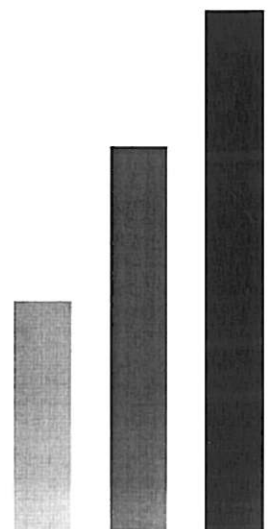


# Agenda 2014

# Environment & Regeneration Committee

For meeting on:

14	August	2014
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**A special meeting of the Environment & Regeneration Committee will be held on Thursday 14 August 2014 at 3pm within the Municipal Buildings, Greenock.**

GERARD MALONE  
Head of Legal & Property Services

## **BUSINESS**

1. **Apologies, Substitutions and Declarations of Interest**
2. **Proposed Parks Management Rules – Civic Government (Scotland) Act 1982**  
Report by Acting Corporate Director Environment, Regeneration & Resources

The documentation relative to the following item has been treated as exempt information in terms of the Local Government (Scotland) Act 1973 as amended, the nature of the exempt information being that set out in paragraph 6 of Part I of Schedule 7(A) of the Act.

3. **Appendix 5 relative to agenda item 2 providing full details of sustained objections**

Enquiries to - **Rona McGhee** - Tel 01475 712113



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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date:</b>	<b>14 August 2014</b>
<b>Report By:</b>	<b>Acting Corporate Director Environment, Regeneration and Resources</b>	<b>Report No:</b>	<b>LP/026/14</b>
<b>Contact Officer:</b>	<b>Jim Kerr</b>	<b>Contact No:</b>	<b>2618</b>
<b>Subject:</b>	<b>Proposed Parks Management Rules - Civic Government (Scotland) Act 1982</b>		

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## 1.0 PURPOSE

1.1 Further to the statutory consultation process undertaken in terms of the Civic Government (Scotland) Act 1982 (the Act) on proposed Parks Management Rules (the Proposed Parks Rules), the purpose of this report is to:

- request that the Committee adopt the rules of procedure (Rules of Procedure) for the purposes of the public hearing;
- advise the Committee in relation to the proposed Parks Management Rules of the discussions between Council Officers and those who have, as part of that consultation, objected to the Proposed Rules (the Objectors); and
- facilitate the effective, fair and proper hearing by the Committee of those Objectors who have not withdrawn their objections (the Remaining Objectors) in order that the Committee can consider those objections (the Remaining Objections) and come to a formal recommendation on adoption of the Proposed Parks Rules.

## 2.0 SUMMARY

2.1 The Council has power to make Parks Management Rules in terms of the Civic Government (Scotland) Act 1982, and at its meeting of 5 September 2013 approved draft Parks Management Rules for consultation in accordance with the provisions of the Act.

2.2 Officers have undertaken this consultation process, from which 39 objections have been received. Of these, 16 objections have been withdrawn following Officers **either** providing a satisfactory explanation of matters **or** recommending changes to the proposed Parks Management Rules.

2.3 It is necessary that those Objectors who have not withdrawn their objections be given an opportunity to be heard by the Committee before it reaches a decision on whether or not to recommend the Draft Parks Rules for formal approval by the Inverclyde Council. The Special Meeting has been convened to provide such an opportunity.

2.4 Because of the requirements of the statutory process and the formal nature of the hearing, it is vital that Objectors have a fair and impartial hearing and the Rules of Procedure provide for this.

## 3.0 RECOMMENDATIONS

It is recommended that the Committee:

- 3.1 Approve the Rules of Procedure as detailed in Appendix 1.
- 3.2 Consider the terms of Appendices 4 and 5 in relation to the Remaining Objections.
- 3.3 Note the terms of Appendix 3 which:
  - a) details the alterations to the Proposed Parks Rules (as originally published) which Officers have now recommended in light of objections made; and
  - b) summarises the objections made and subsequent correspondence with the particular Objectors which have resulted in objections being withdrawn.
- 3.4 Allow any Objectors who have not withdrawn their objections (the Remaining Objectors) an opportunity to be heard at the present meeting of the Committee in accordance with the Rules of Procedure.
- 3.5 Consider (and have regard to) the Remaining Objections and such oral representations on them made by Objectors and Officers as are made at the meeting, and thereafter **either**:
  - 3.5.1 dismiss all the Remaining Objections, approve the Proposed Parks Rules as detailed in Appendix 2 and refer them to the next meeting of the Inverclyde Council recommending that it approve formally the Proposed Parks Rules and authorise Officers to make formally rules in accordance with the statutory procedure;  
  
**or**
  - 3.5.2 uphold in whole or in part the Remaining Objections, and approve the Proposed Parks Rules as detailed in Appendix 2 **subject to** such minor amendments as they require to deal with part or parts of the Remaining Objections so upheld, and refer them as so amended to the next full meeting of the Inverclyde Council recommending that it approve formally the Proposed Parks Rules (as so amended) and authorise Officers to make formally rules in accordance with the statutory procedure;  
  
**or**
  - 3.5.3 uphold in whole or in part the Remaining Objections and remit to Officers to further amend the terms of Proposed Parks Rules to deal with the part or parts of the Remaining Objections so upheld in accordance with the decision of the members, and to report to a future meeting of the Committee with the Proposed Parks Rules as further amended for approval

all in accordance with the Rules of Procedure.

