

DRAFT MODEL SSSI BYELAWS FOR CONSULTATION

Note: footnotes and brackets [] and { } are drafting aides and should be removed from the final version.



Byelaws for the Protection of [name] Site of Special Scientific Interest

WHEREAS Natural England in exercise of the powers conferred upon it by section 28R of the Wildlife and Countryside Act 1981, sections 20 and 106 of the National Parks and Access to the Countryside Act and section 236 of the Local Government Act 1972 hereby make the following byelaws for the protection of the Site of Special Scientific Interest known as [name] in the Parish[es] or community Parish[es] of [name] in the County of [name].

1. In these byelaws

1.1. "The Site" shall mean the pieces or parcels of land containing [] hectares or thereabouts and notified to the Secretary of State as being of special scientific interest pursuant to section 28 (1) of the Wildlife and Countryside Act 1981 on [date] and confirmed on [date]

and the Site is for the purposes of identification shown as nearly as may be on the map annexed to these byelaws and edged in red. *[Further text will be needed if the byelaws apply to part-only of the site or to adjoining areas]*

1.2. "Firearm" shall have the same meaning as in section 57 of the Firearms Act 1968.

1.3. "Animal" shall mean any mammal, bird, reptile, amphibian, fish or invertebrate.

1.4. "Plant" shall mean any tree, shrub, grass, fern, herb, moss, liverwort, hornwort, lichen, fungus or algae, or part thereof

1.5. "Dog" shall exclude police dogs, registered guide or assistance dogs and any dog that is working on the land with the consent of the person in control of the land

1.6. "Features of special scientific interest" shall mean the flora, fauna, or geological or physiographical features by reason of which the site is of special scientific interest

[Delete 1.2 – 1.6 above if not applicable to selected byelaws]

2. Within the Site the following acts are hereby **prohibited** except insofar as they;

(a) may be authorised by a permit issued by Natural England in accordance with Byelaw 4,

(b) may be authorised by effect of Byelaw 5, or,

(c) are necessary to the proper execution of his duty by an officer of Natural England or by any

person, or servant of any person, employed or authorised by Natural England.

[Select the appropriate byelaw(s) from Models 2.1 – 2.47 below to address the underlying problem/threats to the site(s) – delete all those not applicable]

Restriction of Access

- 2.1. Entering at any time those parts of the Site hatched [*colour*] on the attached map; or where notice to keep out has been posted by order of Natural England.
- 2.2. Entering any part of the Site during the period beginning on the [] day of [] and ending on the [] day of [] in any year.¹

Damage to or disturbance of things in the Site

- 2.3. Spreading or using any net, or setting or using any lamp or other instrument, or any snare, rod, hook or lure, for the capture, taking, injury or destruction of any living Animal or feature of special scientific interest [**specify features**]
- 2.4. Taking, molesting or intentionally disturbing, injuring or killing any living Animal or feature of special scientific interest [**specify features**].
- 2.5. Taking or intentionally disturbing or destroying the eggs, larvae, pupae or other immature stages, or the place used for shelter, reproduction or protection of any living Animal or feature of special scientific interest [**specify features**]
- 2.6. Intentionally removing or displacing any Plant, turf, water or mineral including peat, shingle, hard rock, sand and gravel, topsoil, subsoil, chalk, lime, limestone pavement, geological specimens or fossils, shells and spoil (**specify where possible**)
- 2.7. Climbing or ascending any tree or climbing or placing a ladder or steps against any tree.
- 2.8. Digging for, or taking of, lugworm, ragworm or any other form of fishing bait [from within those parts of the Site hatched in [*colour*] on the attached map].

Bringing animals into the Site

- 2.9. Intentionally bringing, or permitting to be brought, into the Site any living Animal, or the egg of any living Animal, or any Plant, or any seed or other part of any Plant, in such circumstances that it is likely that such Animal or Plant will reproduce or propagate itself, or such egg will hatch, or such seed will germinate.
- 2.10. Bringing into, or permitting to remain within, the Site any Dog.²
- 2.11. Permitting any Dog to disturb or worry any Animal.³

¹NOTE TO STAFF It is also possible to insert a byelaw allowing access only at certain times of day or states of the tide.

