



Jersey

R&O – 165/2005

POLICING OF PARKS (JERSEY) REGULATIONS 2005

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Jersey

POLICING OF PARKS (JERSEY) REGULATIONS 2005

*Made**1st November 2005**Coming into force**8th November 2005*

THE STATES, in exercise of the powers conferred on them by Order in Council of 26th December 1851,¹ Article 49 of the Road Traffic (Jersey) Law 1956² and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957,³ have made the following Regulations –

1 Interpretation

- (1) In these Regulations –
- “authorized person”, in respect of a park, means –
- (a) a person appointed by the park authority to be an authorized person for the purposes of these Regulations; and
 - (b) a police officer;
- “Committee” means the Environment and Public Services Committee;
- “cycle track”, “motor vehicle” and “pedal cycle” have the meanings assigned to those expressions by the Road Traffic (Jersey) Law 1956;
- “park” means an area of land mentioned in Regulation 2;
- “park authority”, in respect of a park, means –
- (a) in the case of Glacis Field, Fort Regent and Springfield Sports Ground, the Education, Sports and Culture Committee;
 - (b) in the case of any other park owned or administered by the States, the Environment and Public Services Committee; and
 - (c) in the case of a park owned or administered by a parish, the Connétable of the parish;
- “plan” means a plan set out in the Schedule to these Regulations.
- (2) In these Regulations a reference to a park by a Part number means a park that is shown coloured on a plan with a colour that corresponds to the

colour shown next to that Part number in the legend at the start of the Schedule to these Regulations.

2 Parks

- (1) These Regulations apply to the areas of land shown edged green on the plans set out in the Schedule to these Regulations.
- (2) Subject to these Regulations, members of the public have the right of access to parks.

3 Prohibited acts in parks

- (1) A person must not –
 - (a) indulge in any behaviour in a park that unreasonably interferes with the comfort or convenience of others users of the park, or causes them annoyance or interferes with their enjoyment of the park;
 - (b) undertake any activity in a park likely to damage the park or to disrupt its maintenance;
 - (c) throw or discharge in a park any object to the danger of persons or property;
 - (d) use a motor vehicle or pedal cycle in any part of a park not set aside for that use;
 - (e) enter or go on any shrubbery, flower bed or other area of a park where it is clearly intended members of the public should not enter;
 - (f) destroy or injure a plant in a park;
 - (g) destroy, injure or take an animal, a bird (including an egg) or a fish in a park;
 - (h) injure, deface or damage a feature of a park;
 - (i) climb a tree or other feature in a park not set aside for that purpose;
 - (j) except in a receptacle provided for the purpose, leave refuse in a park;
 - (k) when in charge of a dog in a park, fail to clean up any faeces deposited by the dog;
 - (l) enter or remain in a park when it is closed.
- (2) A person who contravenes a provision of paragraph (1) shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.
- (3) It is a defence for a person charged with an offence under paragraph (1) to show that he or she was acting in accordance with permission given under Regulation 4(1).

4 Acts for which written permission of park authority is required

- (1) A person must not, in a park, do any of the things mentioned in paragraph (2) except with and in accordance with the written permission
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of the park authority which may be given subject to conditions and restrictions.

- (2) A person must not –
 - (a) exhibit a notice, advertisement or other written or pictorial matter;
 - (b) play loud amplified music, speech or other sounds;
 - (c) give a public address;
 - (d) give or take part in a public performance, display or exhibition;
 - (e) solicit or collect alms, donations, contributions or subscriptions;
 - (f) light a fire;
 - (g) discharge a firework;
 - (h) engage in a trade, profession or calling;
 - (i) discharge a firearm;
 - (j) operate a device capable of locating or detecting buried objects;
 - (k) allow to remain at rest or store a boat or a trailer, gear, equipment, tackle or other apparatus associated with a boat.
- (3) A person who contravenes a provision of paragraph (1) shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.
- (4) An authorized person has the same power to remove anything allowed to remain at rest or stored in a park contrary to paragraph (2)(k) as the person has to remove a vehicle from the park pursuant to the Road Traffic (Removal of Vehicles) (Jersey) Order 1963.⁴

5 Animals in parks

- (1) Except as provided by this Regulation, a person must not –
 - (a) take an animal into a park; or
 - (b) being a person with responsibility for an animal, allow the animal to remain in a park.
 - (2) A blind person in charge of a guide dog may take the dog into a park.
 - (3) A police officer or an officer of the Impôts may take into a park a dog that is being worked by the officer in the course of his or her duty.
 - (4) A person may take a dog into a Part 1 park so long as the dog is kept on a lead and is kept within the confines of established paths while it is in the park.
 - (5) A person may take a dog into a Part 2 park so long as the dog is kept on a lead while it is in the park.
 - (6) A person may take a dog into a Part 3 or 4 park.
 - (7) A person may take a horse or pony into a Part 4 park so long as it is ridden or led on a road or riding way established for the purpose by the park authority.
 - (8) A person who contravenes a provision of paragraph (1) shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.
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6 Cycle tracks in parks

- (1) A park authority may establish a cycle track within a park.
- (2) Articles 14, 14B, 15, 16, 16F, 18, 24, 25, 26, 27 and 36 of the Road Traffic (Jersey) Law 1956 shall apply to a pedal cycle ridden on a cycle track established under paragraph (1).

7 Road train track

- (1) The Committee may –
 - (a) set aside a road train track on the promenade between West Park and St. Aubin; and
 - (b) authorize the track to be used to provide a road train service.
- (2) The Committee must not authorize a person to provide a road train service in accordance with paragraph (1)(b) unless it is satisfied that the person operating the service –
 - (a) is the holder of a public service vehicle licence issued under the Motor Traffic (Jersey) Law 1935⁵ for each motor vehicle to be used to provide the service that authorizes the vehicle to be used to provide a char-à-banc service; and
 - (b) has the insurance cover required by the Motor Traffic (Third-Party Insurance) (Jersey) Law 1948⁶ for each motor vehicle to be used to provide the service.
- (3) The Road Traffic (Jersey) Law 1956, Motor Traffic (Third-Party Insurance) (Jersey) Law 1948 and Motor Traffic (Jersey) Law 1935 apply to the driving of a road train on a road train track set aside in accordance with paragraph (1)(a) as they apply to the driving of a motor vehicle on a road.
- (4) For the purpose of the Road Traffic (Jersey) Law 1956 the speed limit for a road train on a road train track is 10 miles an hour.
- (5) The Committee may establish as a cycle track a road train track set aside in accordance with paragraph (1)(a).
- (6) In this Regulation “road train service” means a service that consists of the carriage of passengers for hire or reward by a vehicle that consist of a motor vehicle and one or more trailers constructed for the carriage of passengers.

8 Authorized persons

- (1) A park authority must issue each authorized person it appoints with an identity card that –
 - (a) contains the name of the authorized person; and
 - (b) states that the person is an authorized person for the purposes of these Regulations.
 - (2) If an authorized person believes that a person has committed an offence under these Regulations the authorized person may, after showing his or
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her identity card to the person, require the person to give his name and address.

- (3) A person who fails or refuses to comply with a requirement made under paragraph (2) or who gives a false name or address shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.

9 Holding of events in parks

- (1) The park authority in respect of a park may close the park or any part of it to the public at any time and –
 - (a) grant the use of the park or the part of it to a person to hold an event, whether or not for payment and subject to such conditions and restrictions as the authority may determine; or
 - (b) use the park or the part of it to hold an event.
- (2) Admission by the public to a park or any part of it closed to the public under paragraph (1), may be made subject to the payment of an amount determined by –
 - (a) the park authority; or
 - (b) with the consent of the park authority, the person to whom the use of the park, or part of it has been granted.
- (3) The park authority must ensure that adequate public notice is given of the closure of the park or a part of it under this Regulation.

10 Application of fines levied summarily

A fine for an offences against any of these Regulations that is levied summarily by a Connétable or Centenier in the exercise of a power conferred on him or her by Article 1 of the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957 shall be –

- (a) awarded for the benefit of the parish in which the offence was committed; and
- (b) applied by the parish towards the cost of maintaining the by-roads of the parish.