**Gerard Malone**  
**Head of Legal and Property Services**

## **4.0 BACKGROUND**

- 4.1 Under Section 112 of the Act a Local Authority may make management rules in respect of any land or premises owned, occupied or managed by the Authority and to which the public have access in order to regulate:
- the use of such land or premises, and
  - the conduct of persons while on or in such land or premises.
- 4.2 At its meeting of 5 September 2013 the Committee approved draft Parks Management Rules for the purposes of giving notice of the Council's intention to make management rules, to advertise them to the public and to invite the written objections, all in accordance with the requirements of the 1982 Act.
- 4.3 Officers proceeded with such a consultation process in accordance with the Act. At its meeting of 17 June 2014 the Committee was updated as to the consultation process, and it authorised Officers to make arrangements for the holding of a public hearing in the form of this special meeting.
- 4.4 Officers have continued to engage with the Objectors since that date both in discussion on the Proposed Parks Rules themselves, and to advise them of the details and proposed procedure of this meeting.
- 4.5 Following discussions with Officers, and in light of changes to the Proposed Parks Rules that Officers have recommended, of the 39 objections received, 16 have been withdrawn.
- 4.6 Appendix 4 summaries the the Remaining Objections and subsequent correspondence with officers. Appendix 5 provides the full text of both the Remaining Objections and the correspondence with Officers.
- 4.7 Appendix 3 details the alterations to the Proposed Parks Rules as originally published that Officers have now recommended in light of objections made and subsequent discussions with Objectors. Appendix 3 also contains a table which summarises the objections made but now withdrawn, together with a summary of the correspondence between the Objectors and Officers.
- 4.8 Before making management rules, the Council is in terms of the Act required take into consideration any objections timeously received by them and give any objector an opportunity to be heard by them. This special meeting is therefore necessary to permit the Remaining Objectors to be heard by Elected Members in terms of the recommendations above.
- 4.9 As the hearing of objections is a statutory entitlement to objectors the Committee will be discharging legal responsibilities at this special meeting effectively as if it were a formal tribunal or Board with the obligations which are already familiar to Members as regards hearings and continuity of attendance.
- 4.10 Officers have amended the terms "Corporate Director" and "Officer" in the definitions section of the Proposed Parks Rules to take account of current proposals to transfer the day to day operation and management of some of the parks to the Inverclyde Leisure Trust and to ensure the proper function and enforceability of the Proposed Parks Rules following such a transfer.

## **5.0 PROPOSALS**

- 5.1 In terms of Paragraph 4.7 above, having regard to objections received, Officers proposed certain changes to the Proposed Parks Rules. The form of the Proposed Parks Rules Officers are therefore recommending for approval are included in at Appendix 2 of this report.

- 5.2 In terms of Paragraph 4.9, this special meeting will proceed effectively as if a formal tribunal or Board. In the interests of fairness, openness and transparency it is therefore necessary that the basis on which the hearing element of the meeting will proceed be formalised. Officers have therefore prepared draft Rules of Procedure for this meeting per Appendix 1. These have been circulated to the Remaining Objectors prior to this meeting and are recommended for approval by the Committee.
- 5.3 Because of the formality of the hearing process and the statutory process for making Management Rules, only certain decisions of the Committee on this matter are competent. Further, it is vital that Objectors have a fair and impartial hearing and the Rules of Procedure provide for this. The decisions the Committee can competently make are: to dismiss all objections; to uphold all objections; or to uphold some objections and dismiss the others. If objections are upheld, it will be necessary for officers to report back to the Committee at a future date with detailed wording. These eventualities are addressed in the possible Committee outcomes specified in Paragraph 3.5.

## 6.0 IMPLICATIONS

### Finance

#### 6.1 Financial Implications:

##### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

##### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if Applicable)	Other Comments
N/A					

### Legal

- 6.2 As a local authority, the Inverclyde Council has power in terms Section 112 of the Civic Government (Scotland) Act 1982 to make management rules regulating the use of and conduct of persons while on or in any land or premises owned, occupied, managed or controlled by the Council to which the public have access. In accordance with the statutory procedure draft Parks Management Rules have been publicised and objections received. Before making the management rules, the Council must take into consideration any objections timeously received and give any objector who maintains their objection an opportunity to be heard by them.

### Human Resources

- 6.3 There are no human resources implications associated with the making of these management rules.

### Equalities

- 6.4 Access to parks is an equality issue and these management rules will help to regulate the use of parks and encourage access for all who wish to use parks as a shared environment. The

proposed rules have been drafted with due consideration to the Scottish Outdoor Access Code.

### **Repopulation**

- 6.5 The Council's aims stated in the Corporate Statement 2013-17 are assisted by the recommendations in this report, in that there will be access to leisure opportunities for all life stages and that abundant protected green/open spaces are accessible to all.

## **7.0 CONSULTATIONS**

- 7.1 The Head of Environmental and Commercial Services has been consulted on the terms of this report.
- 7.2 The Head of Safer and Inclusive Communities has been consulted on the terms of this report.

## **8.0 BACKGROUND PAPERS**

- 8.1 None.

## **Appendix 1 – Rules of Procedure**

### **INVERCLYDE COUNCIL**

#### **ENVIRONMENT & REGENERATION COMMITTEE**

##### **PROCEDURE AT PUBLIC HEARING INTO OBJECTIONS IN RELATION TO PARKS MANAGEMENT RULES**

At the hearing, the order of the proceedings will be as follows:

