



RAMSEY PUBLIC PARKS AND FORESHORE BYELAWS 2020

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Statutory Document No. 2020/0397



*Ramsey Town Act 1970
Local Government Act 1985*

RAMSEY PUBLIC PARKS AND FORESHORE BYELAWS 2020

Approved by Tynwald:

Coming into operation: In accordance with byelaw 2

The Ramsey Town Commissioners make the following Byelaws under section 5 of the Ramsey Town Act 1970 and section 30 of the Local Government Act 1985.

1 Title

These Byelaws are the Ramsey Public Parks and Foreshore Byelaws 2020.

2 Commencement

If approved by Tynwald, these Byelaws come into operation at the expiration of one month from the date of their approval.

3 Interpretation

In these Byelaws —

“**authorised officer**” means an officer duly authorised by the Commissioners;

“**the Commissioners**” means Ramsey Town Commissioners;

“**emergency services’ vehicle**” means —

- (a) an ambulance, a fire brigade vehicle or a police vehicle, during the time the vehicle is in use for an emergency purpose;
- (b) a motor vehicle or trailer, during the time it is in use by —
 - (i) a coastguard service provided by the Department of Infrastructure; or
 - (ii) the Royal National Lifeboat Institution or other provider of a lifeboat service,

for the purposes of giving aid to persons in danger or vessels in distress on or near the coast; or

- (c) a motor vehicle or trailer, during the time it is in use for civil defence or bomb disposal purposes;

“**event**” means an event, function or other organised activity of any kind to which members of the public have access;

“**the foreshore**” means the land comprised in a lease made on 19 January 1984 between the Isle of Man Harbour Board and the Commissioners and shown on the map in Schedule 1 as the area bordered by a red line;

“**invalid carriage**” means a vehicle, whether or not mechanically propelled, constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect of disability, and which is being used solely for the carriage of such a person;

“**living van**” has the meaning given in regulation 3 of the Road Vehicles (Maintenance and Use) Regulations 2012¹;

“**motor caravan**” has the meaning given in regulation 3 of the Road Vehicles (Maintenance and Use) Regulations 2012;

“**motor vehicle**” means a mechanically propelled vehicle, whether or not made, adapted or permitted to be used on a road but does not include an invalid carriage;

“**pram**” means a pram being used solely for its intended purpose of transporting an infant;

“**public park**” means a public park shown on a map in Schedule 2 bordered by a red line and described on the relevant map in that Schedule as a named public park; and

“**trailer**” means a vehicle drawn by a motor vehicle.

4 Events

A person must not hold an event in a public park or on the foreshore without the prior written permission of the Commissioners.

5 Advertisement and sale of goods and services

- (1) A person must not do any of the following in a public park or on the foreshore without the prior written permission of the Commissioners –
 - (a) advertise, or solicit custom for, goods or services;
 - (b) seek to gather information from members of the public for use in the supply of goods and services;

¹ SD 0323/12

- (c) sell, supply, or offer or expose for sale or supply, any goods or services; or
 - (d) set up a stall for the purpose of —
 - (i) distributing goods or information; or
 - (ii) supplying a service.
- (2) If a person has the prior written permission of the Commissioners to undertake an activity described in paragraph (1) within a public park or on the foreshore, the person must not undertake the activity in a manner likely to cause obstruction or annoyance to any person.

6 Swimming etc.

- (1) A person must not do any of the following in a public park without the prior written permission of the Commissioners —
- (a) swim, dive, paddle or walk in a lake; or
 - (b) sail or otherwise operate a boat or vessel on a lake.
- (2) If a person has the prior written permission of the Commissioners to undertake an activity described in paragraph (1) within a public park, the person must not undertake the activity in a manner likely to cause danger, obstruction or annoyance to any other person in the public park.

