

# GLASGOW CITY COUNCIL

## CIVIC GOVERNMENT (SCOTLAND) ACT 1982

### MANAGEMENT RULES REGULATING PUBLIC PARKS, GARDENS, OPEN SPACES AND PLACES OF PUBLIC RESORT OR RECREATION

GLASGOW CITY COUNCIL (hereinafter referred to as "the Council") by virtue of the powers conferred on it by Section 112 of the Civic Government (Scotland) Act 1982 (hereinafter referred to as "the 1982 Act") and the City of Glasgow District Council Confirmation Order Act, 1988 (hereinafter referred to as "the 1988 Act") hereby makes the following management rules for the regulation of public parks, gardens, open spaces and places of public resort or recreation under the management or control of the Council and the conduct of persons while in said parks, gardens, open spaces and places of public resort or recreation.

#### 1. Interpretation

- 1.1 **"Park"** means any land or premises which is owned, occupied or managed by the Council or is otherwise under the control of the Council and to which the public has access, whether on payment or not and which is used for the purposes of recreation, games, sports or amusements or as a public playground, gardens, open space or path network and all buildings, structures, works, appliances and servitudes, rights, powers and privileges connected therewith and without prejudice to the foregoing generality shall include the area known as and comprising George Square, Glasgow.
- 1.2 **"Authorised Officer of the Council"** means any employee of the Council or any of its Arms Length External Organisations (ALEOs) or any organisation that has undertaken to carry out any service relating to any aspect of these Rules under any contractual arrangement or Service Level Agreement.
- 1.3 **"Code"** means the Scottish Outdoor Access Code, the guidance on the Land Reform (Scotland) Act 2003, and any guidance or regulations extending or amending the same
- 1.4 **"Unauthorised Gathering"** means any gathering, meeting or assembly in the park comprising 20 or more persons which is organised by any individual, group, club or society or other organisation which has not had the prior written consent of the Director, howsoever organised and includes any kind of informal gathering advertised on Facebook, Twitter or any other social media operating from time to time on the Internet, mobile messaging service or any other electronic means.
- 1.5 **"Anti-social Behaviour"** means any conduct, action or course of conduct committed within the curtilage of any park or any building thereon that is likely to cause alarm or distress, nuisance or annoyance to any person using the park or any of its facilities.
- 1.6 **"Director"** means the Executive Director of Land and Environmental Services or the appropriate department with responsibility for parks in the city of Glasgow or his/her nominee or other duly authorised person.

#### 2. Behaviour

- 2.1 No one shall in any park:
- (a) enter or leave any park except by the proper entrance,
  - (b) enter or remain within any park when such park is closed to the public,
  - (c) commit any act of anti-social behaviour in any park,
  - (d) enter any building if not authorised to do so,
  - (e) damage or remove any artefact, plant, building, structure, equipment,

- furniture or fitting,
- (f) leave any litter except in bins provided for the purpose,
- (g) obstruct any gateways or other entry,
- (h) carry or discharge any firearm or other weapon,
- (i) bring into, deposit or leave any substance or article likely to cause injury or damage to any person or property,
- (j) smoke in any playground or other place in any park in contravention of a notice prohibiting smoking.

### **3. General**

- 3.1 An Authorised Officer of the Council may refuse admission to any person, group or organisation to any park and his decision to do so shall be final. Unauthorised gatherings may be dispersed in terms of Rule 3.3.
- 3.2 The Director may make an order exempting any park, or any part of any park for a specified purpose and a specified time from the access rights which would otherwise be exercisable. This will include where the Director has reason to believe that the park or part of the park will be used by unauthorised gatherings and said gathering is likely to result in a breach of these Rules.
- 3.3 Where an unauthorised gathering congregates in any park or park building and, in the opinion of any Authorised Officer of the Council or any Police Officer in the course of their duties in the park, is likely to cause a breach of these Rules, any such Authorised Officer of the Council is empowered to take such action as is necessary to ensure the said gathering is dispersed and may include taking action under Section 14 of these Rules, and/or seeking assistance from the Police as required.
- 3.4 The Council is not responsible for any loss or damage to any vehicle or any other property left in any park. The Council is not responsible for any loss, injury or damage suffered by any person in any park where such loss, injury or damage was occasioned by conduct of any person in contravention of these Rules or by failure to take proper and reasonable care whether on the part of the person who suffered such loss, injury or damage or such other person who was at the relevant time responsible for that person.

