pursuance of an agreement with the owner of the land and the Authority.</p>	<p>17 Commercial activities</p> <p>No person shall on the Access Land offer for sale or hire any goods or services in exchange for payment or reward unless they are authorised to do so in pursuance of an agreement with the owner of the land.</p>
	<p>18 Recreational Activities</p> <p>No person shall on the Access Land participate or engage in any activity which comprises over 50 people on foot, or 30 horses or cyclists, unless he is authorised to do so in pursuance of an agreement with the owner of the land and the Authority.</p>	<p>Amendment Removed</p>
<p>17 Aircraft</p> <p>No person shall take off from or land upon the access land in an aircraft, helicopter, hang-glider or hot-air balloon (except in an emergency) unless he is authorised to do so by the Authority.</p>	<p>19 Aircraft</p> <p>No person shall take off from or land upon the Access Land in an aircraft, helicopter, hang-glider, paraglider, hot-air balloon or any other craft designed for manned flight (except in an emergency) unless he is authorised to do so by the owner of the land and the Authority.</p>	<p>18 Aircraft</p> <p>No person shall take off from or land on Access Land in an aircraft, helicopter, hang-glider, paraglider, hot-air balloon or any other craft designed for manned flight (except in an emergency) unless they are authorised to do so in writing by the owner of the land.</p>
<p>18 Kites and Model Aircraft</p> <p>No person shall fly a kite or model glider from the access land in such a manner as to give reasonable cause for annoyance to any other person or in such a manner as is likely to startle or disturb stock on the land.</p> <p>No person shall release any power-driven model aircraft for flight or control the flight of such an aircraft on or over the access land unless he is authorised to do so by the Authority.</p> <p>For the purpose of this byelaw “model aircraft” means an aircraft which either weighs not more than 5 kilograms without its fuel or is</p>	<p>20 Kites, model aircraft and drones</p> <p>(i) No person shall fly a kite from or over the Access Land in such a manner as to give reasonable cause for annoyance to any other person or in such a manner as is likely to startle or disturb stock or wildlife on the land.</p> <p>(ii) No person shall launch any model aircraft or drone from the Access Land unless authorised to do so by the owner of the land and the Authority.</p> <p>(iii) No person shall operate any model aircraft or drone over the</p>	<p>19 Kites, model aircraft and drones</p> <p>(i) No person shall fly a kite from or over the Access Land in such a manner as to give reasonable cause for annoyance to any other person or in such a manner that may or does startle or disturb stock or wildlife.</p> <p>(ii) No person shall operate a powered model aircraft or drone on or over Access Land unless they are authorised to do so in writing by the owner of the land, and no model aircraft or drone shall be operated in such a manner that may or does startle or disturb stock or wildlife or which gives reasonable cause for annoyance to any</p>

<p>for the time being exempted (as a model aircraft) from provisions of the Air Navigation Order and “power driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances or by one or more electric motors.</p>	<p>Access Land at a height or location that may disturb stock or wildlife or cause a nuisance to another person.</p>	<p>person.</p>
<p>19 Entertainments</p> <p>No person shall hold any show, concert, exhibition or other entertainment on the access land. Provided that this byelaw shall not apply to any show, concert, exhibition or other entertainment authorised by the Authority.</p>	<p>21 Entertainments</p> <p>No person shall hold any rave, show, concert, exhibition or other entertainment on the Access Land unless authorised in writing by the owner of the land and the Authority.</p>	<p>20 Entertainments</p> <p>No person shall hold any unlicensed music event, show, concert, exhibition or other entertainment on the Access Land unless they are authorised to do so in writing by the owner of the land.</p>
<p>20 Music and Radios</p> <p>No person shall play or operate or knowingly cause or permit to be played or operated any musical instrument, radio, television set, record or cassette player, amplifier or similar appliance in such a manner as to give reasonable cause for annoyance to another person on the access land.</p>	<p>22 Music and radios</p> <p>No person shall play or operate or knowingly cause or permit to be played or operated any musical instrument, radio, television set, record, CD, DVD player, amplifier or smart speaker using an internet or mobile connection, or similar appliance in such a manner as to give reasonable cause for annoyance to another person on the Access Land.</p>	<p>21 Music and audio devices</p> <p>No person shall play or operate or knowingly cause or permit to be played or operated, any instrument or device, whether mechanical, electrical, or any other method of operation, which emits noise in such a manner as to give reasonable cause for annoyance to another person on the Access Land.</p>
<p>21 Rangers</p> <p>(1) No person shall on the access land:</p> <p>(a) intentionally obstruct any Ranger or other officer of the Authority in the proper execution of his duties;</p> <p>(b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Authority;</p> <p>(c) intentionally obstruct any other person in the proper use of the access land, or behave so as to give reasonable grounds for annoyance to other persons on the access land.</p> <p>(2) An act necessary to the proper execution of his duty on the access land by a Ranger or other officer of the Authority, or any act which is necessary to the proper execution of any contract with the Authority, shall not be an offence under these byelaws.</p>	<p>23 Rangers</p> <p>No person shall on the Access Land:</p> <p>(i) intentionally obstruct any Ranger or other officer of the Authority in the proper execution of their duties;</p> <p>(ii) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Authority;</p> <p>(iii) intentionally obstruct any other person in the proper use of the Access Land, or behave so as to give reasonable grounds for annoyance to other persons on the access land; or</p> <p>(iv) fail to follow an instruction by a Ranger or officer of the Authority acting within their authority.</p>	<p>22 Rangers</p> <p>No person shall on the Access Land:</p> <p>(i) intentionally obstruct any Ranger or other officer of the Authority in the proper execution of their duties;</p> <p>(ii) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Authority;</p> <p>(iii) intentionally obstruct any other person in the proper use of the Access Land, or behave so as to give reasonable grounds for annoyance to other persons on the access land; or</p> <p>(iv) fail to follow an instruction by a Ranger or officer of the Authority acting within their authority.</p>