7 Games and other recreational activity

- (1) A person must not do any of the following in a public park without the prior written permission of the Commissioners —
- (a) play any game —
 - (i) on a bowling green other than bowls;
 - (ii) on a tennis court other than tennis;
 - (iii) on a putting green other than putting;
 - (b) pedal cycle, roller blade, roller skate, skateboard or use a self-propelled vehicle;
 - (c) play or practise the game of golf; or
 - (d) play a ball game within a fenced area enclosing play equipment for children.
- (2) Paragraph (1)(b) to (d) does not apply, with respect to an activity described in that paragraph, to a place or facility within a public park specifically provided for the undertaking of that activity.
- (3) If a person has the prior written permission of the Commissioners to undertake an activity described in paragraph (1) within a public park, the person must not undertake the activity in a manner likely to cause danger, obstruction or annoyance to any person in the public park.

- (4) Despite paragraph (1)(b), a person may pedal cycle, roller blade, roller skate, skateboard or use a self-propelled vehicle on Mooragh Park Main Drive without prior written permission of the Commissioners, provided that the person does not undertake such activity in a manner likely to cause danger, obstruction or annoyance to any person in the public park in which Mooragh Park Main Drive is situated.
- (5) In this byelaw, a “self-propelled vehicle” means a vehicle, including a pedal cycle, propelled by the weight or force of one or more persons standing, skating, sliding or riding on the vehicle, but does not include an invalid carriage or a pram.

8 Interference with life-saving equipment

A person must not, except in an emergency for which the equipment is designed, remove, displace or otherwise interfere with any life-saving appliance or equipment placed by the Commissioners in a public park or on the foreshore.

9 Moveable dwelling

- (1) A person must not, without the prior written permission of the Commissioners, maintain or reside in a moveable dwelling in a public park.
- (2) For the purpose of this byelaw, the following persons maintain a moveable dwelling –
 - (a) a person by whom the dwelling was placed in its location; and
 - (b) a person who resides in, or makes domestic use of, the moveable dwelling.
- (3) In this byelaw, “moveable dwelling” means a tent, living van, motor caravan, shed, van or other conveyance or similar structure, whether or not capable of being used on roads, which is made, adapted or used for human habitation.

10 Motor vehicles

- (1) A person must not take a motor vehicle into a public park or onto the foreshore without the prior written permission of the Commissioners.
- (2) Paragraph (1) does not apply to –
 - (a) an emergency services’ vehicle; or
 - (b) the taking of a motor vehicle into a public park for the purpose of parking it in a parking place designated for that purpose.
- (3) If a person has the prior written permission of the Commissioners to take a motor vehicle into a public park or onto the foreshore, the person must not exercise that permission in a manner likely to cause danger,

obstruction or annoyance to any person using the public park or the foreshore.

11 Lighting fires

A person must not light a fire in a public park or on the foreshore so as to endanger any other person or give any other person reasonable grounds for alarm or annoyance or so as to endanger any property.

12 Begging

A person must not beg on the foreshore or in a public park.

13 Urinating etc.

A person must not urinate or defecate in a public park or on the foreshore in such circumstances as to cause, or to be likely to cause, annoyance to any other person.

14 Excessive noise

- (1) After being asked to desist by a constable in uniform or an authorised officer, a person must not —
 - (a) sound or play a musical instrument;
 - (b) operate or permit to be operated a radio, amplifier or other sound producing device; or
 - (c) otherwise make any noise,in a public park or on the foreshore in a manner so loud and so continuous or repeated as to cause disturbance, nuisance or give reasonable grounds for annoyance to any other person.
- (2) Paragraph (1) does not apply to noise created —
 - (a) as part of an event held under byelaw 4 with the prior written permission of the Commissioners; or
 - (b) in conformity with any other written permission or authorisation from a Department, Statutory Board or the Commissioners.
- (3) Paragraph (1) does not affect the operation of section 14 (noise in streets) of the Public Health Act 1990.