² NOTE TO STAFF If a Dog Control Order (now Public Space Protection Order) has not been made, this byelaw may be selected. Byelaws may also exclude dogs from the site, or part of it.

- 2.12. Allowing any Dog under your control to leave the width of any public right of ways within the Site⁴.
- 2.13. Failing to remove from the Site faeces deposited by any Dog under your control.⁵
- 2.14. Failing to keep a Dog either on a short lead (of no more than 2 metres in length) or under close control⁶, or failing to put and then keep any Dog either on a short lead (of no more than 2 metres in length) or under close control when directed to do so by either a notice exhibited by order of Natural England or a person duly authorized by Natural England
- 2.15. Entering the Site with any horse or pony, or riding any horse or pony within the Site
- 2.16. Bringing into, or permitting to remain within, the Site any animal (other than a dog) unless that animal is kept under proper control and is prevented from worrying or disturbing any other animal.
- 2.17. Turning out any animal to feed or graze, and providing any animal with any supplementary feed.

Areas of water

- 2.18. Committing any act which pollutes or is likely to cause pollution of any water.
- 2.19. Bathing, paddling or wading in any water.
- 2.20. Angling.
- 2.21. Water skiing, power-boating, jet-skiing or use of any motorized water-based craft.
- 2.22. Sailing model boats.
- 2.23. Propelling (by any means whatever) any boat or other water-based craft on an area or stretch of water other than a public waterway.
- 2.24. Mooring or leaving or launching any boat, including those with a residential use, or other water-based craft (elsewhere than on a launching or mooring site), and the upgrading, maintenance or repair of such boats or craft whilst within a mooring.
- 2.25. Obstructing any flow of any drain or watercourse, artificial or natural.

³ NOTE TO STAFF If a Dog Control Order [now Public Space Protection Order] has been made by a local authority this should be the only dog-related byelaw necessary.

⁴ NOTE TO STAFF Byelaws may not require dogs to be on leads whilst on public rights of way, but may restrict dogs to those rights of way.

⁵ NOTE TO STAFF If a Dog Control Order [now Public Space Protection Order] has not been made, this byelaw may be selected.

⁶ 'Close control' means that the dog(s) is kept close at heel and is able to quickly respond to commands

Use of vehicles

- 2.26. Driving, riding, propelling or leaving any mechanically propelled vehicle or any other motorized, land-based craft (including hovercraft) elsewhere than on a highway or on a road.
- 2.27. Landing any aircraft (except in case of emergency).
- 2.28. Launching, operating or landing (except in case of emergency) any hang glider, micro-light aircraft, hot-air balloon, paraglider, model aircraft, sky lantern, unmanned aerial vehicle ('drone') or similar airborne contrivance at a height or location that may disturb the features of special scientific interest [**specify features**] .
- 2.29. Launching or operating any sail or wind-powered land-based craft (including kite-buggies, kite-surfboards, land yachts or similar)

Use of certain equipment

- 2.30. Using any camera in circumstances that may disturb the features of special scientific interest [**specify features**] or the places used for shelter, reproduction or protection by the features of special scientific interest [**specify features**]
- 2.31. Using any apparatus for the transmission, reception, reproduction, or amplification of any sound, speech or images by electrical or mechanical means, except apparatus designed and used as an aid to defective hearing and apparatus used in a vehicle so as not to produce sound audible by a person outside the vehicle.
- 2.32. Using any device designed or adapted for detecting or locating any metal or mineral in the Site.

Use of Firearms, etc.

- 2.33. Being in possession of a firearm (with ammunition suitable for use in that firearm) otherwise than on a public paved road, or discharging a firearm or lighting a firework.
- 2.34. Projecting any missile manually or by artificial means.