11 Repeal

The following Regulations are repealed –

- (a) Policing of Parks (Jersey) Regulations 1962;⁷
- (b) Policing of Parks (Amendment) (Jersey) Regulations 1966;⁸
- (c) Policing of Parks (Amendment No. 2) (Jersey) Regulations 1979;⁹
- (d) Policing of Parks (Amendment No. 3) (Jersey) Regulations 1982;¹⁰
- (e) Policing of Parks (Amendment No.4) (Jersey) Regulations 1984;¹¹
- (f) Policing of Parks (Amendment No. 5) (Jersey) Regulations 1989;¹²

- (g) Policing of Parks (Amendment No. 6) (Jersey) Regulations 1990;¹³
- (h) Policing of Parks (Amendment No. 7) (Jersey) Regulations 1990;¹⁴
- (i) Policing of Parks (Amendment No. 8) (Jersey) Regulations 1992;¹⁵
- (j) Policing of Parks (Amendment No. 9) (Jersey) Regulations 1993;¹⁶
- (k) Policing of Parks (Amendment No. 10) (Jersey) Regulations 1995;¹⁷
- (l) Policing of Parks (Amendment No. 11) (Jersey) Regulations 1995;¹⁸
- (m) Policing of Parks (Amendment No. 12) (Jersey) Regulations 1997;¹⁹
- (n) Policing of Parks (Amendment No. 13) (Jersey) Regulations 1998;²⁰
- (o) Policing of Parks (Amendment No. 14) (Jersey) Regulations 2003.²¹

12 Citation and commencement

- (1) These Regulations may be cited as the Policing of Parks (Jersey) Regulations 2005.
- (2) They shall come into force on the seventh day after they are made.

A.H. HARRIS

Deputy Greffier of the States.