15 Animals

- (1) A person must not, without the prior written permission of the Commissioners, take a horse, pony or donkey —
 - (a) onto that part of the foreshore lying to the south of Ramsey Harbour; or
 - (b) into a public park.

- (2) A person must not attract a gathering of wild birds, vermin or other wildlife in a public park or on the foreshore by providing food for such birds, vermin or wildlife in a manner likely to cause —
 - (a) a danger to public health; or
 - (b) annoyance or nuisance to any person in the public park or on the foreshore.

16 Shopping trolleys

- (1) A person must not leave or abandon a shopping trolley in a public park or on the foreshore, away from the shop premises from which it was obtained.
- (2) The owner of a shop from which a shopping trolley left or abandoned as described in paragraph (1) was obtained must remove it on being notified of its whereabouts by the Commissioners.
- (3) If the owner fails to remove a shopping trolley as required under paragraph (2) within 48 hours of being notified of its whereabouts by the Commissioners, the Commissioners may collect the trolley and deliver it to the shop from which it was obtained and recover from the owner its reasonable costs for such collection and delivery.
- (4) In this byelaw, “shopping trolley” means a trolley provided by the owner of a shop to customers for use by them for carrying goods purchased at the shop.

17 Removal of sand, gravel or stone

A person must not remove any sand, gravel or stone from the foreshore without the prior written permission of the Commissioners.

18 Permissions

- (1) Where a prior written permission is required under these Byelaws for a specified activity, permission is not to be unreasonably withheld.
- (2) The Commissioners must determine whether to grant a permission for a specified activity under these byelaws by considering all the circumstances of the case, including the following matters —
 - (a) the extent to which the activity would interfere with the preservation or management of a public park or the foreshore;
 - (b) the extent to which the activity would interfere with the proper enjoyment of a public park or the foreshore by members of the public;
 - (c) where applicable, the extent to which facilities exist or can be provided, either by the Commissioners or the person seeking the

permission, to enable the activity to be undertaken properly and safely; and

- (d) where applicable, the adequacy of the organisation, safety measures and supervision with regard to the activity provided by the person seeking the permission.

19 Production of permission

A person holding a written permission given under these Byelaws must produce the permission when requested to do so by a constable in uniform or an authorised officer.

20 Enforcement

- (1) A constable in uniform or an authorised officer may require a person who contravenes these Byelaws to leave a public park or the foreshore, being the place where the contravention occurs.
- (2) A person must not remain on the foreshore or in a public park when required to leave under paragraph (1).
- (3) If an authorised officer has reasonable grounds to believe a person is committing, or has committed, an offence by contravening these Byelaws, the authorised officer may require the person to give the authorised officer the person's full name and address.

21 Revocation

The Ramsey (Foreshore and Public Parks) Bye-Laws 2019 are revoked.

THE COMMON SEAL² of Ramsey Town Commissioners was affixed on 19 August 2020 in the presence of

(L.S.)