- a) The Chair will conduct the hearing. Immediately after opening it, he will introduce the members of the Committee and the officer(s) present and identify and list those persons who wish to be heard during the hearing. It is therefore vital that any person who wishes to participate attends the opening.
- b) The Chair will outline the procedure, explaining that the hearing will take the form of a discussion which he will lead based on the agenda issued to those objectors who have indicated to the Council that they wish to attend and be heard at the hearing.
- c) The arrangements for the hearing have been designed to create the right atmosphere for discussion, to eliminate or reduce formalities and to give everybody a fair hearing.
- d) As each objection listed on the agenda is reached, the Chair will identify those persons who wish to engage in the discussion of the particular issue(s) raised by the objection. Several objectors with shared concerns may choose a spokesperson and this will be helpful to the process; in the event that a number of objectors decide to act together in this way, the Chair will allow a reasonable extension of the time limits set out below.
- e) The Chair will ask the objector whether or not he/she is content with the synopsis of the objection in a typed-up summary sheet of the objections and responses, which will be made available. If the objector disagrees with the summary he/she will be invited to clarify the grounds of objection. This allows the objector to ensure that the members of the Committee have a good understanding of the objection. It also avoids any need for the objector to repeat his/her arguments during the discussion.
- f) The Council officer(s) will be invited to describe and present the case for the management rules in respect of which the objection has been made, to set the scene for the discussion, with a time limit of 5 minutes per objection.
- g) Each objector will be invited to speak to his objection and comment on the description/presentation by the Council officer(s), with a time limit of 5 minutes. Repetition of similar points is to be avoided and will be managed by the Chair.



h) The Council officer(s) will be invited to reply to the speech of the objector (introducing no new material), restricted to a time limit of 5 minutes. The Chair will allow the objector the final word (introducing no new material), if he/she wishes it, restricted to a time limit of 5 minutes. The Chair will discourage repetitive or superfluous comments. He will indicate when he considers that sufficient clarification of a topic has been achieved, and the discussion will then move on to the next item on the agenda. At no time will cross examination be permitted.

i) The members of the Committee will then be invited by the Chair to ask questions of both the Council officer(s) and the objector. The role of the members of the Committee is only to hear, consider and make a decision on the evidence given by Council officer(s) and objectors.

j) The members of the Committee will then adjourn to consider their decision. The decision of the Committee will be intimated to the Council officer(s) and the objectors orally. Any votes will be held in public. It is anticipated that the decision of the members of the Committee will be intimated on the day of the public hearing but, if that is not possible for any reason, the public hearing will be re-convened. If the decision of the members of the Committee is to uphold an objection in whole or in part, the matter may be remitted to Council officer(s) to further revise the draft Parks Management Rules to deal with the objection in accordance with the decision of the members and report to a future meeting of the Environment & Regeneration Committee

# **Appendix 2 - Proposed Parks Management Rules**

(As amended following consultation with Objectors)

## **Civic Government (Scotland) Act 1982: Management Rules Public Parks**

These rules (known as Management Rules) have been made by Inverclyde Council and are to control the way people use Public Parks and the behaviour of people while in Public Parks, with a view to ensuring that our Public Parks are able to be enjoyed peaceably by the citizens of Inverclyde and visitors to the area.

The Management Rules **only apply to Public Parks** which are:-

- a) **owned** or **managed** by the Council (or managed on behalf of the Council); and
- b) to which the **public have access** (regardless of whether any fee or other charge is made on entry).

These rules do **not** apply to any Public Parks which have their own specific Management Rules, nor to Country Parks, or informal open spaces.

These rules are made by Inverclyde Council in exercise of the powers conferred on it by Section 112 of the Civic Government (Scotland) Act 1982.

### **The Rules**

#### **1. Meanings of words and phrases**

In these Rules certain words and phrases are used and they have the following meanings:

**"the Act"** means the Civic Government (Scotland) Act 1982 (as amended);

**"the Code"** means the Scottish Outdoor Access Code published under the Land Reform Act and any guidance or regulations extending or amending the same, including any Supplementary Guidance endorsed by the National Access Forum;

**"Corporate Director"** means the relevant Corporate Director of the Council responsible for the enforcement of these Rules, or any person whom he has authorised from time to time to determine applications for consent, authorisation or exemption in terms of these Rules;

**"the Council"** means Inverclyde Council, constituted under the Local Government (Scotland) Act 1994;

**"the Land Reform Act"** means the Land Reform (Scotland) Act 2003 and any Acts or regulations extending or amending the same, and any related guidance;

**"Officer"** means any Officer of the Council employed in connection with the management or operation of any Public Park or any person authorised by the Council to deal with the management or operation of any Public Park ;

**"Public Park"** means those parks owned, leased or managed by or on behalf of the Council specified in the Schedule annexed to the Rules, or any part thereof and includes any buildings in the Public Park;

**"Sign"** means any sign or notice or notice board or plate, and includes, where the context so requires, any pole, mounting or other means of affixing the sign in place; and

**"Vehicles"** means any vehicle regardless of whether it has its own engine or is manually propelled and includes any trailers or caravans attached to or pulled by a vehicle or animal.

#### **2. Consequences of Breaking the Rules**

2.1 The Land Reform Act gives the public the right of responsible access to Public Parks and people should comply with their responsibilities under the Land Reform Act and the Code.

The Council reserves the right to refuse admission to any person, group, body or organisation to any Public Park and its decision to do so shall be final.

2.2 Any person who has broken or is about to break any of these Rules may be expelled from the Public Park.

- 2.3 Any person who is about to break one or more of these Rules may be refused entry to a Public Park.
- 2.4 If the Council believes that a person who has persistently broken or attempted to break these Rules is likely to do so again, they may make an Exclusion Order in terms of Section 117 of the Act forbidding that person from entering any Public Park mentioned in the Order. The person may be excluded for up to one year.
- 2.5 Any person who:-
- a) refuses to leave when requested to do so by an Officer;
  - b) enters or attempts to enter a Public Park despite being informed by an Officer that he/she is being refused entry; or
  - c) enters or attempts to enter a Public Park when not allowed to do so because of an Exclusion Order
- is **guilty** of a criminal offence and may be liable to a **fine**. Currently, the maximum fine which may be imposed is £200. This maximum level may be increased by Parliament.