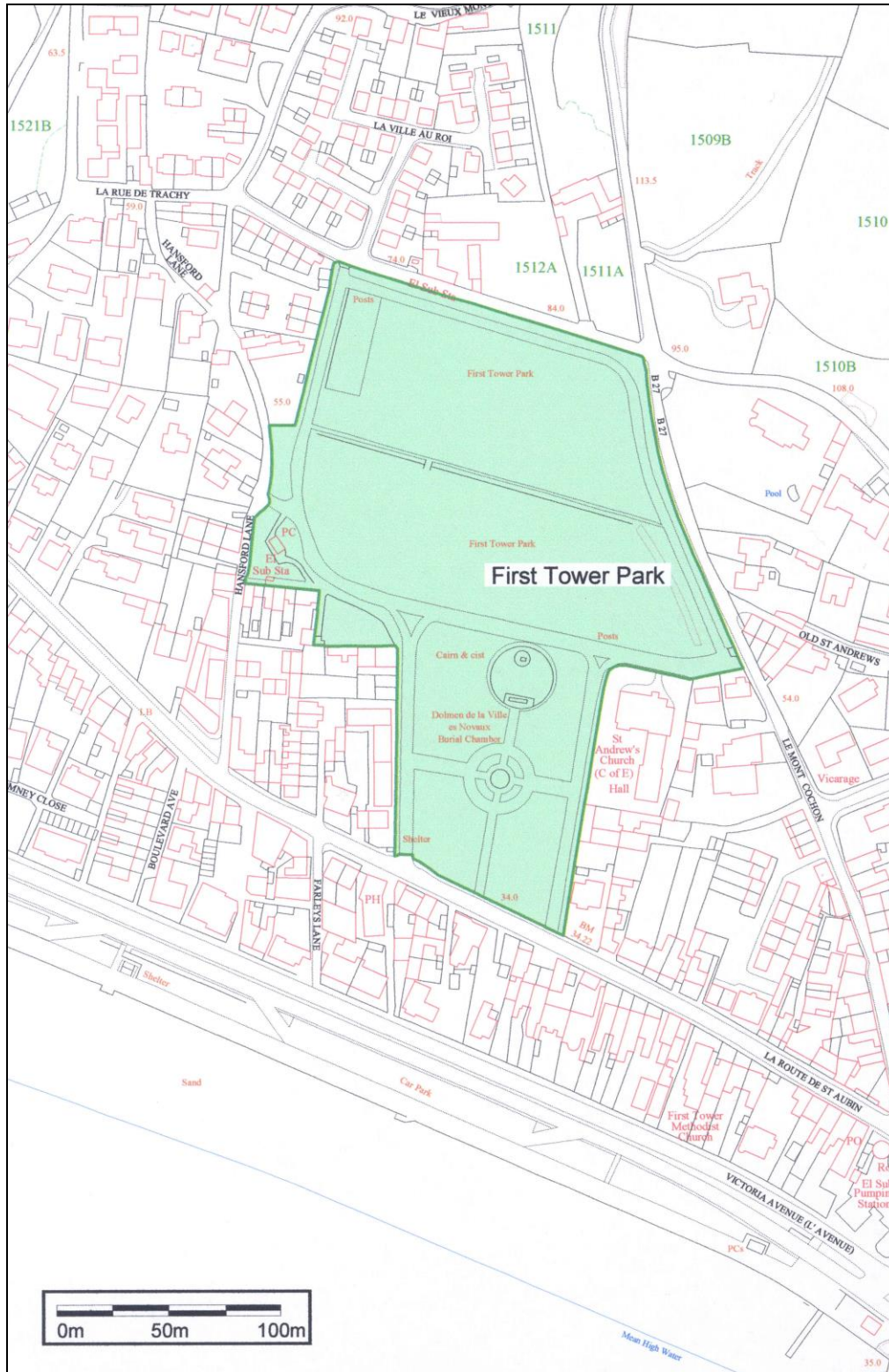
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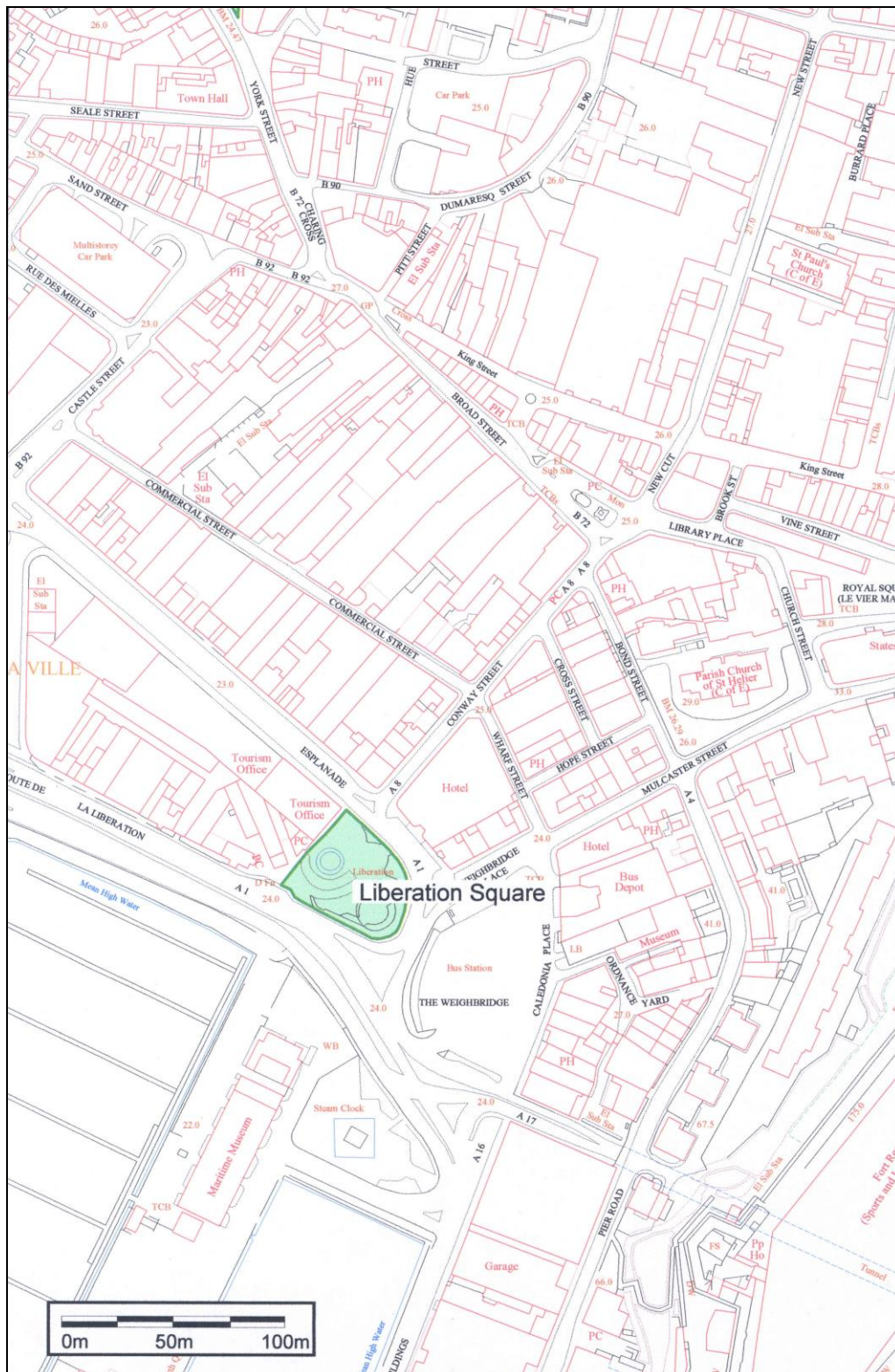
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