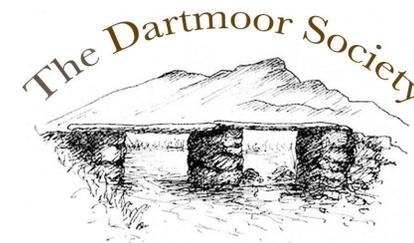


Dartmoor Bylaws Consultation Response from the Dartmoor Society
28 October 2021



	Bylaw section and clause	Agree?	Comments
1	1. Interpretation	No comment	
2	2. Extent of Bylaws	No comment	
	3. Revocation		
3	4. Vehicles	Yes	<p>Substitute "reasonable excuse" with 'without due authority or a valid reason'</p> <p>The term 'Invalid carriage' is outdated and considered offensive by some. Suggested wording. This byelaw shall not extend to mobility scooters or powered wheelchairs. These vehicles, whether mechanically propelled or not, should not exceed 150 kilograms of unladen weight. The width should not exceed 0.85 metres and the vehicle should be constructed for the use of one person.</p>
4	5. Parking(i)	No	<p>The Dartmoor Society would not support a move to erect permanent signs indicating that parking off the highway at certain points is prohibited. 'At any time' should be added to (i) (ii) and (iv)</p>
5	5. Parking (iii)	yes	<p>This is a positive move that is designed to stop the ever increasing number of vans parked overnight on the side of the road on Dartmoor Access Land where there are no facilities.</p> <p>This bylaw should clearly state that it does not extend to those people who wish to enjoy the peace of Dartmoor and its dark night skies for a period of time from the comfort of their car.</p>

			Suggested wording for Parking 5 (iii) Between the hours of 9pm and 9am no person shall occupy with the intention of sleeping overnight for recreation any vehicle, caravan or trailer parked on Access Land.
6	5. Parking (iv)	yes	
	6. Repair of Vehicles		
7	7. Camping (i)	Yes	
8	7. Camping (ii)	Yes	
9	7. Camping (iii)	Yes	
	8. Water		<p>Suggested wording to remove the word 'knowingly'</p> <p>Include pollution as well as obstructing flow. Suggested Wording:</p> <p>No person shall cause or permit the flow of any watercourse, leat or drain on the access land to be obstructed or diverted or interfere with any sluice gate or similar apparatus on the access land. No person shall cause pollution to any watercourse, leat or drain.</p>
10	9. Fire (i)	Yes	
11	9. Fire (iii)	Yes	<p>People often do not realize that they have used their barbecue in a dangerous manner and so it is useful to state the conditions that contribute to a high risk of uncontrolled fire.</p> <p>The use of the words Fire Severity Index may be confusing if readers don't know what this is, or how DNPA intends to convey information about fire risks.</p> <p>An alternative wording could be: 9 (iii)The use of barbecues, including disposable barbecues (<i>delete 'whether manufactured as such or otherwise'</i>), is not permitted anywhere on the Access Land if it is used in such a manner as to cause fire, damage or harm to the land or vegetation or when the risk of fire spreading is high due to factors such as wind speed, temperature, time of year and the dryness of vegetation.</p> <p>The Met office's Fire Severity Index is published online and provides a trigger for</p>

			<p>the DNPA to implement fire prevention restrictions on Access Land. Fire prevention restrictions may be put in place to minimise accidental fires by suspending open access rights when conditions become exceptional (FSI level 5).</p> <p>How feasible is it to erect temporary signs at points on Dartmoor when the fire risk factor is high? Perhaps this should be publicised in the press, in visitor centres and online.</p>
12	9. Fire (iv)	Yes	
13	9.Fire (v)	Yes	
14	10. Dogs (iii)	Yes	<p>10(ii) the likelihood of a Ranger being close when an incident arises is remote. The words 'and if directed to do so by a Ranger' could be replaced with 'and if requested to do so'</p> <p>10 (iii) The vulnerability of ground nesting birds in the breeding season is rightly acknowledged in this bylaw. The Sandford Principle states: "Where irreconcilable conflicts exist between conservation and public enjoyment in National Parks, then conservation interest should take priority.</p>
15	10. Dogs (iv)	Yes	
16	11. Feeding of Animals	Yes	Omit 'lawfully' so the bylaw applies to <i>any</i> animal.
17	12. Racehorses	Yes	
18	13. Protection of Wildlife (i)	Yes	The protection of wildlife should include all living creatures and their habitats. Not just animals, birds and fish.
19	13. Protection of Wildlife (ii)	Yes	<p>How will the DNPA deal with those who own rights or are licenced to participate in sport or fishing?</p> <p>The wording should specify that a current fishing licence is an accepted form of 'authority'</p> <p>Suggested wording: 'No person shall without lawful excuse or authority:' Lawful authority could include a valid fishing permit.</p>

20	14. Firearms and Projectiles	Yes	<p>Not all animals on the Moor are 'wildlife. Refer to byelaw 20(i) where stock has been written into the wording.</p> <p>Suggested wording: 14 (ii) release any projectile or throw any missile on the Access Land to the danger of any other person or (remove so 'as') to give reasonable grounds for annoyance; or to endanger stock; or</p>
21	15. Damage to Land (i)	Yes	Damage or removal of authorised signs should be added.
22	15. Damage to Land (iii)	Yes	
23	16. Commercial Activities	Yes	We assume that Section 17 is aimed at snack and ice cream vans with the attendant waste food and drink wrapping. Does this mean that farm sales from the gate are not permissible. Will permission generally be granted for such enterprises?
24	17. Recreational Activities	Yes	<p>Will the DNPA appoint a person to deal with the applications for the authorisation of events that exceed these numbers. For example the Beating of the Bounds of a parish? Religious services?</p> <p>The bylaws should state the application process for events that exceed these numbers.</p> <p>If the proposal to limit numbers to 50 people on foot, or 30 horses or cyclists at one event is to work in practice, the application process must be clear, well publicised and easy to follow, and the decision arrived at and communicated quickly. There should also be a process for repeat events.</p>
	18. Aircraft	Yes	
25	19. Kites, model aircraft and drones (ii)	Yes	
26	20. Kites, model aircraft and drones (iii)	Yes	
27	20. Entertainments	Yes	
28	21. Music and Radios	Yes	

29	22. Rangers (iv)	yes	The proposed changes to the existing bylaws put a lot more pressure on Dartmoor Rangers and those who police the Dartmoor bylaws. The successful implementation of the revised bylaws will depend on how the DNPA deals with this by increasing awareness of the bylaws amongst the visiting public and devising a workable enforcement strategy with police and others.
30	23. Penalty	Yes	No action is currently taken against those who flout the bylaws even when there is clear and comprehensive photographic and video evidence. We believe mandatory action should be taken in cases where clear evidence of wrongdoing exists.
31	Additional Comments		<p>8. Water. Suggested wording to remove the word 'knowingly'</p> <p>Include pollution as well as obstructing flow. Suggested Wording:</p> <p>No person shall cause or permit the flow of any watercourse, leat or drain on the access land to be obstructed or diverted or interfere with any sluice gate or similar apparatus on the access land. No person shall cause pollution to any watercourse, leat or drain.</p>
32	In what capacity are you responding?		Organisation
33	Representative of an organisation?	yes	The Dartmoor Society
34	Member of an organisation		
35	First half of postcode		EX20
36	Provide your email address in case of further discussion		info@dartmoorsociety.com