### **3. Access to Public Parks**

- 3.1 The Council may temporarily close a Public Park for such time as is considered necessary. The Council, in doing so, will post notices at the entrance to the Park specifying the times of closure.
- 3.2 No person may enter a Public Park that is closed. Any person who is within a Public Park after it has been closed:-
- a) either at the end of any opening hours fixed by the Council; or
  - b) temporarily within those hours
- must leave the Public Park when requested to do so.
- 3.3 Under Section 11 of the Land Reform Act, the Council may, by Order, for a particular purpose specified in the Order, exempt any Public Park from the access rights which would otherwise be exercisable during such times as may be specified by the Order. Such exemptions may be made to allow a charge to be levied for admission to a particular event, in the interests of safety and security, or for ensuring the protection of privacy.

### **4. General Behaviour**

The Code gives a general overview of activities which are prohibited by statute and by common law. In addition to those prohibited activities and restrictions:-

#### **Annoyance to Other People**

- 4.1 Nobody is to do any of the following:
- fight or cause a disturbance or use violent, abusive or obscene language whilst in a Public Park;
  - cause a Breach of the Peace;
  - bring any weapons of any sort into a Public Park;
  - act in any way that risks causing harm, annoyance or concern to any other person using the Public Park; and
  - act in a way that hinders or obstructs an Officer in the performance of his/her duties.

#### **Damaging Council Property**

- 4.3 Nobody is to damage in any way any Public Park or its contents. This includes damaging, defacing or removing any of the following:-
- any part of any building;
  - any fences, gates, walls, fire barriers or railings;
  - fountains;

- statues or monuments;
- seats;
- notice boards, signs or plates including any poles;
- trees, shrubs and plants, including grassed areas;
- play equipment or other apparatus;
- any paths, steps, access controls or access information; and
- dog waste bins or litter bins.

#### **Putting Up Signs and Notices**

- 4.4 Nobody is to put up any sign in any Public Park without first obtaining the written consent of the Corporate Director.

#### **Protection of Animals, Birds and their Habitats and Nests**

- 4.5.1 Nobody is to move, disturb or destroy any wild birds' nests or eggs or harm, remove or kill any wild bird or animal unless allowed to do so in terms of the Wildlife and Countryside Act 1981, as amended. Prior to doing so, the person must obtain a special licence in terms of the 1981 Act, any other statutory consent required, and the written consent in writing of the Corporate Director.
- 4.5.2 Nobody is to set or use any snare or other means for taking, harming or killing any wild bird or animal unless allowed to do so in terms of the Wildlife and Countryside Act 1981, as amended. Prior to doing so, the person must obtain a special licence in terms of the 1981 Act, any other statutory consent required, and the written consent in writing of the Corporate Director.

#### **Litter**

- 4.6 Nobody is to drop litter of any sort in a Public Park other than in a bin provided.

#### **Selling Goods**

- 4.7 Nobody is to offer to, or to sell, or let or hire any goods or provide any services in a Public Park without prior written consent of the Corporate Director.

#### **Music and Noise**

- 4.8 Nobody is to do any of the following in a manner which causes annoyance or disturbance to other users of the Public Park:-
- play any musical instrument;
  - sing;
  - perform;
  - use any amplifier, megaphone or similar apparatus;
  - use any other device which plays music or makes a noise.

#### **Alcohol and Drugs**

- 4.9 Nobody is allowed to drink alcoholic liquor (except as follows and except in premises, or in an area in a park, licensed for the sale of alcoholic liquor) or to take drugs in a Public Park.

#### **Fires etc**

- 4.10.1 Without the prior written consent of the Corporate Director, nobody is to:
- fire any firearm, airgun or other weapon;
  - light any fireworks or fires (including bonfires) or release Chinese Lanterns;
  - light any gas cookers or stoves;
  - hold a barbecue (except in any barbecue sites provided by the Council).
- 4.10.2 The Corporate Director may exempt appropriate official organisations from this Rule.
- 4.10.3 All applications for exemption or authorisation must be made in writing to the Corporate Director, prior to the events taking place.

4.10.4 All exemptions and authorisations may be subject to such conditions as the Corporate Director considers appropriate.

4.10.5 Nothing in this Rule applies to Officers in relation to the performance of their duties connected with the maintenance of a Public Park.

## **5. Animals**

### **Control of Animals**

5.1 It is permissible to bring an animal (except a dangerous wild animal as defined under the Dangerous Wild Animals Act 1976) into any Public Park, unless a sign is posted by the Council at the entrance to, or elsewhere in, any Public Park indicating that animals are not permitted in any Public Park always provided that the owner or person in charge of such animal shall keep it under close control or on a short lead.

5.2 Any person with any animal in any Public Park must comply with the responsibilities in the Code.

### **Annoyance to Others**

5.3 All animals brought in to a Public Park must not be permitted to:-

- worry any animals or birds;
- damage or destroy any flowers, plants, trees, grass or shrubs in a Public Park;
- enter any sports pitch or play area;
- annoy other users of a Public Park.

### **Racing**

5.4 Nobody is to train or race any dogs in a Public Park in such a way that it causes annoyance or concern to other users of a Public Park.

### **Dog Fouling**

5.5 When a dog fouls in a Public Park the person in control of the dog must place the waste into either a Dog Fouling bin, or if there is no Dog Fouling bin provided, they must either place the waste in any other waste bin, or remove it from the Park.

### **Dogs**

5.6 Anyone with a dog must comply with the Control of Dogs (Scotland) Act 2010.

## **6. Vehicles**

### **Speed Limit Etc.**

6.1.1 Nobody is to drive any vehicle in a Public Park except on roadways created by the Council for that purpose. This Rule does not apply to any vehicles operated by the Council in connection with the maintenance of Public Parks. This Rule does not apply to the use of:

- perambulators;
- wheelchairs (including motorised wheelchairs and other vehicles being used by disabled persons); or
- similar vehicles drawn or propelled by hand for use by a child or disabled person, where the surface and terrain of the Public Park in question is suited to such use.