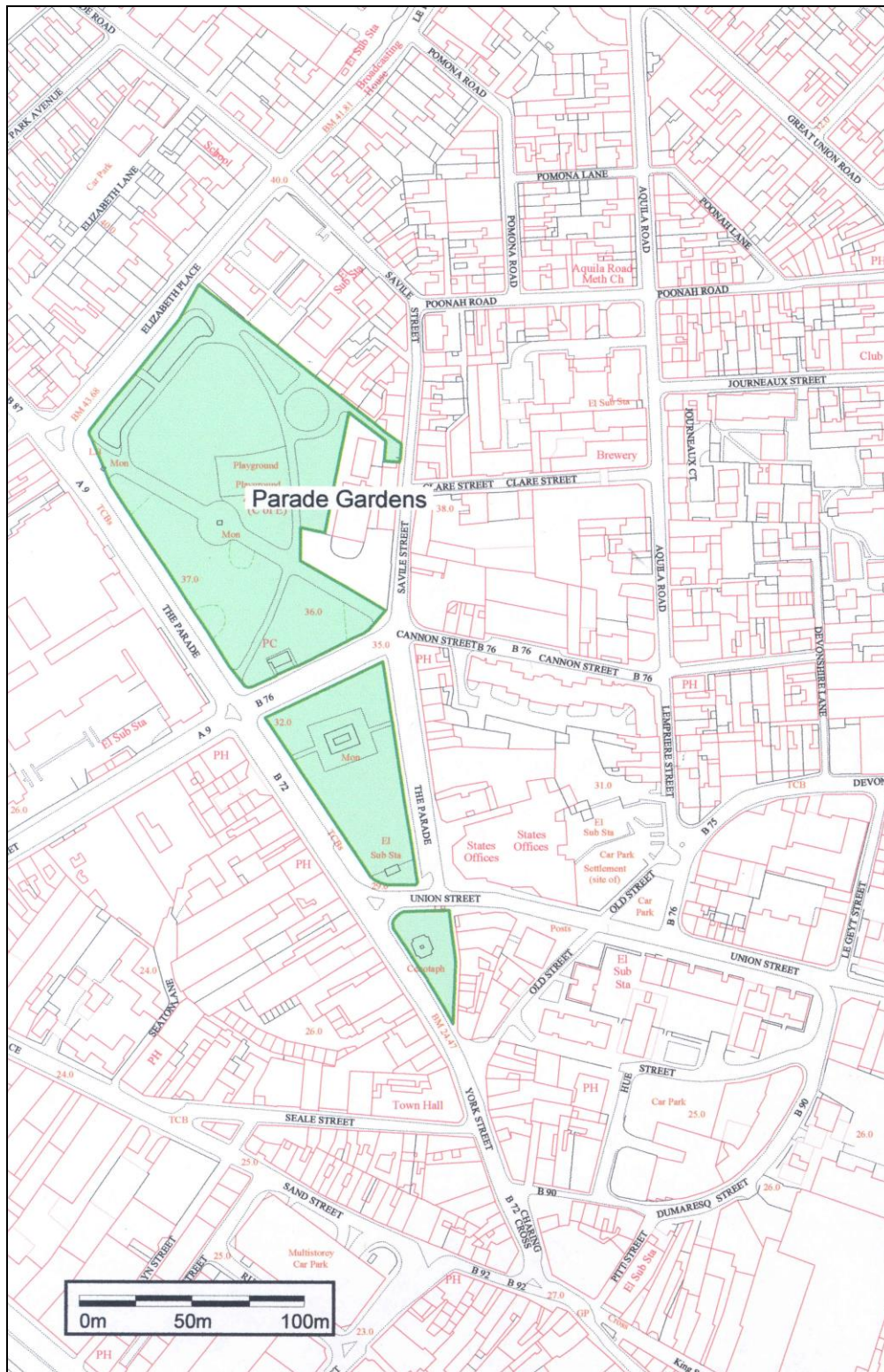
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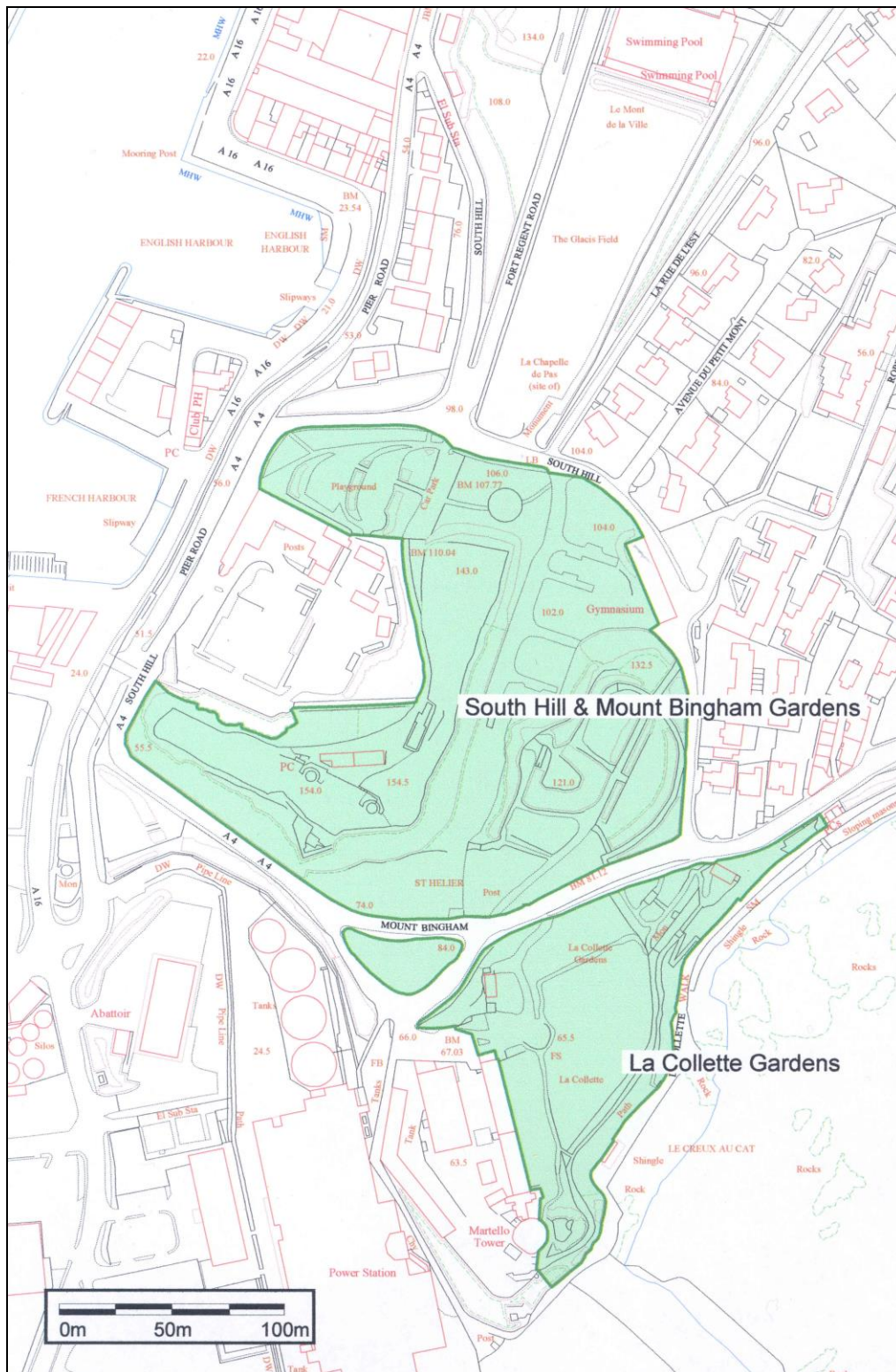
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PART 1