MADE

A.COWIE

Chairman, Ramsey Town Commissioners

P. WHITEWAY

Clerk to Ramsey Town Commissioners

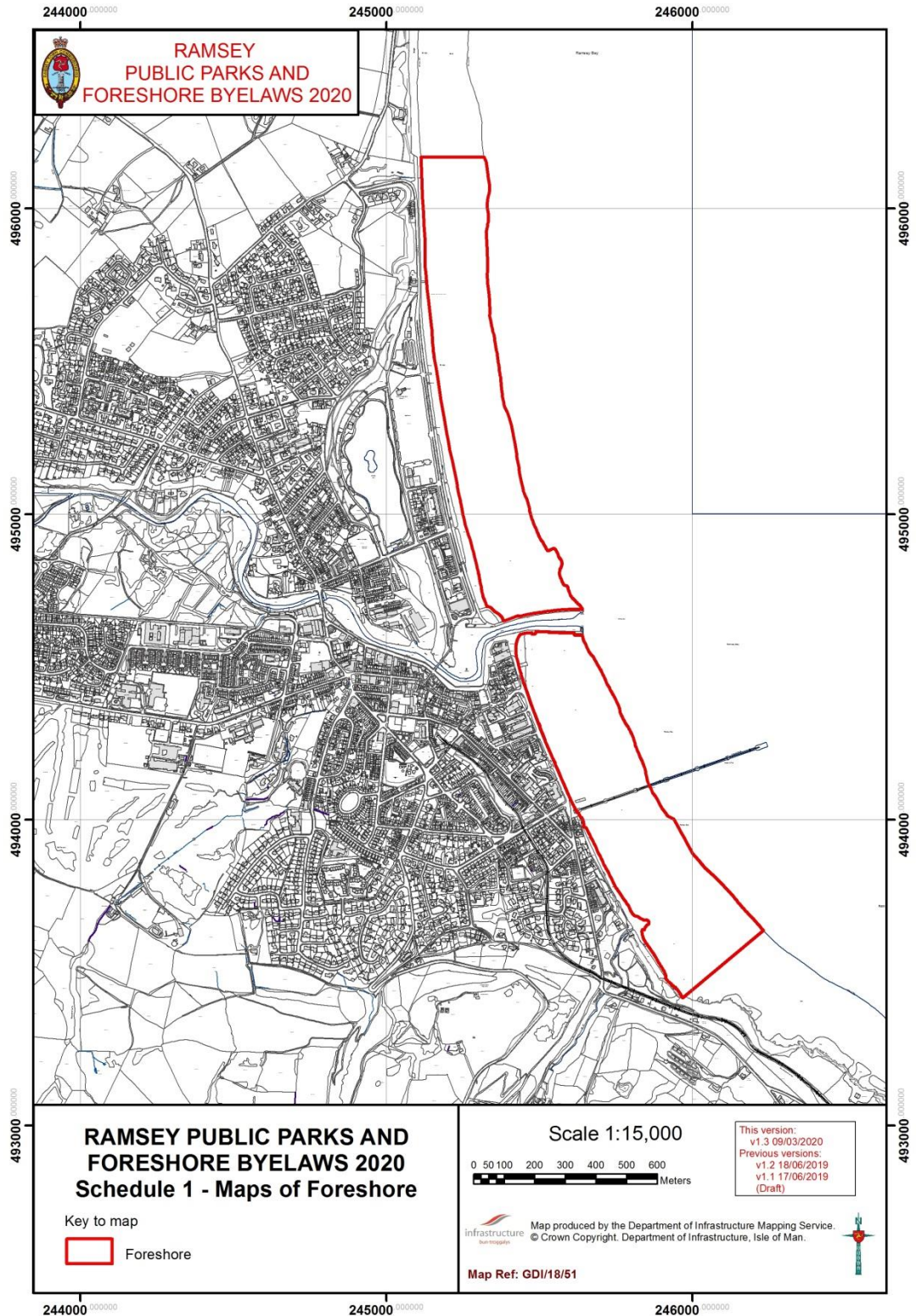
² As required by section 30(2) of the Local Government Act 1985



SCHEDULE 1

[Byelaw 3]