6.1.2 Nobody is to drive a vehicle in a Public Park at a speed exceeding 10 miles per hour. The driver of a vehicle or cycle rider must always give way to pedestrian users.

6.1.3 While in a Public Park, the driver of any vehicle, the rider of any cycle or horse or other animal must, observe any statutes, rules and regulations in force regulating driving or riding on public streets or roads and for the exhibition of lights on vehicles.

### **Car Parking**

- 6.2.1 Nobody is to park a vehicle anywhere in a Public Park except in an area designated by the Council as a car park.
- 6.2.2 Designated car parking facilities are for the use only of persons using the Public Park.
- 6.2.3 Nobody is to park a vehicle overnight except with the prior written consent of the Corporate Director.
- 6.2.4 Only drivers of vehicles with registered disabled markers may use designated disabled parking spaces.

#### **Emergency Vehicles Excepted**

- 6.3 The preceding rules do not apply to ambulances, fire engines or police cars or other vehicles with the prior written consent of the Corporate Director.

#### **Bicycles, etc**

- 6.4 Any person riding a bicycle, scooter, skateboard, roller skates, roller blades or similar equipment in a Public Park must do so in a responsible manner in terms of the Land Reform Act and the Code, and must keep to walkways and areas designated for such use. Those subject to this Rule must not travel at a speed or in a manner or place which injures, disturbs, obstructs, interrupts or annoys any other person.

#### **Caravans**

- 6.5 Nobody is to park, stop or site any caravan, mobile home or similar vehicle in a Public Park unless permitted to do so by an Officer.

## **7. Use of Public Park**

#### **No Access for Public**

- 7.1 Nobody is to go into areas marked "Private" or "Staff Only" or "Authorised Personnel Only" or with similar signs unless authorised so to do by the Corporate Director or an Officer.

#### **Use**

- 7.2.1 Nobody is to play or take part in any game, exercise, ball game or other activity in a Public Park in any area where there is a sign prohibiting these activities.
- 7.2.2 Those taking part in activities in terms of these Rules should ensure that they do not disturb, annoy or interfere with or cause injury to other persons in the proper use and enjoyment of the Public Park.
- 7.2.3 Nobody is to deliberately interfere with or obstruct any person playing or taking part in any permitted game, exercise, ball game or other activity in a Public Park.

#### **Meetings**

- 7.3 Nobody is to hold any public meeting, procession, demonstration, exhibition, military event, religious ceremony, service, political rally or lecture in a Public Park without the prior written consent of the Corporate Director. This includes the distribution of leaflets or setting up stalls to publicise or support particular political or religious events or points of view.

#### **Ornamental Flower Beds etc**

- 7.4.1 Subject to Rule 7.4.2 nobody is to pick, cut, destroy, remove or damage any flower, flowerbed, soil, tree, shrubs or plants and fungi in a Public Park, without the prior written consent of the Corporate Director.
- 7.4.2 The picking of wild flowers or plants protected by the Wildlife and Countryside Act 1981 as amended is forbidden, unless the person has first obtained a licence granted in terms of that Act and the prior written consent of the Corporate Director.

#### **Radio Controlled Equipment**

7.5 Nobody is to use any radio controlled equipment in a Public Park in such a way that it annoys or frightens any other users of the Public Park or any animals in the Public Park.

#### **Metal Detectors**

7.6 Nobody is to use a metal detector in a Public Park without the prior written permission of the Corporate Director.

#### **Tents etc**

7.7 Nobody is to put up any posts, rails, fences, poles, tents, stands, marquees or any other structures in a Public Park without the prior written permission of the Corporate Director. Small, temporary structures such as windbreaks will be allowed away from sports areas so long as they do not cause a nuisance to other park users and are dismantled and taken away when the person or persons using leave the park.

#### **Camping**

7.8 Nobody is to camp, or sleep overnight in any Public Park except where authorised by the Corporate Director.

#### **Photography**

7.9 Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.

## **8. Supervision and Fees**

### **Supervision**

8.1.1 Every person in a Public Park must follow the instructions of any signs erected by the Council.

8.1.2 Every person in a Public Park must follow the instructions of an Officer. This includes leaving the park when requested to do so and to stop doing anything when instructed to do so.

### **Fees and Conditions**

8.2.1 Nobody is to use any part of a Public Park or any equipment in the Public Park without paying any fee fixed by the Council for such use.

8.2.2 Nobody is to use any part of a Public Park or equipment in a Public Park in any way which breaks any conditions fixed by the Council in connection with the use of that part of the park or equipment.

8.2.3 In accordance with the Council's Policy, the Corporate Director may waive any fees.

8.2.4 The Council may levy a charge or charges for the use of any Public Park or any building thereon or for any facilities or services provided in any Public Park or building thereon all in accordance with the Council's Policy on charging of fees. The Corporate Director may alter such charges without notice.

8.2.5 The Council may make Orders under Section 11 of the Land Reform Act exempting any Park or part of a Park from access rights under the Act, and when an Order is in effect the Corporate Director may impose a charge for entry to the Park.