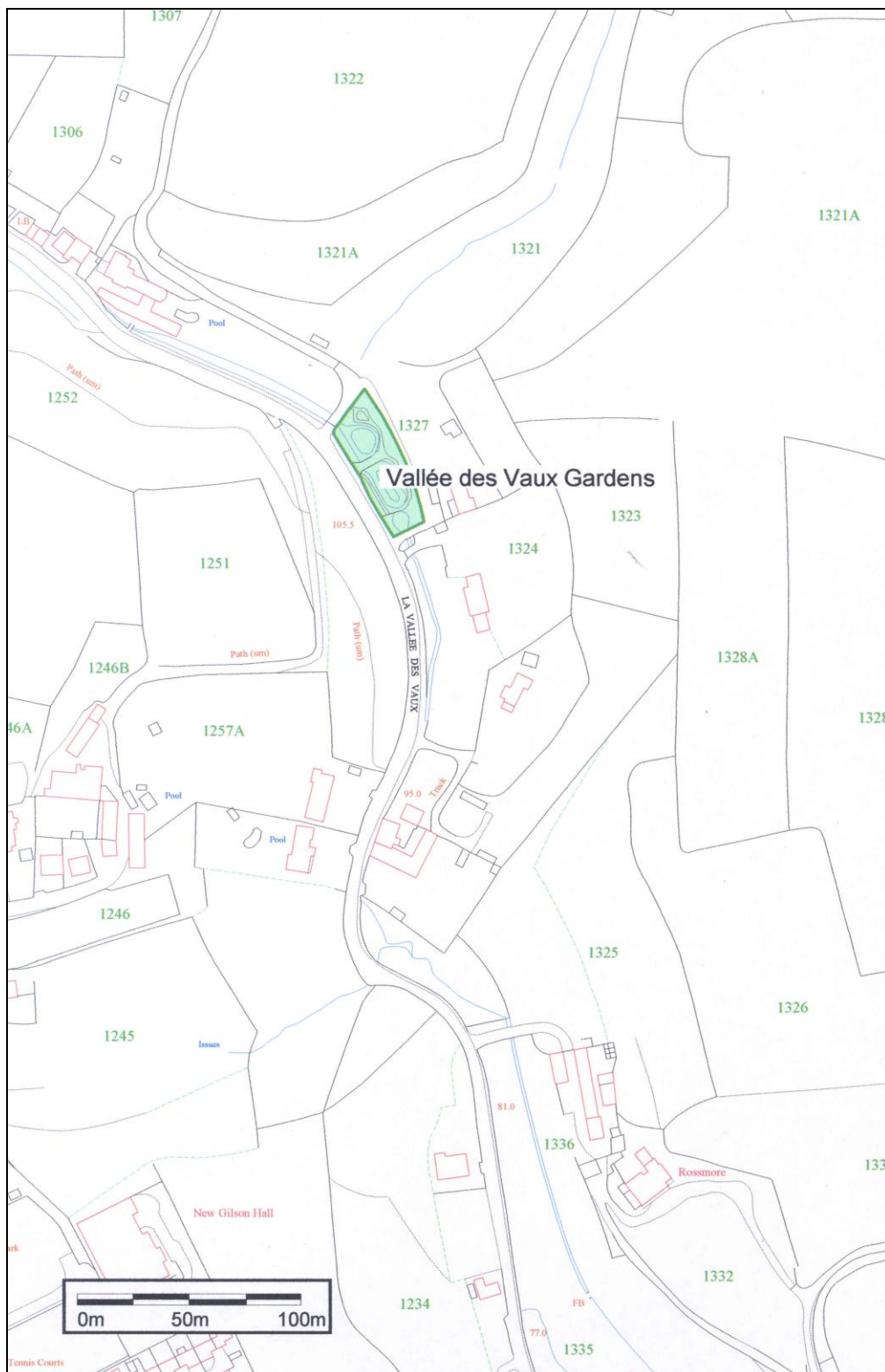




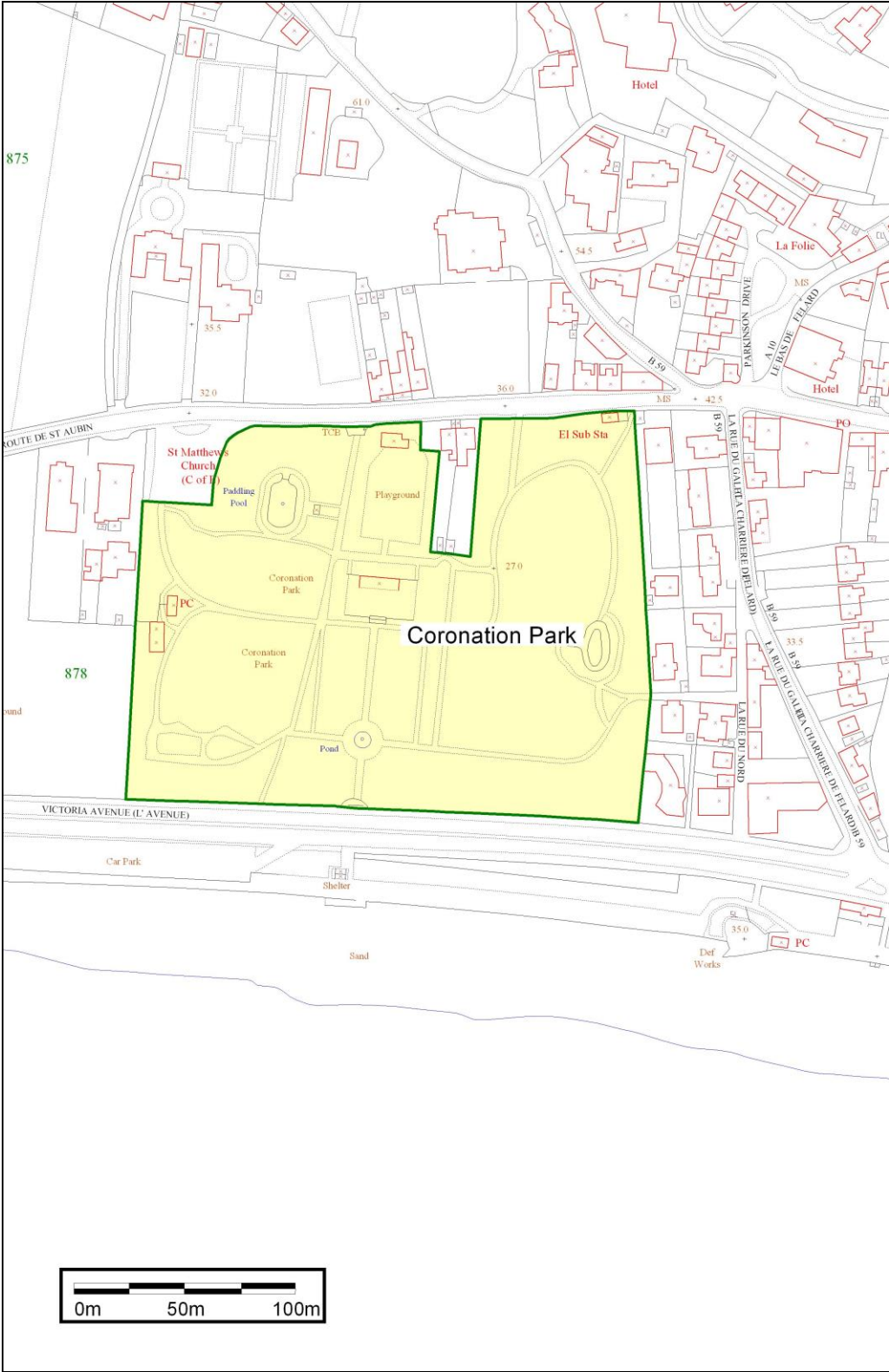


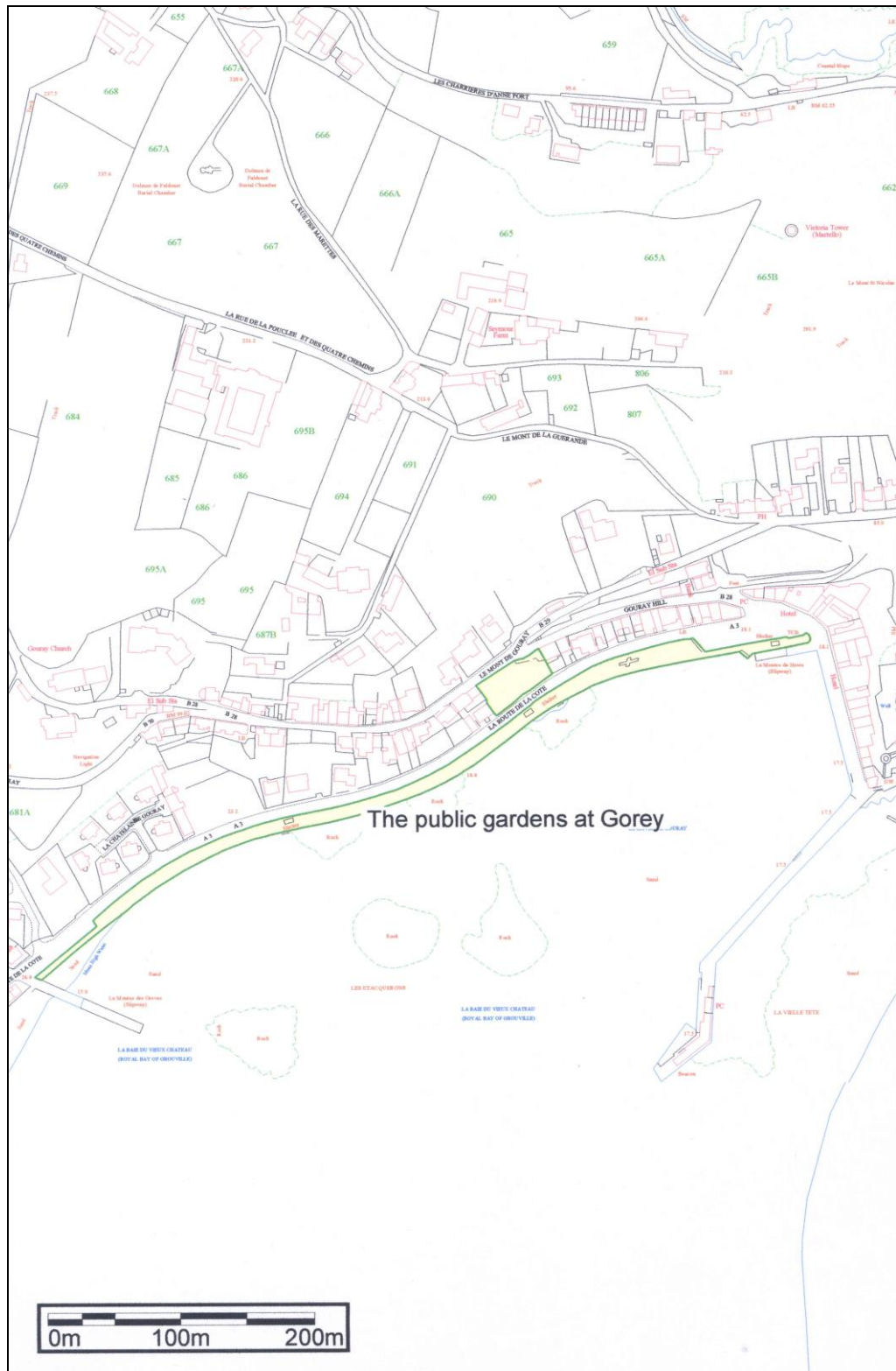