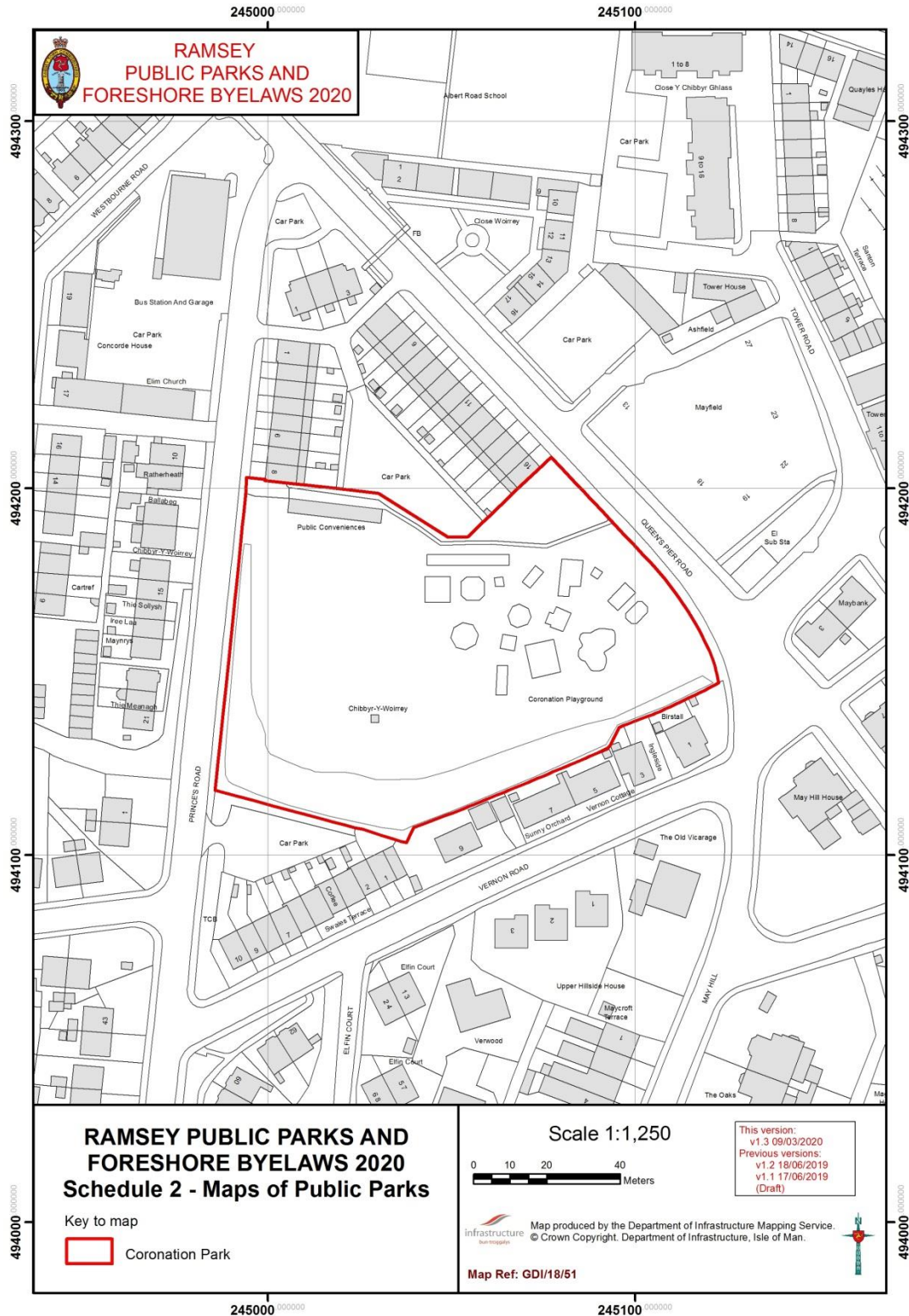
MAP OF THE FORESHORE

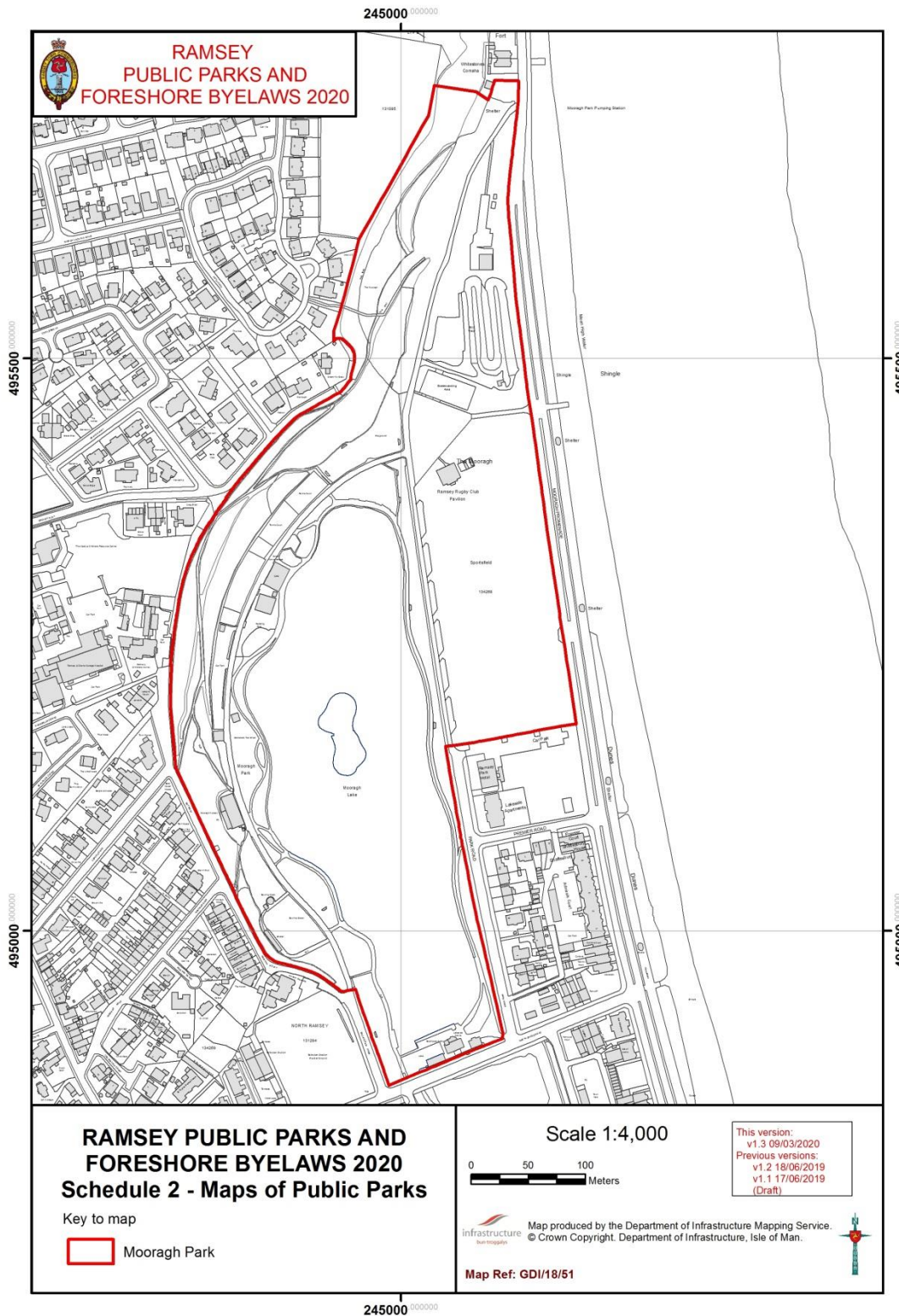


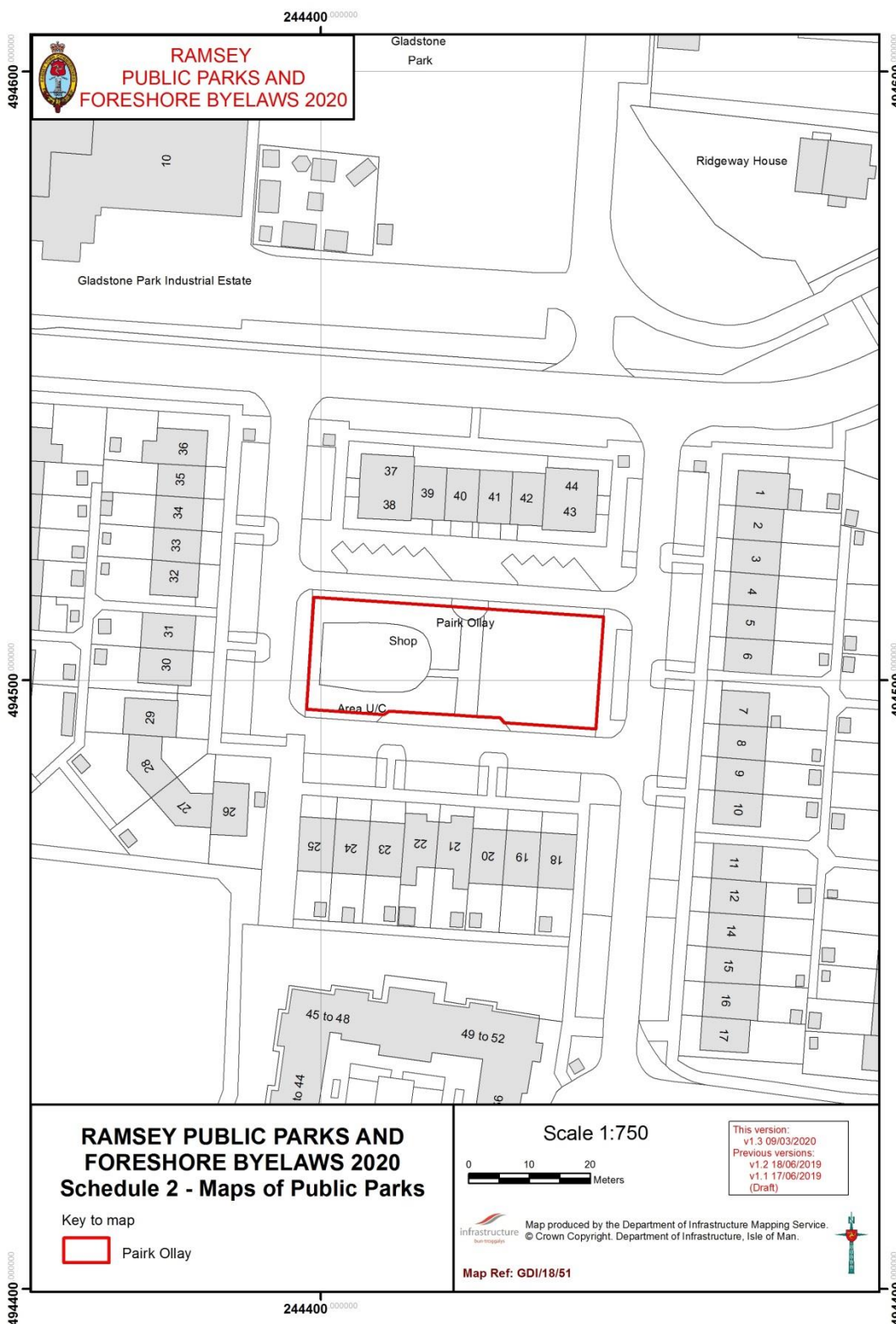
SCHEDULE 2

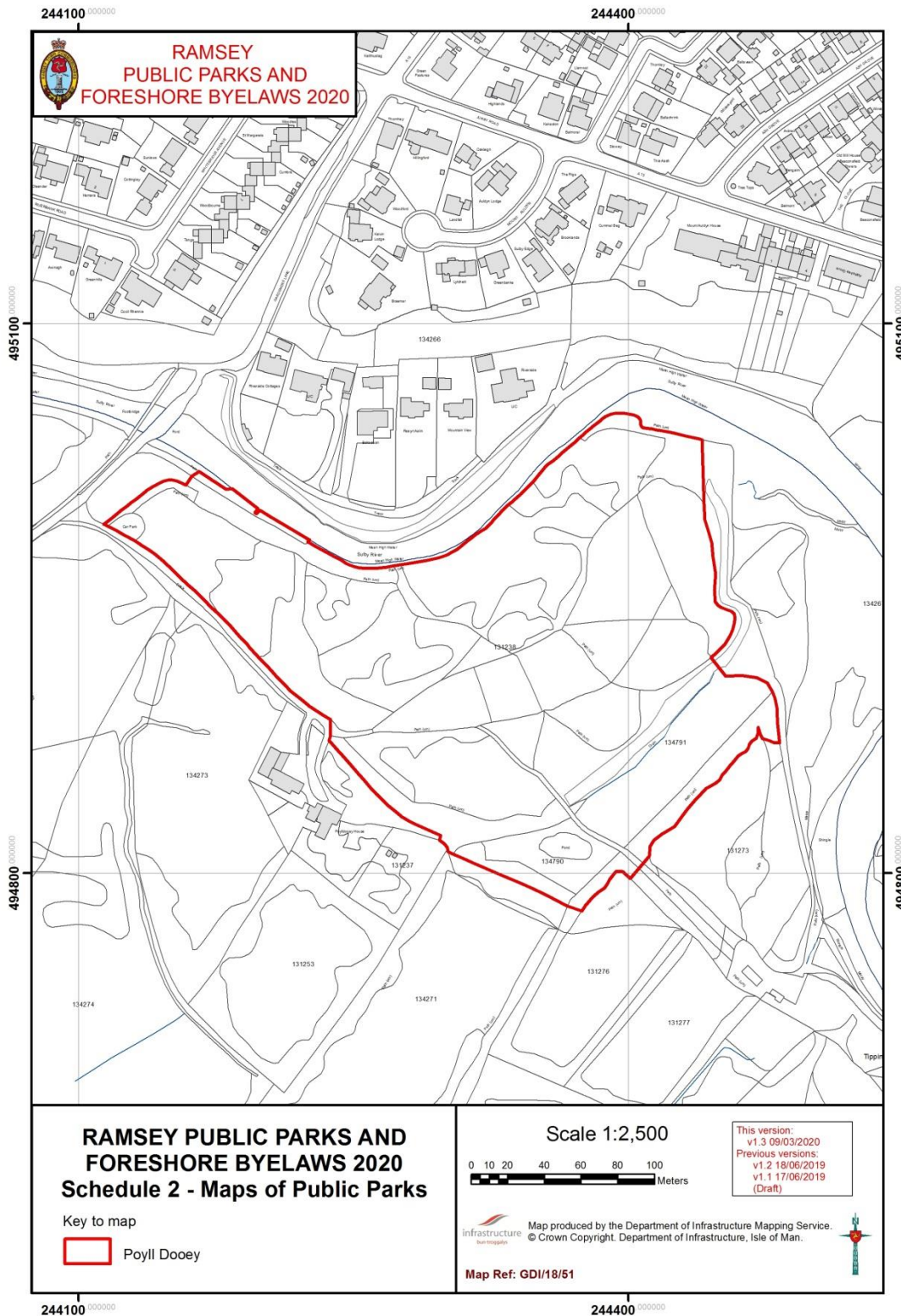
[Byelaw 3]

MAPS OF PUBLIC PARKS









EXPLANATORY NOTE

(This note is not part of the Byelaws)

These Byelaws revoke and re-enact with modifications the Ramsey (Foreshore and Public Parks) Bye-Laws 2019. These Byelaws regulate various activities in the public parks and on the foreshore which are under the management and control of Ramsey Town Commissioners and are aimed at preventing and suppressing nuisances and controlling the use of the public parks and the foreshore for the benefit of residents and visitors.