The following Parks and Recreation Grounds will be subject to the Proposed Parks Management Rules:-

**Kilmacolm:**

Birkmyre Park

West Glen Park

**Port Glasgow:**

Parklea Playing Fields

Kelburn Park

Newark Park

Birkmyre Park

Coronation Park

**Greenock:**

Lady Octavia Park

Lauriston Park

Wellpark

Whinhill Golf Course

Broomhill Park

Murdieston Park

Lady Alice Park

Lyle Park

Rankin Park

Ravenscraig Stadium

Battery Park

**Gourock:**

Gourock Park

Darroch Park

Tower Hill Park

Divert Glen

Kirn Drive Playing Fields

**Wemyss Bay**

Wemyss Bay Woods

## Appendix 3. Summary of Withdrawn Objections

**NB** The objections listed have been withdrawn on the understanding that the following amendments to the original draft rules are approved:

**Rule 4.3** (Damaging Council Property): Amend to include reference to dog waste bins.

**Rule 4.8** (Music and Noise): Reword to avoid confusion as follows:

Nobody is to do any of the following in a manner which causes annoyance or disturbance to other users of the Public Park:-

1. play any musical instrument
2. sing
3. perform
4. use any amplifier, megaphone or similar apparatus
5. use any other device which plays music or makes a noise

**Rule 6.1.1** (Speed Limits): Remove reference to cycles (Covered under Rule 6.4).

**Rule 6.1.2** (Speed Limits): Remove reference to cycles (Covered under Rule 6.4).

**Rule 6.5** (Caravans): Amend to read: "Nobody is to park, stop or site any caravan, mobile home or similar vehicle in a Public Park, unless permitted to do so by the Corporate Director".

**Rule 7.5.1** (Remote Controlled Equipment): Remove this rule.

**Rules 7.5.2** (Remote Controlled Equipment): Renumber as 7.5

**Rule 7.7** (Tents etc.): Amend to read: "Nobody is to put up any posts, rails, fences, poles, tents, stands, marquees or any other structures in a Public Park without the prior written permission of the Corporate Director. Small, temporary structures such as windbreaks will be allowed away from sports areas so long as they do not cause a nuisance to other park users and are dismantled and taken away when the person or persons using leave the park".

**Rule 7.9** (Photography): Amend to read: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."

### Appendix 3. Summary of Withdrawn Objections

Objector	Summary of Objection(s)	Summary of Our Response
Person 5	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”
Person 6	Asks that we address the use of foul language	Explained that Rule 4.1 prohibits among other things, “abusive or obscene language”. It is hoped that this will give Parks staff the authority to try to curtail the use of bad language.
	<b>Rule 6</b> Misinterpreted this rule as a ban on bicycles	To avoid confusion, we agreed to remove reference to bicycles other than at Rule 6.4
	<b>Rule 7.5.1 and 7.5.2</b> Objected to restrictions on use of remote controlled toys	Explained that officers will recommend that Rule 7.5.1 be removed and Rule 7.5 will read as follows: “Nobody is to use any radio controlled equipment in a Public Park in such a way that it annoys or frightens any other users of the Public Park or any animals in the Public Park.”
	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”
Person 9	<b>Rule 4.8</b> Misinterpreted this rule as being a ban on singing, playing of music etc.	Explained that this rule forbids playing music in a manner that causes disturbance to other park users
	<b>Rule 7.5.1 and 7.5.2</b> Objected to restrictions on use of remote controlled toys	Explained that officers will recommend that Rule 7.5.1 be removed and Rule 7.5 will read as follows: “Nobody is to use any radio controlled equipment in a Public Park in such a way that it annoys or frightens any other users of the Public Park or any animals in the Public Park.”
	<b>Rule 7.69</b> (Metal Detectors) Feels that the rule should not forbid the use of metal detectors and should forbid people to dig up any part of the park instead.	Explained that, as the Council would not permit anyone to dig up parts of a public park for such a purely speculative reason, there is no logic in allowing the use of metal detectors.
	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”

### Appendix 3. Summary of Withdrawn Objections

Objector	Summary of Objection(s)	Summary of Our Response
Person 14	<b>Rule 5.1</b> Objected to the need for dogs to be on leads.	Explained that our staff often need to intervene if a dog is off the lead and causing concern or fear to other park users. Explained that we used guidance given in the Scottish Outdoor Access Code relating to this.
	<b>Rule 6</b> Misinterpreted this rule as a ban on bicycles	To avoid confusion, we agreed to remove reference to bicycles other than at Rule 6.4
Person 15	Objected in principle.	Explained that the introduction of Management Rules is a common practice for Local Authorities and is intended to allow facilities such as parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.
Person 16	<b>Rule 6</b> Misinterpreted this rule as a ban on bicycles	To avoid confusion, we agreed to remove reference to bicycles other than at Rule 6.4
	<b>Rule 7.5.1 and 7.5.2</b> Objected to restrictions on use of remote controlled toys	Explained that officers will recommend that Rule 7.5.1 be removed and Rule 7.5 will read as follows: "Nobody is to use any radio controlled equipment in a Public Park in such a way that it annoys or frightens any other users of the Public Park or any animals in the Public Park."
	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."
Person 17	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."
Person 19	Objected in principle.	Explained that the introduction of Management Rules is a common practice for Local Authorities and is intended to allow facilities such as parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.
Person 20	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."

### Appendix 3. Summary of Withdrawn Objections

Objector	Summary of Objection(s)	Summary of Our Response
Person 25	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”
	Asks that we address the use of foul language	Explained that Rule 4.1 prohibits among other things, “abusive or obscene language”. It is hoped that this will give Parks staff the authority to try to curtail the use of bad language.
Person 27	<b>Rule 7.5.1 and 7.5.2</b> Objected to restrictions on use of remote controlled toys	Explained that officers will recommend that Rule 7.5.1 be removed and Rule 7.5 will read as follows: “Nobody is to use any radio controlled equipment in a Public Park in such a way that it annoys or frightens any other users of the Public Park or any animals in the Public Park.”
	<b>Rule 7.69</b> Objected to an outright ban on the use of metal detectors and should forbid people to dig up any part of the park instead.	Explained that, as the Council would not permit anyone to dig up parts of a public park for such a purely speculative reason, there is no logic in allowing the use of metal detectors.
	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”
	<b>Rule 8</b> Objected to people being charged to use public parks.	Explained that this only applies to facilities or parts of a park where such fees are commonly charged, e.g. football pitches, putting greens, tennis courts etc.
Person 29	<b>Rule 5.1</b> Objected to the need for dogs to be on leads.	Explained that our staff often need to intervene if a dog is off the lead and causing concern or fear to other park users. Explained that we used guidance given in the Scottish Outdoor Access Code relating to this.
Person 32	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”
Person 33	Objected in principle.	Explained that the introduction of Management Rules is a common practice for Local Authorities and is intended to allow facilities such as parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.

