

# Management Rules for Open Spaces

## Helping everyone enjoy our parks

Dundee City Council in exercise of the powers conferred on them by Section 112 of the Civic Government (Scotland) Act 1982 have made the following Management Rules for the Council's Public Parks and Open Spaces:

### 1. Definitions

**"Open Space"** includes recreational and open areas, school grounds when open to the public, outdoor sports areas, walkways, play areas, woodland, gardens, golf courses, community growing spaces and Local Nature Reserves owned, occupied or managed by Dundee City Council.

**"Code"** means the Scottish Outdoor Access Code, the guidance on the Land Reform (Scotland) Act 2003.

**"Council"** means Dundee City Council.

**"Council Official"** means an employee of the Council or any person authorised by the council to enforce these rules.

### 2. Summary

Any person who appears to be breaking, has broken or is about to break any of the following rules may be asked by a Council Official to leave the Open Space. Any person refusing to leave will be guilty of an offence and liable on summary conviction, to a fine.

- 2.1 Any written permission required by these Rules must be shown on request to a Council Official.
- 2.2 The Council may decide to waive any Rule at any time.



### 3. General

**The following acts are prohibited:**

- 3.1 Behaviour which causes (or is likely to cause) annoyance, offence, alarm or distress to any other Open Space user or neighbouring resident.

**The following acts are prohibited unless the Council's written permission has been obtained first:**

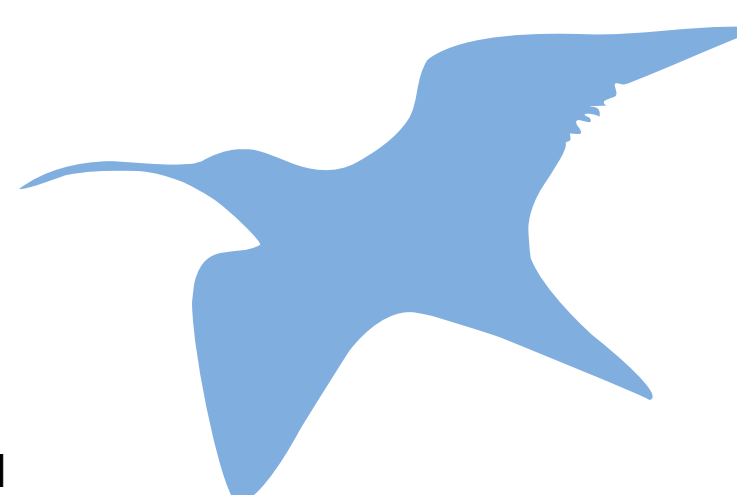
- 3.2 Erect any hoarding or similar structure, placard, poster, bill, notice or other similar material or graffiti any surface or wall.
- 3.3 Being in possession of a firearm or any other weapon.
- 3.4 Use of any form of metal or mineral detecting equipment.
- 3.5 Dig or otherwise interfere with any ground surface or release any animal, plant, seed, compound or cremated remains on to the site. The Council reserves a right to charge a fee in the event that a record requires to be kept of the scattering of cremated remains.
- 3.6 Intentionally or recklessly kill, injure, capture or disturb any animal or disturb or interfere with their places of shelter or nests. This rule does not apply to fishing.
- 3.7 Intentionally or recklessly uproot or damage any tree or plant, or attach any structures or ropes to them.
- 3.8 Fish at Trottick Ponds Local Nature Reserve. *To protect water birds.*
- 3.9 Walk or cycle off surfaced paths in the designated area at Riverside Nature Park 1st April to 31st July. *To protect ground nesting birds.*



### 4. Dogs and Horses

**The following acts are prohibited:**

- 4.1 Allowing dogs to foul in an Open Space unless the person in charge of the dog immediately removes the fouling (within the provisions of the Dog Fouling (Scotland) Act 2003).
- 4.2 Walk a dog within the designated area at Broughty Beach 1st May to 30th September. *Dog urine can harm children playing in the sand.*
- 4.3 Failing to keep a dog on lead and on paths in the designated area at Riverside Nature Park 1st April to 31st July. *To protect ground nesting birds.*
- 4.4 Failing to keep a dog under close control or on a short lead in any Open Space or failing to keep a dog away from cultivated areas and ponds in formal gardens or community growing spaces.
- 4.5 Allowing a dog onto sports pitches when these are in use, or in a children's play area at any time.
- 4.6 Leading, riding, training or exercising a horse in a manner which falls short of the responsibilities in the Code.



### 5. BBQs, Camping and Fires

**The following acts are prohibited:**

- 5.1 Lighting fires outwith designated fire sites.
- 5.2 Using barbecues where they may damage grass or park furniture.
- 5.3 Failing to remove litter.
- 5.4 Release balloons, sky lanterns or any other uncontrolled items in or onto land, air or water. *To protect livestock and marine wildlife.*
- 5.5 Flying kites at Riverside Nature Park, Riverside Playing Fields and Magdalen Green. *Airport exclusion area.*
- 5.6 Smoking in a children's play area or other area signed "No Smoking". *Do not smoke where others may suffer your smoke.*

**The following acts are prohibited unless the Council's written permission has been obtained first:**

- 5.7 Erect, occupy or use any tent, caravan, motorhome or other structure. *There are caravan sites close to Dundee.*



### 6. Cycling/Skate Parks

**The following acts are prohibited:**

- 6.1 Cycling in a manner which falls short of the responsibilities in the Code.
- 6.2 Modify provided skate parks or bike trails.

### 7. Motor Vehicles

**The following acts are prohibited unless the Council's written permission has been obtained first:**

- 7.1 Ride, park, drive or wheel any motorised vehicle except on roads and car parks designated for that purpose. *The police have taken action under Section 34 of the Road Traffic Act 1988 to confiscate motorcycles and quad bikes.* This rule does not apply to e-bikes or vehicles adapted for use by a person with a disability provided the adapted vehicle is being used by such a person.
- 7.2 Launch or land powered water craft or air craft or use a powered, remote controlled plane or drone.
- 7.3 Ride or drive any motorised vehicle greater than 10mph or other signed speed.

### 8. Events and Other Activities

**The following acts are prohibited unless the Council's written permission has been obtained first:**

- 8.1 Holding an event, performance, ceremony, demonstration or public meeting in any Open Space.
- 8.2 Playing any organised game or sport on pitches provided by the Council.
- 8.3 Organised activities such as sports coaching, fitness or hobbies which may impact others users or increase ground surface wear.
- 8.4 Carrying or discharging any firework, or building or lighting a bonfire.
- 8.5 Swim or wade in ornamental ponds or in water bodies specifically managed for horticulture or wildlife.

### 9. Expulsion & Exclusion from Open Spaces

- 9.1 Where a Council Official has reasonable grounds for believing that a person has contravened, is contravening or is about to contravene any of these Management Rules, they may expel that person from the Open Space.
- 9.2 Where a Council Official has reasonable grounds for believing person is about to contravene any of these Management Rules, they may exclude that person from the Open Space.
- 9.3 Where a person has persistently contravened or attempted to contravene these Management Rules and in the Council's opinion is likely to contravene them again, the Council may decide to make that person subject to an exclusion order for a specified period of up to one year.
- 9.4 Any person who fails to comply with expulsion (9.1 above), exclusion (9.2 above) or exclusion order (9.3 above) will be guilty of an offence and liable on summary conviction, to a fine not exceeding level 1 on the Standard Scale currently £200.

The foregoing Rules shall come into force on the 1<sup>st</sup> day of June 2019

Dated at Dundee 17<sup>th</sup> May 2019.

Signed   
Chief Executive  
Dundee City Council