### **4. Animals**

- 4.1 Dogs are allowed in parks unless a notice is posted otherwise, but must be kept on short lead or under close control. A short lead is a maximum of 2m long and close control means that the dog is able to respond to commands and is kept close at heel.
- 4.2 The person in charge of the dog must ensure that any dog excrement is picked up and either removed from the park or deposited in a bin within the park.
- 4.3 No one shall in any park:
  - (a) exercise any more than three dogs at any one time,
  - (b) displace, disturb, ill-treat, injure, take or destroy any animal, bird, nest or egg,
  - (c) set or use any form of trap, firearm, weapon or other means for the taking, injury or destruction of any animal, bird or game.

### **5. Water**

- 5.1 Activities such as canoeing, rafting, rowing, sailing and swimming are allowed, except in ornamental ponds, fountains or in waterways specifically managed for horticulture or wildlife.

- 5.2 Pond dipping for educational purposes is allowed. Anything taken should be returned.
- 5.3 No one shall in any park, except with the prior written consent of the Director:
- (a) dam or otherwise obstruct any waterway,
  - (b) take, catch, injure, destroy, disturb any fish, amphibians or plants in any waterway, (except for the designated fishing zone within Hogganfield Park),
  - (c) pollute any waterway.
- 5.4 No one shall go upon any ice formed over a body of water in any park unless a notice intimating that it is safe to do so is displayed at that location.

## **6. Motorised vehicles and parking**

- 6.1 Except when entering or leaving a designated parking place, all vehicles in parks except for prams, wheelchairs and motorised vehicles for transporting people with a disability, require the prior written consent of the Director.
- 6.2 Where permitted, vehicles must be driven safely and must not obstruct or risk causing injury or damage to other road users. Vehicle speed must not exceed 10 miles per hour.
- 6.3 Where car parking facilities are provided in any park, they are provided for park users, are available only during such times as the park and buildings are open and being used by visitors and are for short term parking only. The Council reserves the right to impose a charge for such parking.
- 6.4 Overnight parking of vehicles is not allowed except with the prior written consent of the Director.
- 6.5 Any vehicle abandoned, unlawfully parked, parked outwith designated parking areas, parked in contravention of the foregoing or causing obstruction may be removed from the park and stored for collection in accordance with the signage displayed in parks.

## **7. Cycling**

- 7.1 Cycling is welcome in parks, but only on tarmac paths or roads, designated cycle tracks or mountain bike courses.
- 7.2 Cyclists must maintain proper control of the cycle and ensure they do not endanger other road users. Cycle speed should not exceed 5 miles per hour.

## **8. Fires, Barbeques and Camping**

- 8.1 No one in any park shall, except with the prior written consent of the Director:
- (a) camp overnight
  - (b) light a fire
- 8.2 Barbeques are allowed, provided due care and attention is paid to the risk of fire and of scorch damage to parks furniture and grass. All litter and debris must be removed from the park.

## **9. Alcohol, drugs and solvents**

- 9.1 Alcohol cannot be sold or supplied in any park except with the prior written consent of the Director and where a proper licence has been granted.
- 9.2 Alcohol cannot be consumed in any park, except with the prior written consent of the Director and in accordance with the Glasgow City Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Places.
- 9.3 No one who, in the opinion of any Authorised Officer of the Council, is under the influence of alcohol, drugs or solvents shall enter or remain in any park or buildings therein.