### Appendix 3. Summary of Withdrawn Objections

Objector	Summary of Objection(s)	Summary of Our Response
Person 34	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”
Person 35 (Still some objections which have not been withdrawn - see Appendix 1)	<b>Rule 2.1</b> Objected to the Council’s right to refuse admission	Explained that this Rule is simply stating the statutory powers that the Council has as a consequence of either the repeated breach of management rules or an apparent intention to breach. The intention of officers is that such powers would only be exercised in exceptional circumstances. For example, if someone who has a history of allowing a dog to run wild, causing fear or anxiety to other park users shows no intention of changing this behaviour despite requests of officers, it is not unreasonable that Council seek to use these statutory powers of expulsion or exclusion in the interest of other park users.
	<b>Rule 4.3</b> Asked if dog waste bins were included	Agreed that, for the avoidance of doubt, Officers will recommend that the wording be changed to include “rubbish/dog bins”.
	<b>Rule 7.3</b> Objected to restriction on public meetings and right to protest	Explained that this rule does not impose a ban - merely requires that permission is sought.
	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”
Person 39	<b>Rule 7.9</b> Objected to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”

## Appendix 4. Summary of Remaining Objections

Objector	Summary of Objection(s)	Summary of Our Response	Outcome
Person 1	<b>Rule 3.1</b> believes that parks should have unrestricted access	Explained that rule would only impose restrictions for major works or events (as per current practice)	No response
	<b>Rule 4.8</b> Misinterpreted this rule as being a ban on singing, playing of music etc.	Explained that this rule forbids playing music in a manner that causes disturbance to other park users	
	<b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."	
Person 2	<b>Rule 5.1</b> Objects to use of term "close control". Suggests that rule should state that animals should be kept on short lead at all times. "The public are protected and dog owners know exactly what is required of them."	Explained that we used guidance given in the Scottish Outdoor Access Code relating to this.	Objection Sustained
Person 3	<b>Rule 5.1</b> Objects to the need for dogs to be on leads.	Explained that our staff are often called upon to intervene if a dog is off the lead and causing concern or fear to other park users. Explained that we used guidance given in the Scottish Outdoor Access Code relating to this.	No response
Person 4	<b>Rule 5.1</b> Objects to the need for dogs to be on leads.	Explained that our staff are often called upon to intervene if a dog is off the lead and causing concern or fear to other park users. Explained that we used guidance given in the Scottish Outdoor Access Code relating to this.	No response
	States that the Wellpark used to have a fenced-off area for dogs.	Explained that fenced-off area was intended to be a putting green but had to be abandoned due to heavy and persistent dog fouling.	
	<b>Rule 6</b> Misinterpreted this rule as a ban on bicycles	To avoid confusion, we agreed to remove reference to bicycles other than at Rule 6.4	
Person 7	<b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."	No response
Person 8	Objects to the Council "imposing ridiculous rules and revenue making schemes."	Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.	No response

## Appendix 4. Summary of Remaining Objections

Objector	Summary of Objection(s)	Summary of Our Response	Outcome
Person 10	<b>Rule 7.3</b> Objects to restriction on public meetings and right to protest	Explained that this rule does not impose a ban - merely requires that permission is sought.	No response
	<b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."	
Person 11	Objects to "another layer of rules /regulations being put in place by our council our parks are there to be enjoyed!"	Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.	No response
	<b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."	
Person 12	Objects to the Council's "crass plans to criminalise ordinary Sovereign men, women & children. Do not forget that sovereignty lies with the people"	Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.	No response
Person 13	Objects in principle. "Absolutely ridiculous. Parks are paid for and are FOR the public. Totally object to the proposals and I hope sensible people will not support them as they are not needed."	Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.	No response
Person 18	Objects in principle to "...the proposal to introduce a raft of new rules and powers on the use of public parks within Inverclyde. This is completely unnecessary as the issue a regarding anti-social behaviour and not controlling dogs are more appropriately covered by existing legislation."	Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.	No response
	<b>Rule 8</b> Objects to people being charged to use public parks.	Explained that this only applies to facilities or parts of a park where such fees are commonly charged, e.g. football pitches, putting greens, tennis courts etc.	



**Appendix 4. Summary of Remaining Objections**

Objector	Summary of Objection(s)	Summary of Our Response	Outcome
Person 21	<b>Rule 4.8</b> Misinterpreted this rule as being a ban on singing, playing of music etc.	Explained that this rule forbids playing music in a manner that causes disturbance to other park users	No response
	<b>Rule 4.10.1</b> Feels that people should be allowed to "... making a wee camp fire..."	Explained that the rule forbidding the lighting of fires, the use of gas stoves etc. in a public park is included for safety reasons.	
	<b>Rule 7.3</b> Objects to restriction on public meetings and right to protest	Explained that this rule does not impose a ban - merely requires that permission is sought.	
	<b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."	
Person 22	<b>Rule 6</b> Misinterpreted this rule as a ban on bicycles	To avoid confusion, we agreed to remove reference to bicycles other than at Rule 6.4	No response
	<b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."	
Person 23	Objects in principle. "I wish to register my objection to proposed new by laws proposed for Inverclyde's public parks. I feel that these will be detrimental to the raison detre of these areas which were gifted to the people of Inverclyde as areas for their recreation".	Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.	Sustained unless designated barbecue areas are created
	Followed up seeking further clarification on Rule 4.10.1 the use of barbecues	Explained that because ball games and other lively play are common practice throughout our parks, barbecues/camping stoves cannot be permitted on safety grounds	
	Followed up suggesting that the Council should designate barbecue areas within parks	Suggested that, if he felt strongly that designated barbecue areas should be introduced in any of our parks, he should write to the Head of E&C Services	
Person 24	Objects in principle. "It's a blinking disgrace these rules what's next a lot of people Will not be using the parks and he kids are playing are the they going to be told to be quite th.s this is a laugh they want ve start getting the pot holes fixed..."	Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.	No response