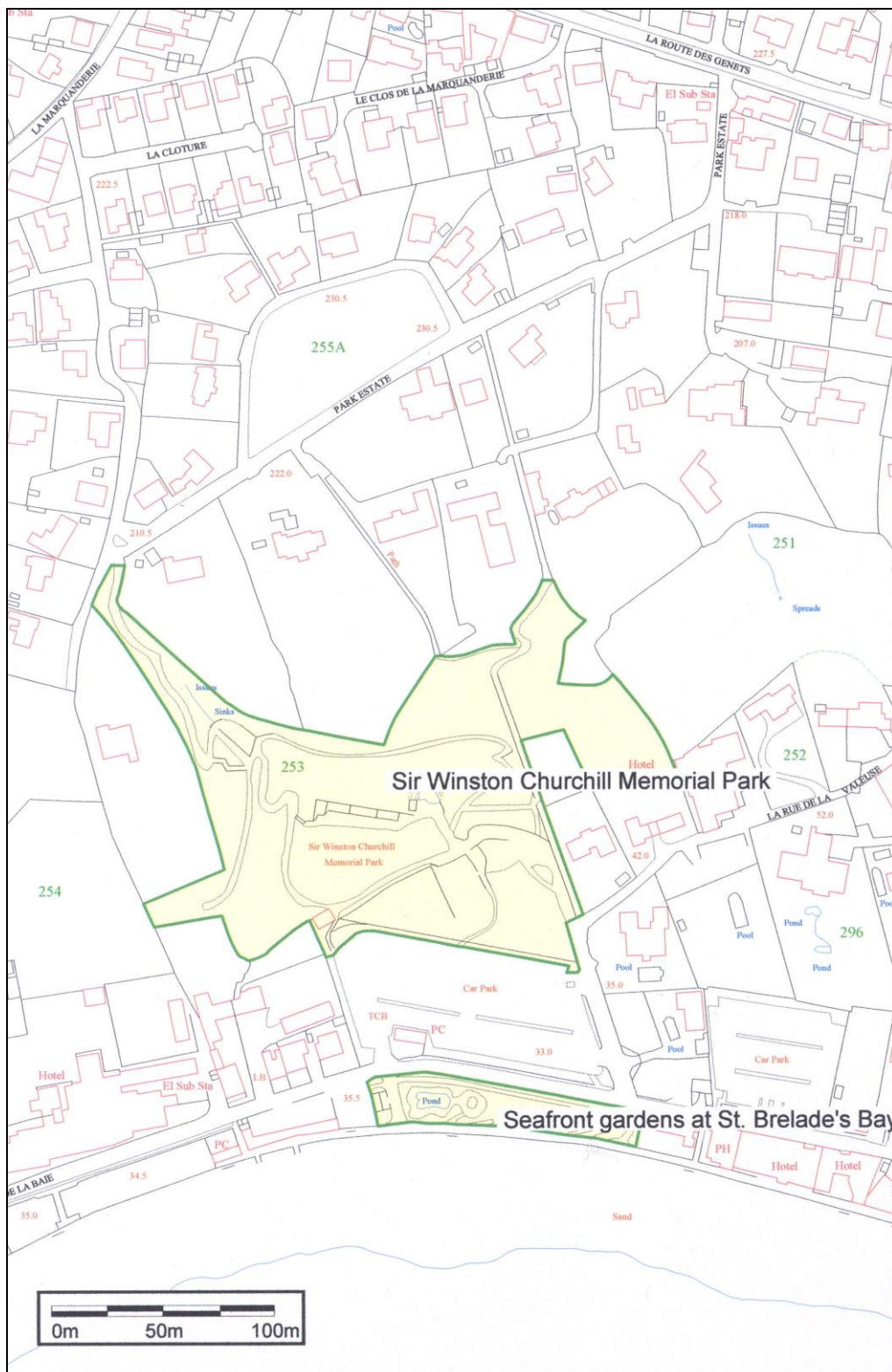


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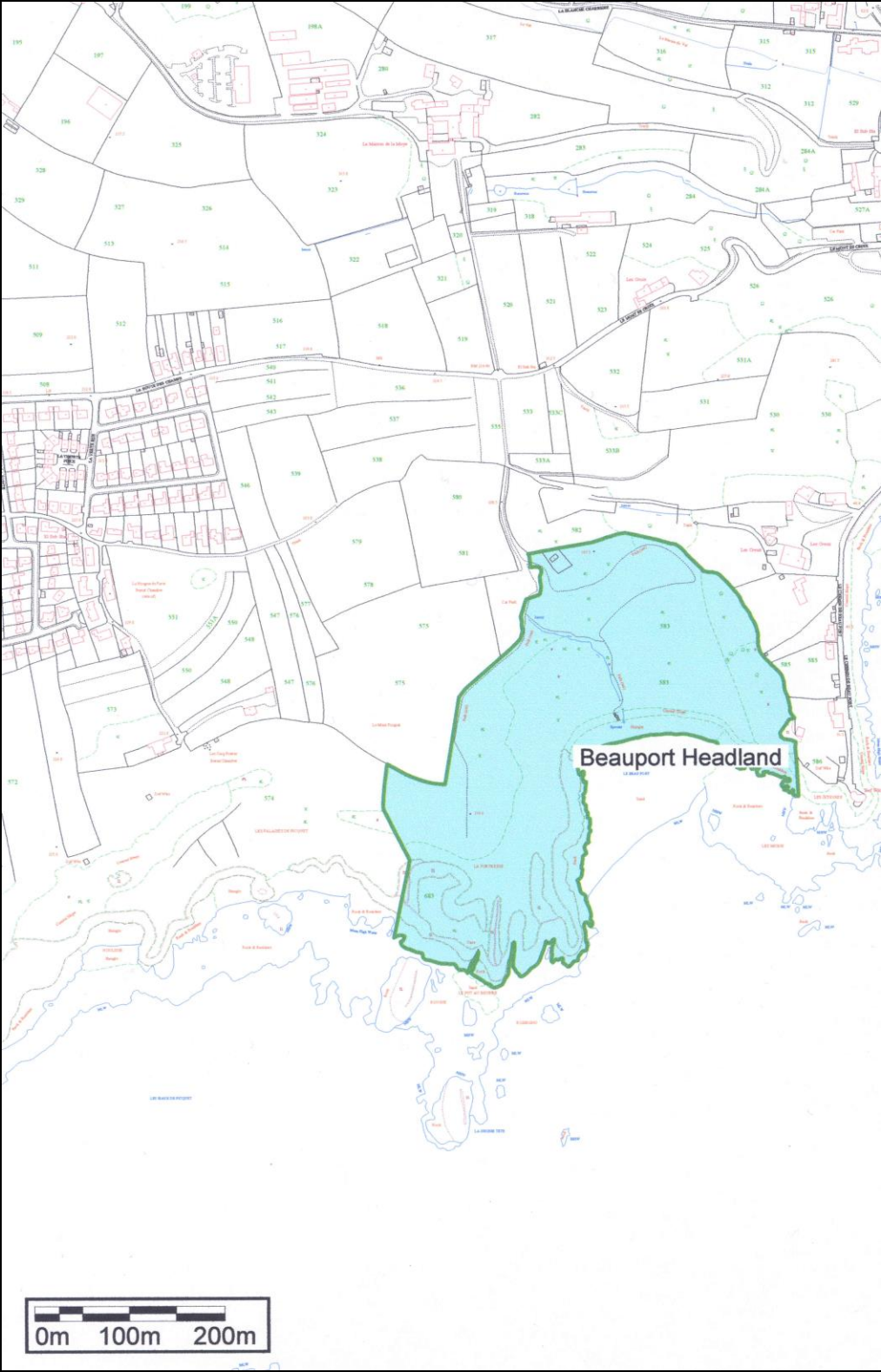