## **10. Events and Other Activities**

- 10.1 No person shall in any park, except with the prior written consent of the Director, and after agreeing to comply with the Conditions of Let issued:
- (a) organise or take part in any performance, event, ceremony, exhibition, assembly or procession or such activity,
  - (b) display or distribute any advertising material or any written or printed paper or document,
  - (c) organise or participate in any betting or gaming activity or any lottery,
  - (d) recruit, drill or practice military or similar operations,
  - (e) use any radio controlled equipment,
  - (f) play or practice any game or sport in contravention of any notice,
  - (g) play or practice any organised sport,
  - (h) leave any goal posts or other equipment overnight,
  - (i) make use of any park as an aerodrome or landing ground for aircraft, except in an emergency, or fly any aircraft (including power driven models).
- 10.3 No person shall in any park:
- (a) use any play equipment in contravention of any notice indicating the appropriate age or persons by whom the equipment may be used,
  - (b) solicit or collect money, gifts or subscriptions for any purpose whatsoever.
- 10.4 The use of metal detectors is allowed, but only when the user is a member of the National Council for Metal Detecting, and is in possession of a permit issued by the National Council for Metal Detecting for detecting in Glasgow's parks.
- 10.5 Geocaching is allowed, providing the Geocaching Association of Great Britain's Code of Conduct is followed.
- 10.6 No person shall, except with the prior written consent of the Director, operate any radio or similar apparatus, play any musical instrument, or play any form of amplified music or speech.

## **11. Miscellaneous**

- 11.1 No one shall in any park, except with the prior written consent of the Director:
- (a) enter any toilet or changing room reserved for use by the opposite sex, except a child under eight years of age whilst accompanied by an adult of the opposite sex, or disabled persons being assisted in using facilities.
  - (b) erect any post, rail, fence, platform, pole, peg, tent, booth, screen, stand, swing or other structure of whatever description whether fixed or moveable,
  - (c) erect or affix any notice or notice board in any park,
  - (d) erect any memorial or attach any memorabilia of any type. An Authorised Officer of the Council shall be entitled to remove any such items without any prior notice, but shall pay due attention to the sensitivity of such items,

- (e) dispose of, by any means, the cremated remains of a deceased person
- (f) hang linen or other material, beat, shake, sweep, brush or cleanse any carpet, rug, mat or other article.

## **12. Commercial activity**

- 12.1 No one shall in any park, except with the prior written consent of the Director:
- (a) sell or hire any items, goods or services,
  - (b) carry out any market research, survey, or any other activity of a similar kind,
  - (c) beg for or solicit money or goods.
- 12.2 Commercial activities shall include, but are not limited to, the following:-
- (a) professional dog walking service,
  - (b) fitness, personal or other training classes which make use of any part of the park or any building thereon,
  - (c) any person or organisation seeking to use any park or park building for outdoor educational provision, child care provision, nursery or kindergarten activities,
  - (d) guided walks for which payment is made by participants,
  - (e) performances, events, ceremonies, exhibitions, assemblies or processions or such activities where there is commercial gain.

## **13. Charges**

- 13.1 The Council reserves the right to levy a charge or charges for the use of any park or for any facilities or services provided in any park and the Council shall have the right to alter such charges without notice.
- 13.2 Prior written consent from the Director is required to use any park for an event, gala, fete, organised sport etc. and for use of any park as designated growing space, community garden, educational space and the like, and the Council may levy charges for such use.

## **14. Enforcement**

- 14.1 If an Authorised Officer of the Council has reasonable grounds for believing that a person has contravened, is contravening or is about to contravene any of the foregoing management rules they may expel or exclude that person from the park in terms of Section 116 of the Civic Government (Scotland) Act 1982.
- 14.2 A person who persistently contravenes or attempts to contravene the foregoing management rules and is, in the opinion of the Council, likely to contravene them again, shall be liable to be made the subject of an exclusion order by the Council for a period not exceeding one year in terms of Section 117 of the Civic Government (Scotland) Act 1982.
- 14.3 If any person who is expelled or excluded from any park fails to leave or re-enters the park they shall be guilty of an offence and liable, on summary conviction, to a fine in terms of Section 118 of the Civic Government (Scotland) Act 1982.