<p>22 Penalty</p> <p>Every person who shall offend against the foregoing byelaws shall be liable on summary conviction to a fine not exceeding LEVEL 2 ON THE STANDARD SCALE</p>	<p>24 Penalty</p> <p>Any person who offends against any of these Byelaws shall be liable on summary conviction to a fine on level 2 on the Standard Scale and in the case of a continuing offence to a further fine for each day during which the offence continues after the said conviction.</p>	<p>23 Penalty</p> <p>Any person who offends against any of these Byelaws shall be liable on summary conviction to a fine on level 2 on the Standard Scale.</p>
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Proposed Byelaws 2023

1 Interpretation

In the construction of these byelaws “the Authority” means Dartmoor National Park Authority and “Access Land” shall be land:

defined as “the commons” in Section 2 of the Dartmoor Commons Act 1985;

defined as “access land” in Section 1 of the Countryside and Rights of Way Act 2000 being land identified as open country on a map in conclusive form issued by Natural England under Part 1 of the Act;

land within the Dartmoor National Park belonging to the National Park Authority or to which the public are given access under an agreement or order made under Part V of the National Parks and Access to the Countryside Act 1949.

2 Extent of Byelaws

Nothing in these byelaws shall apply to:

- (i) any act done in pursuance of the exercise of any right of common
- (ii) the owner of any part of the Access Land or persons authorised by them in writing.

3 Revocation

All byelaws, save for Number Six (Camping), made by Devon County Council (acting as Park Authority for Dartmoor National Park) on 17 April 1989 and confirmed by the Home Secretary relating to the Access Land are hereby revoked.

4 Vehicles

No person shall without reasonable excuse drive or ride any mechanically propelled vehicle or bicycle (whether or not electrically powered or assisted) on any Access Land other than on a highway where there is a right of way for that class of vehicle.

If the Authority has set apart a space on the Access Land 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 direct route between it and the highway.

This byelaw shall not extend to mobility scooters or powered wheelchairs (together known legally as 'invalid carriages'). "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.

5 Parking

- (i) Motor vehicles must not be parked on a verge in places where the Authority has erected a sign that states parking on the verge is prohibited.
- (ii) No person shall without reasonable excuse park or cause to remain on any Access Land a caravan or trailer (whether or not attached to a towing vehicle), except on any land which is set apart and indicated by notice as a place where the parking of caravans or trailers is permitted
- (iii) Between the hours of 11pm and 6am no person shall sleep in any mechanically propelled vehicle, caravan, or trailer on Access Land except on land where overnight camping is permitted by the Authority or by the owner of any land and the vehicle is parked with their permission.
- (iv) No person shall park any mechanically propelled vehicle on Access Land in such a manner as to obstruct agricultural vehicles or the movement of livestock, whether by blocking (in whole or part) a gateway or a cattlegrid side gate entrance or otherwise.

6 Repairs of Vehicles

No person shall clean, paint or carry out repairs on any vehicle parked on Access Land except in the event of an accident, breakdown or other emergency.

7 Camping

No person shall knowingly use any vehicle, including a caravan or any structure other than a tent for the purpose of camping on the Access Land or land set out for the use or parking of vehicles except on any area which may be set apart and indicated by notice as a place where such camping is permitted.

No person shall knowingly erect a tent on the Access Land for the purpose of camping:

- (a) in any area listed in Schedule 2 to these byelaws;
- (b) within 100 metres of any public road or in any enclosure.