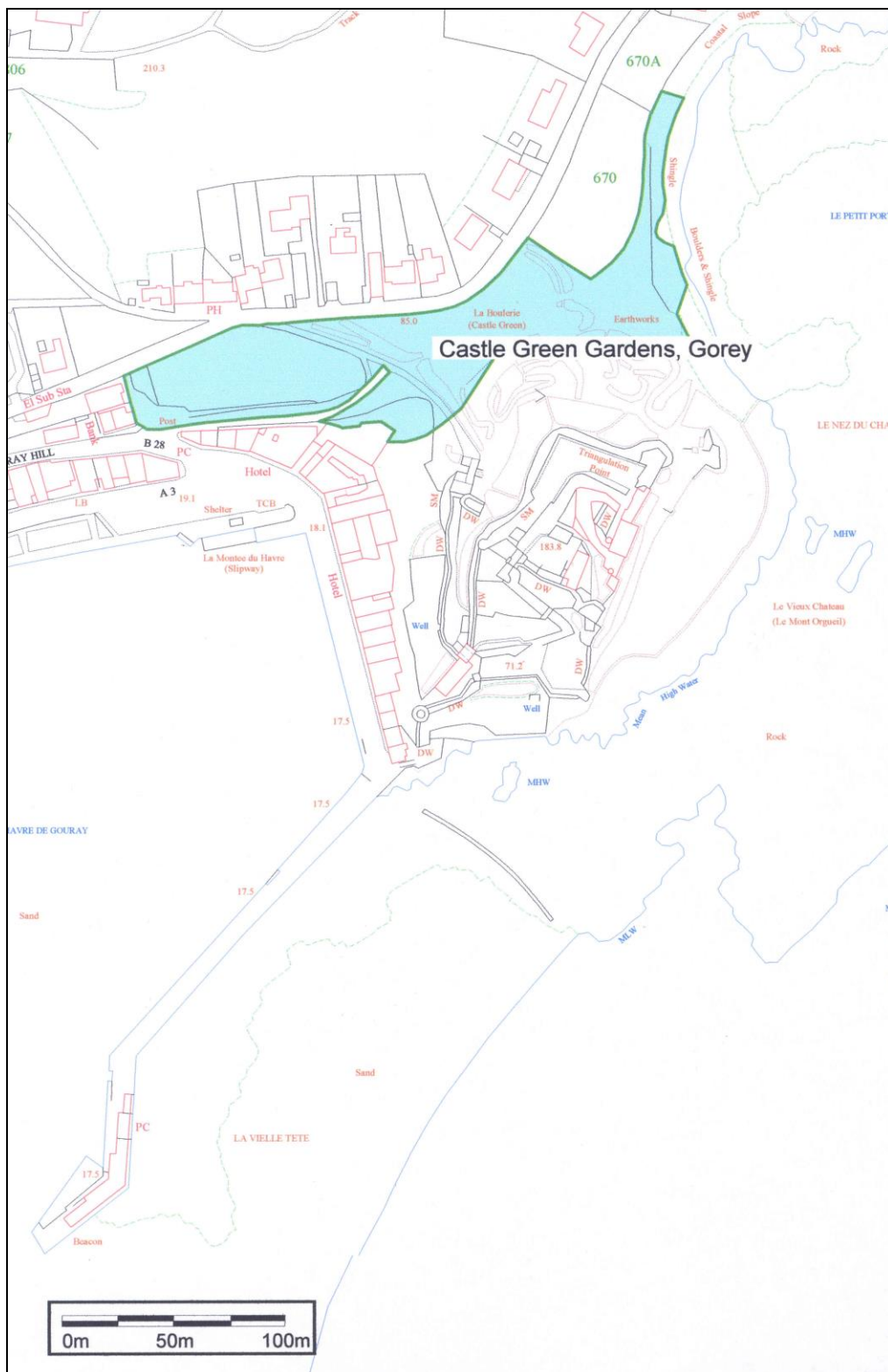




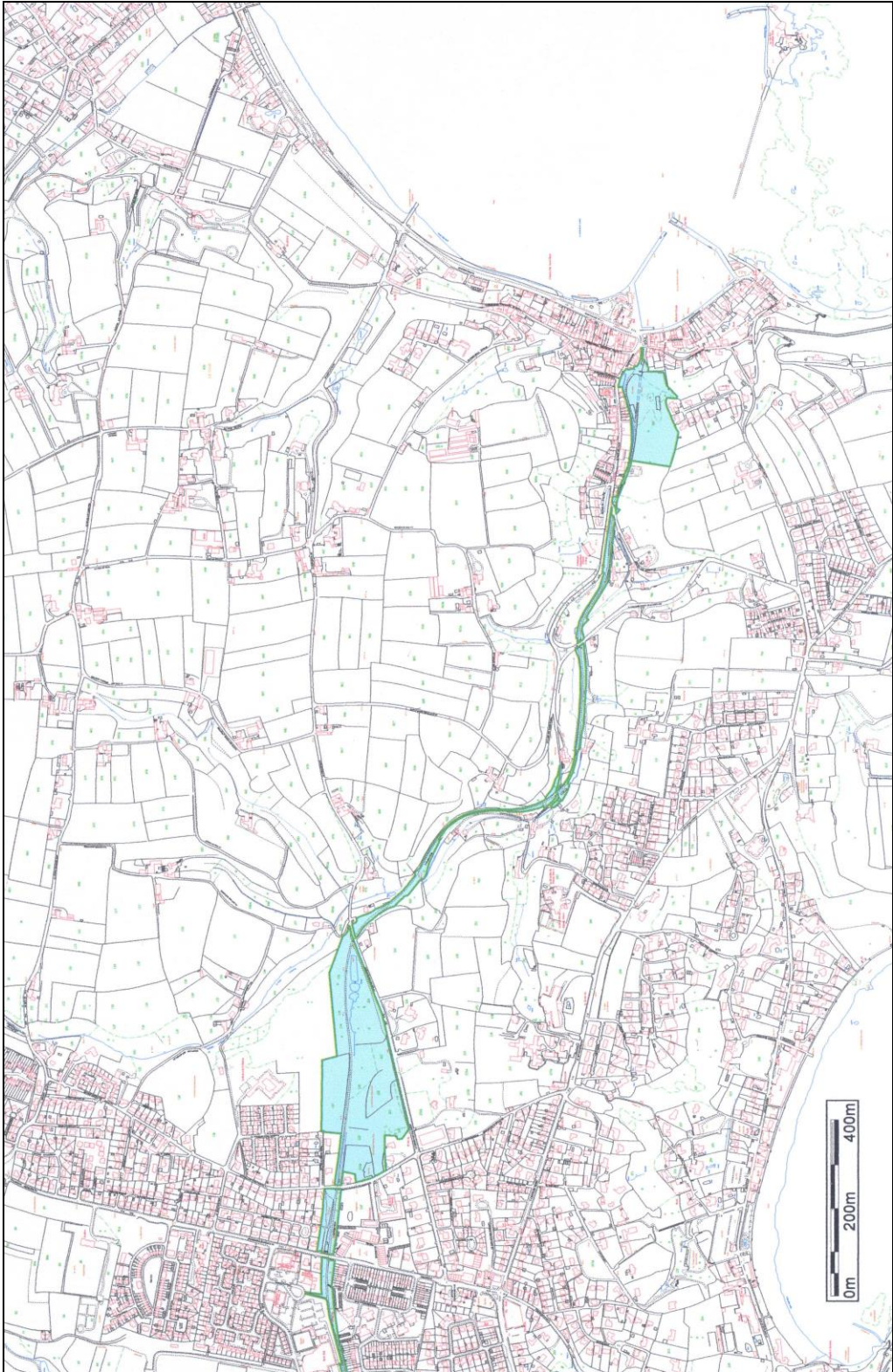


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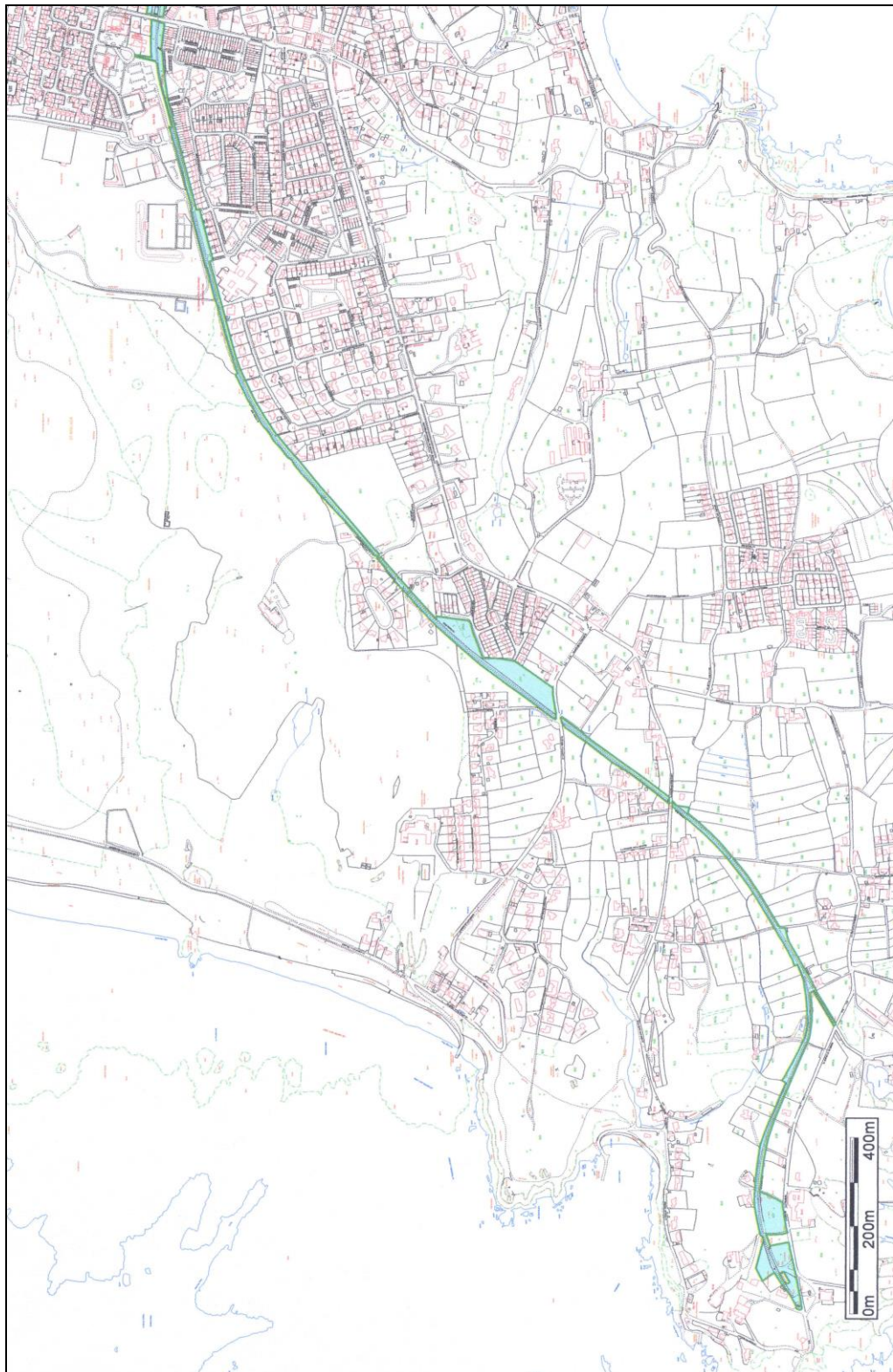


