STATUTORY INSTRUMENTS

1975 No. 918

FORESTRY

The Forest of Dean Byelaws 1975

Laid before Parliament in draft

Made - - -	*2nd June* 1975
Coming into Operation	*9th June* 1975

The Forestry Commissioners, in exercise of the powers conferred on them by section 46(1) of the Forestry Act 1967(**a**), and of all other powers enabling them in that behalf, after consultation with the Verderers of the Forest of Dean, hereby make the following byelaws, a draft whereof has been laid before Parliament:—

Citation, commencement, revocation and interpretation

1.—(1) These byelaws may be cited as the Forest of Dean Byelaws 1975 and shall come into operation on 9th June 1975.

(2) The Forest of Dean Byelaws made on 19th February 1929 are hereby revoked.

(3) The Interpretation Act 1889(**b**) shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament, and as if these byelaws and the byelaws hereby revoked were Acts of Parliament.

Application

2.—(1) These byelaws shall apply with respect to all lands (including the Forest of Dean) which are situate in the parishes and community specified in the Schedule hereto and are for the time being under the management or control of the Forestry Commissioners and to which the public have, or may be permitted to have, access.

(**a**) 1967 c. 10. (**b**) 1889 c. 63.

(2) The said lands, with respect to which these byelaws apply, are hereafter in these byelaws referred to as "the Forest".

(3) Nothing in these byelaws shall make unlawful anything done with or under the written permission or authority, whether general or specific, of the Forestry Commissioners.

(4) Nothing in these byelaws shall prejudice or be in derogation of any right, power or duty vested in or imposed upon the Verderers of the Forest of Dean by virtue of any enactment or otherwise.

Prohibited acts

3. A person shall not in or on the Forest:—

(i) enter any area on or near which there is displayed by the Forestry Commissioners a notice prohibiting entry thereon;

(ii) light any fire or stove or leave any lighted match, tobacco, cigar or cigarette;

(iii) remove or damage any building, wall, gate, stile, fence, railing, post, chain, seat, drain, pipe-line, notice board, receptacle for rubbish, or any other thing belonging to the Forestry Commissioners;

(iv) dig up, remove, cut or injure any tree, shrub or plant, whether living or not, or dig up or remove any soil, turf, leafmould, moss, peat, gravel, slag, sand or mineral of any kind;

(v) display any notice, placard or bill;

(vi) set up or place any caravan, tent, booth, stall or erection of any kind;

(vii) if he is a person authorised by the Forestry Commissioners pursuant to byelaw 2(3) to set up or place a tent or caravan in a specified area of the Forest, permit any dog of which he is in charge to foul that area;

(viii) permit any animal in his charge to be out of control;

(ix) (a) turn out in any enclosed area of plantations to graze or feed or allow to remain therein any animal or fowl;
(b) without lawful authority, turn out in any area of the Forest not being an enclosed area of plantations to graze or feed or allow to remain therein any animal or fowl except such sheep as the Forestry Commissioners suffer to graze therein;

(x) sell or distribute anything or offer or expose anything for sale;

(xi) wilfully obstruct, disturb or annoy in any manner any person lawfully in or on the Forest;

(xii) operate any apparatus for the production, reproduction or emission by electrical or mechanical means of sound, speech or images in such a manner as to cause annoyance to any person lawfully in or on the Forest;

(xiii) wilfully disturb, injure or destroy any bird, fish or animal;

(xiv) catch, net or trap any fish, reptile or animal or attempt so to do;

(xv) wilfully disturb, damage or destroy the burrow, den, set or other lair of any wild animal;

(xvi) catch or net for the purposes of any collection any butterflies, moths, or dragonflies;

(xvii) carry or use any firearm, shotgun, bow or other missile weapon, or throw or discharge any missile;

(xviii) dam, or obstruct or restrain the flow of water in, any drain or watercourse or break the banks thereof;

(xix) open or close any sluice;

(xx) ride or lead any horse;

(xxi) ply for hire with, or let out for hire, any horse or other animal;

(xxii) wilfully break any bottle or other glass object;

(xxiii) operate any aircraft, glider or model aircraft, boat, sailing boat, canoe or powered craft;

(xxiv) direct or discharge, or cause to be directed or discharged, whether by means of a pipe, drain or excavation or in any other manner, any sewage or other offensive liquid in or upon the Forest in such a manner as to constitute a nuisance;

(xxv) place or leave (except in receptacles provided for the purpose) litter, rubbish or refuse of any kind.

4.—(1) Subject to paragraph (2) of this byelaw, a person shall not bring or cause to be brought into or upon the Forest any machine or vehicle other than a perambulator or wheelchair drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid.

(2) Where the Forestry Commissioners provide an area for use for the parking or stopping thereon of vehicles of any specified class or classes, paragraph (1) of this byelaw shall not apply to the bringing into that area by any person of any vehicle of the specified class or classes;

Provided that if any such area is provided for use only during a specified period of the day, the foregoing provision of this paragraph shall not have effect in relation to the bringing by any person of any vehicle into that area outside that period.

(3) Where the Forestry Commissioners have specified the routes or ways by which access may be obtained to any area mentioned in paragraph (2) of this byelaw by vehicles of all or any specified class or classes, no diversion from any such route or way shall be made, and no other route or way shall be used, by any person driving any such vehicle.

THE SCHEDULE

Parishes and Community

In the County of Gloucestershire, the parishes of Alvington, Awre, Blaisdon, Cinderford, Coleford, Drybrook, English Bicknor, Hewelsfield, Littledean, Longhope, Lydbrook, Lydney, Mitcheldean, Newland, Newnham, Ruardean, Ruspidge, St. Briavels, Staunton, Tidenham, West Dean and Woolaston.

In the County of Hereford and Worcester, the parishes of Goodrich, Hope Mansell, Ross Rural, Walford and Whitchurch.

In the County of Gwent, the part of Monmouth Community which is situated east of the River Wye.

IN WITNESS whereof the Official Seal of the Forestry Commisioners is hereunto affixed on 2nd June 1975.

J. M. Hunter

Secretary to the Forestry Commissioners.

EXPLANATORY NOTE

(This Note is not part of the Byelaws.)

These Byelaws, made by the Forestry Commissioners under section 46 of the Forestry Act 1967, apply with respect to lands in the Forest of Dean and certain specified neighbouring parishes and community which are under the management and control of the Forestry Commissioners and to which the public have access. They revoke earlier byelaws made for the Forest of Dean by the Forestry Commissioners in 1929 and re-enact them with amendments and additions. The byelaws are made to preserve the trees, to prevent injury or disfigurement of the land or its amenities and to regulate the reasonable use of the land by the public for the purposes of exercise and recreation.

The additional byelaws prohibit entry into areas designated by notice, the permitting of dogs to foul camping areas, the turning out without lawful authority of animals on unenclosed areas of the Forest, the sale of goods, the wilful disturbance or destruction of any creature or of its lair or the catching of any butterflies, moths or dragonflies, the carrying or use of firearms and other weapons, interference with sluices, the riding and leading of horses, the operation of aircraft and boats and the breaking of glass and restrict the entry of vehicles into the Forest and the use of apparatus for producing sound.

Section 46(5) of the Forestry Act 1967 (as amended by the Criminal Justice Act 1967 (c.80.)) provides that anyone guilty of an offence against the byelaws is liable on summary conviction to a fine not exceeding £20 and to a further fine not exceeding 50p for each day upon which the offence continues.

These byelaws are without prejudice to any byelaws made by the Verderers of the Forest of Dean (Forestry Act 1967, section 47) and to the powers and duties of the Verderers.

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