No person shall camp in a tent on the same site on the Access Land for more than two consecutive nights, except on any area which may be set apart and indicated by notice as a place where such camping is permitted.

8 Water

No person shall knowingly cause or permit the flow of any watercourse, leat or drain on the Access Land to be obstructed or diverted or interfere with any sluice gate or similar apparatus on Access land.

9 Fires

No person shall light or tend an open fire on the Access Land, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire.

No person shall use a camping stove or other cooking device in such a manner as to cause a fire or the danger of fire.

No person shall use a barbecue of any kind on Access Land.

No person shall gather fuel for a fire from the Access Land.

No person shall launch Chinese Lanterns, fireworks, or flares from Access Land.

10 Dogs

(i) No person in charge of a dog shall permit it to attack or worry any stock or wildlife or cause any nuisance or reasonable grounds for annoyance to any person on the Access Land.

(ii) No person in charge of a dog shall cause or allow it to be exercised on Access Land other than under effective control and, if directed to do so by a Ranger, must keep the dog on a lead.

(iii) Between 1 March and 31 July each year any dog that is brought onto Access Land shall be kept under effective control and on a lead

(iv) No person shall bring more than 6 dogs on to the Access Land at any time.

“Dog” shall exclude police dogs, search and rescue dogs, guide or assistance dogs and any dog that is working on Access Land with the consent of the landowner.

11 Feeding of Animals

No person other than the owner of any animal or the owner’s authorised agent shall feed or permit to be fed any animal lawfully grazing on Access Land.

12 Racehorses

No person shall ride, train or exercise racehorses on an area of Access Land where the Authority has given a direction to the owner, trainer or rider of those racehorses that that area is not to be used for that purpose.

13 Protection of Wildlife

No person shall without lawful excuse or authority on Access Land:

(i) intentionally or recklessly take, kill, injure or disturb any wild animal, bird or fish; intentionally or recklessly take, damage or destroy any eggs or nests.

(ii) engage in hunting, shooting, fishing, trapping, snaring, taking or destroying of animals, birds or fish or have with them any engine, instrument or apparatus used for hunting, shooting, fishing, trapping, snaring, taking or destroying animals, birds or fish.

14 Firearms and projectiles

No person shall:

(i) discharge on Access Land without lawful authority any firearm, air weapon, crossbow: or

(ii) release any projectile or throw any missile on Access Land to the danger of any other person or so as to give reasonable grounds for annoyance; or

(iii) play golf on Access Land

15 Damage to land

No person shall without reasonable excuse or lawful authority:

(i) break or damage any wall or fence on or enclosing Access Land;

(ii) remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of Access Land; or

(iii) remove from, displace or damage on Access Land any vegetation, wood, soil, peat, dung or stones.

16 Metal detectors

No person shall use any device designed or adapted for detecting or locating any metal or mineral in the ground on Access Land unless they are authorised to do so in writing by the Authority

17 Commercial activities

No person shall on the Access Land offer for sale or hire any goods or services in exchange for payment or reward unless they are authorised to do so in pursuance of an agreement with the owner of the land.

18 Aircraft

No person shall take off from or land on Access Land in an aircraft, helicopter, hang-glider, paraglider, hot-air balloon or any other craft designed for manned flight (except in an emergency) unless they are authorised to do so in writing by the owner of the land.

19 Kites, model aircraft and drones

(i) No person shall fly a kite from or over the Access Land in such a manner as to give reasonable cause for annoyance to any other person or in such a manner that may or does startle or disturb stock or wildlife.

(ii) No person shall operate a powered model aircraft or drone on or over Access Land unless they are authorised to do so in writing by the owner of the land, and no model aircraft or drone shall be operated in such a manner that may or does startle or disturb stock or wildlife or which gives reasonable cause for annoyance to any person.

20 Entertainments

No person shall hold any unlicensed music event, show, concert, exhibition or other entertainment on the Access Land unless they are authorised to do so in writing by the owner of the land.

21 Music and audio devices

No person shall play or operate or knowingly cause or permit to be played or operated, any instrument or device, whether mechanical, electrical, or any other method of operation, which emits noise in such a manner as to give reasonable cause for annoyance to another person on the Access Land.

22 Rangers

No person shall on the Access Land:

- (i) intentionally obstruct any Ranger or other officer of the Authority in the proper execution of their duties;
- (ii) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Authority;
- (iii) intentionally obstruct any other person in the proper use of the Access Land, or behave so as to give reasonable grounds for annoyance to other persons on the access land; or
- (iv) fail to follow an instruction by a Ranger or officer of the Authority acting within their authority.

23 Penalty

Any person who offends against any of these Byelaws shall be liable on summary conviction to a fine on level 2 on the Standard Scale.