



Statutory Document No. 102/00

THE FORESTRY ACT 1984

THE SULBY CLADDAGH BYELAWS 2000

Approved by Tynwald
Coming into operation

2000
1st May 2000

In exercise of the powers conferred on the Department of Agriculture, Fisheries and Forestry by section 7 of the Forestry Act 1984¹, and of all other enabling powers, the following Byelaws are hereby made:-

1. Citation, commencement, application and interpretation

(1) These Byelaws may be cited as the Sulby Claddagh Byelaws 2000 and, subject to section 7(2) of the Forestry Act 1984, shall come into operation on the 1st May 2000.

(2) These Byelaws apply to the land known as Sulby Claddagh in the parish of Lezayre shown edged with a thick black line of the map annexed hereto and marked "Map referred to in the Sulby Claddagh Byelaws 2000".

(3) In these Byelaws -

"caravan" means a vehicle (including a mechanically propelled vehicle) which is designed or adapted for human habitation;

"the Department" means the Department of Agriculture, Fisheries and Forestry;

"moveable dwelling" includes a tent and a caravan.

2. Prohibition on overnight parking - winter

If a mechanically propelled vehicle or a trailer is, without the consent in writing of the Department, allowed to stand on any land to which these Byelaws apply between the hours of 12 midnight and 6 a.m. on any day between the 1st October and the 15th March -

(a) the person by whom it is placed there, and

(b) the person by whom it is used or kept,

¹ 1984 c.20
Price 60p

is guilty of an offence.

3. Prohibition on overnight camping — winter

If a movable dwelling is, without the consent in writing of the Department, allowed to stand on any land to which these Byelaws apply between the hours of 12 midnight and 6 a.m. on any day between the 1st October and the 15th March —

- (a) any person occupying it,
- (b) the person by whom it was placed there, and
- (c) in the case of a mechanically propelled vehicle, the person by whom it is used or kept,

is guilty of an offence.

4. Prohibition on long-term camping — summer

(1) Subject to paragraph (2), if a movable dwelling is, without the consent in writing of the Department, allowed to stand on any land to which these Byelaws apply between the hours of 12 midnight and 6 a.m. on any day between the 16th March and the 30th September —

- (a) any person occupying it,
- (b) the person by whom it was placed there, and
- (c) in the case of a mechanically propelled vehicle, the person by whom it is used or kept,

is guilty of an offence.

(2) In proceedings for an offence under this byelaw, it is a defence for the accused to prove that at the material time the dwelling in question had been allowed to stand on any land to which these Byelaws apply on less than 15 consecutive days.

(3) Where —

- (a) a movable dwelling is allowed to stand on any land to which these Byelaws apply for 2 or more periods of 4 or more consecutive days, and
- (b) a period of not more than 4 consecutive days, during which the dwelling is not allowed to stand on any land to which these Byelaws apply, intervenes between any 2 of those periods,

then, for the purpose of paragraph (2), the period mentioned in sub-paragraph (b) shall be disregarded, and the periods mentioned in sub-paragraph (a) shall be treated as continuing without interruption.

5. Special provision for mechanically propelled vehicles

For the purpose of proceedings for any offence under byelaw 2, 3 or 4, the person who is registered as the keeper of a mechanically propelled vehicle pursuant to

regulations under the Licensing and Registration of Vehicles Act 1985² shall be deemed to be the person by whom it is used or kept.

6. Prohibition on lighting fires

- (1) Any person who, without the consent in writing of the Department —
- (a) lights a fire, or
 - (b) puts fuel on a fire, or
 - (c) otherwise keeps a fire burning,

on any land to which these Byelaws apply is guilty of an offence.

(2) References in this byelaw to a fire do not include the combustion of fuel consisting of charcoal or any hydrocarbon liquid or gas in a cooking appliance designed or adapted for the burning of that fuel, except where such an appliance is placed directly on the ground.

7. Penalty

Any person who commits an offence under these Byelaws is liable on summary conviction to a fine not exceeding £500.

8. Revocation

The Sulby Claddagh Byelaws 1994³ are revoked.

MADE *7th MARCH* 2000



Minister for Agriculture, Fisheries and Forestry

² 1985 c.21

³ SD 37/94

EXPLANATORY NOTE

(This note is not part of the Byelaws.)

These Byelaws regulate parking, camping and fires on Sulby Claddagh. The prohibit overnight parking and camping between 1st October and 15th March (byelaws 2 and 3) and long-term camping between 16th March and 30th September (byelaw 4), and prohibit fires at any time, except for the use of proper stoves or barbecues (byelaw 6).