**Appendix 4. Summary of Remaining Objections**

Objector	Summary of Objection(s)	Summary of Our Response	Outcome
Person 26	<p><b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook</p>	<p>Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”</p>	Presumed Sustained
	<p>Responded with: “I think it's wrong that you are making rules that does not benefit the public. This change is for you, not for us (the people of Inverclyde).”</p>		
Person 28	<p>Objects in principle. “I wish to object against some of the most ridiculous rules for a park that anyone could think up.”</p>	<p>Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.</p>	No response
Person 30	<p>Objects in principle. “ I think it's a disgrace that council employees are being paid for this nonsense, I strongly oppose the new rules being passed”</p>	<p>Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.</p>	No response
Person 31	<p>Objects in principle. “Please Sir or Madam I would like to lodge my objection to the proposed rules about to be implemented on the Parks in Inverclyde. Apart from infringing on my human rights, it is in fact authoritarian.”</p>	<p>Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.</p>	Objection Sustained. “You have my answer please refrain from any further discourse on this subject.”
	<p><b>Rule 6</b> Misinterpreted this rule as a ban on bicycles</p>	<p>To avoid confusion, we agreed to remove reference to bicycles other than at Rule 6.4</p>	
	<p><b>Rule 7.69</b> (Metal Detectors) Feels that the rule should not forbid the use of metal detectors and should forbid people to dig up any part of the park instead.</p>	<p>Explained that, as the Council would not permit anyone to dig up parts of a public park for such a purely speculative reason, there is no logic in allowing the use of metal detectors.</p>	
	<p><b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook</p>	<p>Explained that officers will recommend that Rule 7.9 be amended to read as follows: “Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users.”</p>	

**Appendix 4. Summary of Remaining Objections**

Objector	Summary of Objection(s)	Summary of Our Response	Outcome
Person 35	<p><b>Rule 4.10.1</b> Feels that “banning stoves rather smacks of the nanny state, particularly as stoves are commonly used in other public areas such as campsites and are not regarded as unacceptable on the grounds of safety there.”</p>	<p>Explained that, although the use of camping stoves is common practice in certain areas within campsites, ball games and other lively play are generally not permitted in these areas for safety reasons. In public parks, where it’s ball games and other lively play that are common practice, camping stoves cannot be permitted for the same reason i.e. that the two don’t mix.</p>	Awaiting further response
	<p><b>Rule 6</b> objects to the use of the term “Walkways” in relation to bicycles as this implies pedestrians only</p>	<p>Explained that, because there are no designated cycle paths in most of our public parks, this rule lets cyclists know that they are permitted to use “walkways” but not to cycle on grass areas. Therefore, the use of the word “walkways” is crucial.</p>	
	<p><b>Rule 6.5</b> (Caravans) Objects to an outright ban on caravans, camper vans etc.</p>	<p>Recommended that the rule be amended to read as follows: “Nobody is to park, stop or site any caravan, mobile home or similar vehicle in a Public Park, unless permitted to do so by the Council”.</p>	
	<p><b>Rule 7.69</b> (Metal Detectors) Feels that the rule should not forbid the use of metal detectors and should forbid people to dig up any part of the park instead.</p>	<p>Explained that, as the Council would not permit anyone to dig up parts of a public park for such a purely speculative reason, there is no logic in allowing the use of metal detectors.</p>	
	<p><b>Rule 7.7</b> (Tents) Objects to an outright ban and suggests that the use of a windbreak or sun shade should be allowed.</p>	<p>Recommended that the rule be amended to include, “Small, temporary structures such as windbreaks will be allowed away from sports areas so long as they do not cause a nuisance to other park users and are dismantled and taken away when you leave the park”.</p>	
Person 36	<p><b>Rule 5.1</b> Objects to the need for dogs to be on leads.</p>	<p>Explained that our staff are often called upon to intervene if a dog is off the lead and causing concern or fear to other park users. Explained that we used guidance given in the Scottish Outdoor Access Code relating to this.</p>	No response
	<p>States that, “Time should be spent on stopping anti-social behaviour or monitoring the foul and abusive language coming from people using football pitches, especially the players.”</p>	<p>Explained that Rule 4.1 prohibits among other things, “abusive or obscene language”. It is hoped that this will give Parks staff the authority to try to curtail the use of bad language.</p>	

**Appendix 4. Summary of Remaining Objections**

<b>Objector</b>	<b>Summary of Objection(s)</b>	<b>Summary of Our Response</b>	<b>Outcome</b>
Person 37	Originally objected on principle. "I strongly object to these proposed changes for public park management."	Explained that the introduction of Management Rules is a common practice for Local Authorities, and is intended to allow parks to be better managed for the benefit of members of the public and outlined the changes that we have proposed based on the objections received.	Sustained
	<b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."	
Person 38	<b>Rule 7.9</b> Objects to restriction on taking photographs, with particular reference to posting to Social Media Sites such as Facebook	Explained that officers will recommend that Rule 7.9 be amended to read as follows: "Nobody is to take photographs or film in a public park in such a manner as may interfere with the use and enjoyment of the park by other park users."	No response