General Prohibitions

- 2.35. Erecting, occupying or using any tent, shed, caravan or other structure for the purpose of camping elsewhere than in an area indicated by a notice as being available for camping.
- 2.36. Flying any kite.
- 2.37. Erecting any post, rail, fence, pole, booth, stand, building or other structure.
- 2.38. Neglecting to shut any gate or to fasten it if any means of doing so are provided.
- 2.39. Posting or placing any notice or advertisement.

- 2.40. Selling or offering or exposing for sale, or letting for hire or offering or exposing for letting for hire, any commodity or article, or selling or offering for sale any service.
- 2.41. Engaging in any event or activity which is causing or likely to cause damage or disturbance to the features of special scientific interest [**specify**].
- 2.42. Holding any show, event, performance, public meeting, exhibition or sports or the playing of any organized games.
- 2.43. Cycling, roller or ice skating, skiing, tobogganing, or skate boarding.
- 2.44. Lighting any fire, stove, barbecue, heater or other appliance capable of causing a fire, elsewhere than in an area indicated by a notice as being available for camping.
- 2.45. Letting fall or throwing any lighted match or lighted substance in a manner likely to cause a fire.
- 2.46. Intentionally or recklessly removing or displacing any notice board, notice exhibited by order of Natural England, apparatus, wall, boundary bank, fence, barrier, railing, post or hide.
- 2.47. Intentionally leaving items in a place other than a receptacle for the deposit of litter or refuse.

3. Interference with duly authorized officer

Intentionally obstructing any officer of Natural England or any person, or the servant of a person, employed or authorised by Natural England in the execution of any works including research or scientific work connected with the laying out, maintenance or management of the Site.

4. Permits

Natural England may issue permits authorising any person to do any act or class of acts within the Site or any part thereof which would otherwise be unlawful under these byelaws.

Any such permit shall be issued subject to the following conditions:

- (i) that it must be carried whenever a visit is made to the Site, and produced for inspection when required by a person duly authorised by Natural England in that behalf; and
- (ii) that it may be revoked by Natural England at any time.

To request a permit from Natural England contact [**insert details**].

5. Effect of Byelaws

These byelaws shall not operate so as to interfere with the exercise –

- a. By a person of –

- i. a right vested in him/her as owner, lessee or occupier of land in the Site,
 - ii. any easement or profit à prendre to which he is entitled,
 - iii. any public right of way.
- b. Of any functions of a local authority, statutory undertaker or drainage authority.
- c. By a constable or a member of the armed forces or of any fire brigade or ambulance service of the performance of his duty.
- d. By a person of –
 - i. a written consent given by Natural England in accordance with section 28E(3)(a) of the Wildlife and Countryside Act 1981 (as amended)
 - ii. a written agreement made with Natural England in accordance with section 16 of the National Parks and Access to the Countryside Act 1949, section 15 of the Countryside Act 1968 or section 7 of the Natural Environment and Rural Communities Act 2006
 - iii. a management scheme or a management notice served by Natural England in accordance with section 28J and section 28K of the Wildlife and Countryside Act 1981 Act (as amended)
 - iv. a written assent given by Natural England in accordance with section 28H(3)(b) of the Wildlife and Countryside Act 1981 (as amended)
 - v. a written permission given by Natural England or another section 28G authority⁷ in accordance with section 28I of the Wildlife and Countryside Act 1981 (as amended)

6. 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.

7. Annex(es)

Map(s) showing the areas of land covered by these byelaws.

⁷ As defined in [section 28G of the 1981 Wildlife and Countryside Act \(as amended\)](#).

Explanatory Note *(This note is not part of the Byelaw)*

Natural England has made this byelaw to protect **[name]** Site of Special Scientific Interest in accordance with its duty, under section 28G of the 1981 Wildlife and Countryside Act (as amended), to take reasonable steps, consistent with the proper exercise of its functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.

This Byelaw protects **[name of feature(s)]** by prohibiting the **[activities]** to take place on the SSSI [or specified areas within or adjoining the SSSI].

The specified areas of the SSSI are defined above.

The specified areas of the SSSI are identified on the maps below/attached.

If you have any queries with regard to these byelaws please contact **[insert Area Team contact details]**.

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