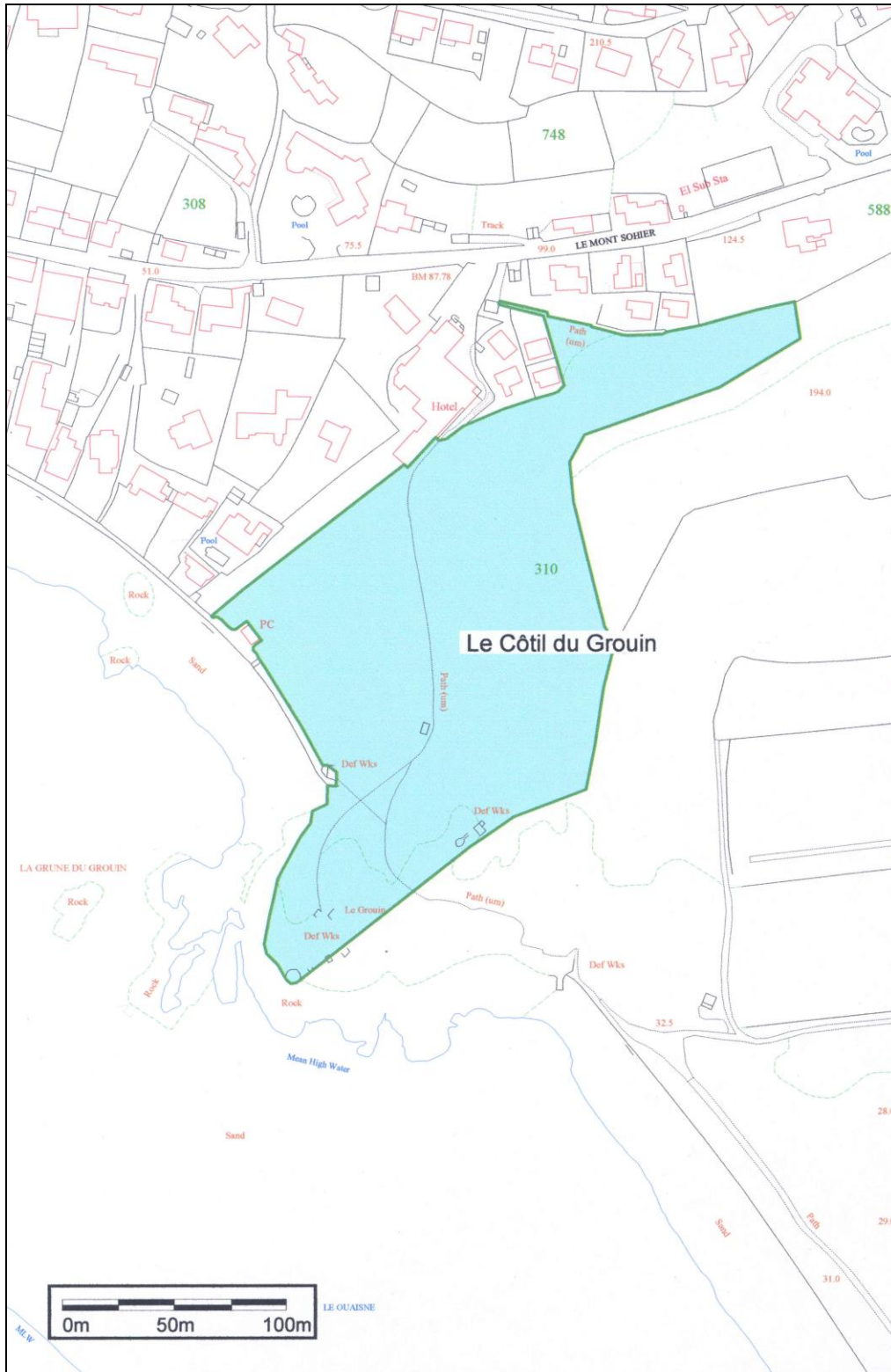


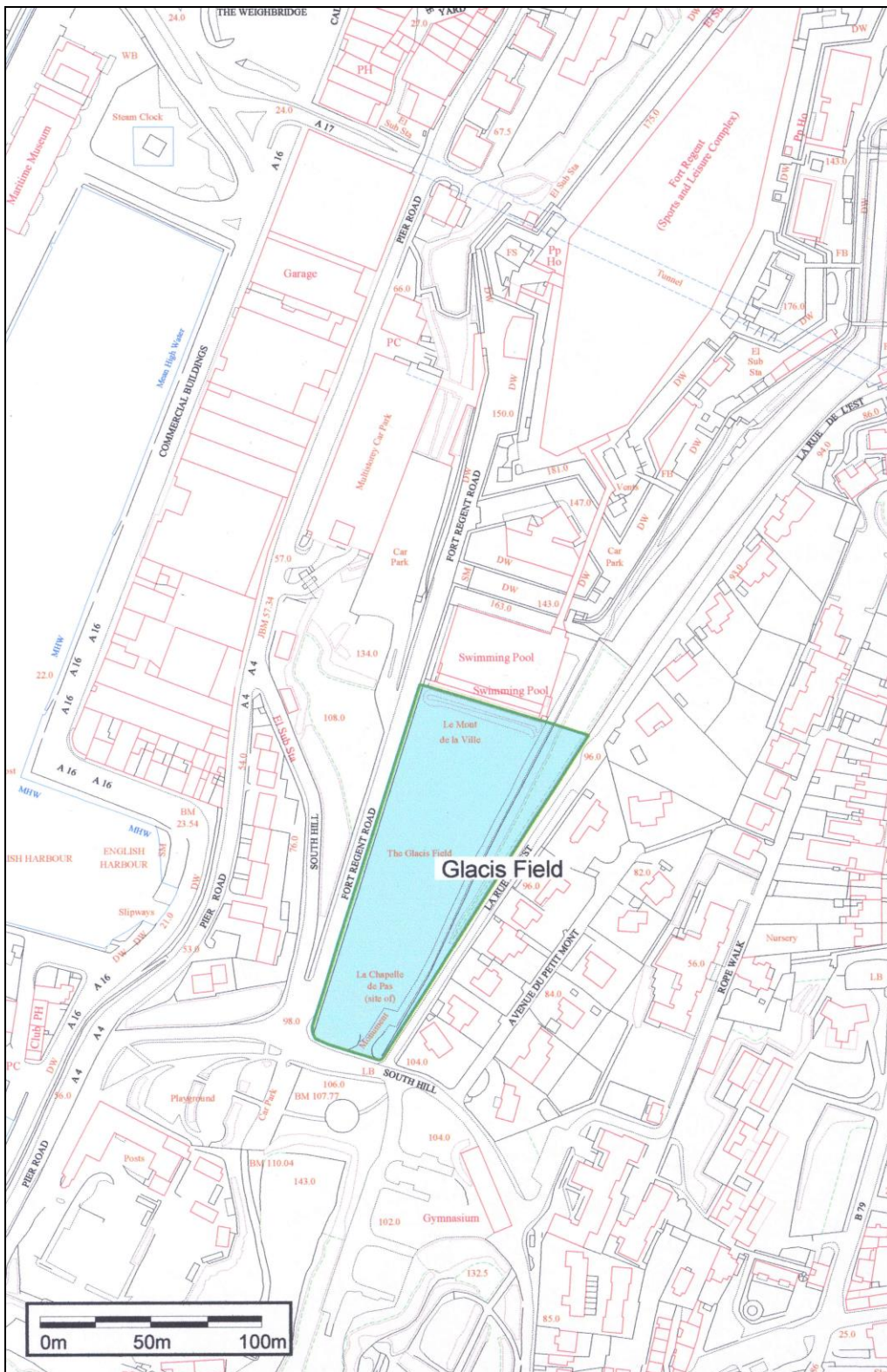
The Corbière Walk – Plan 1

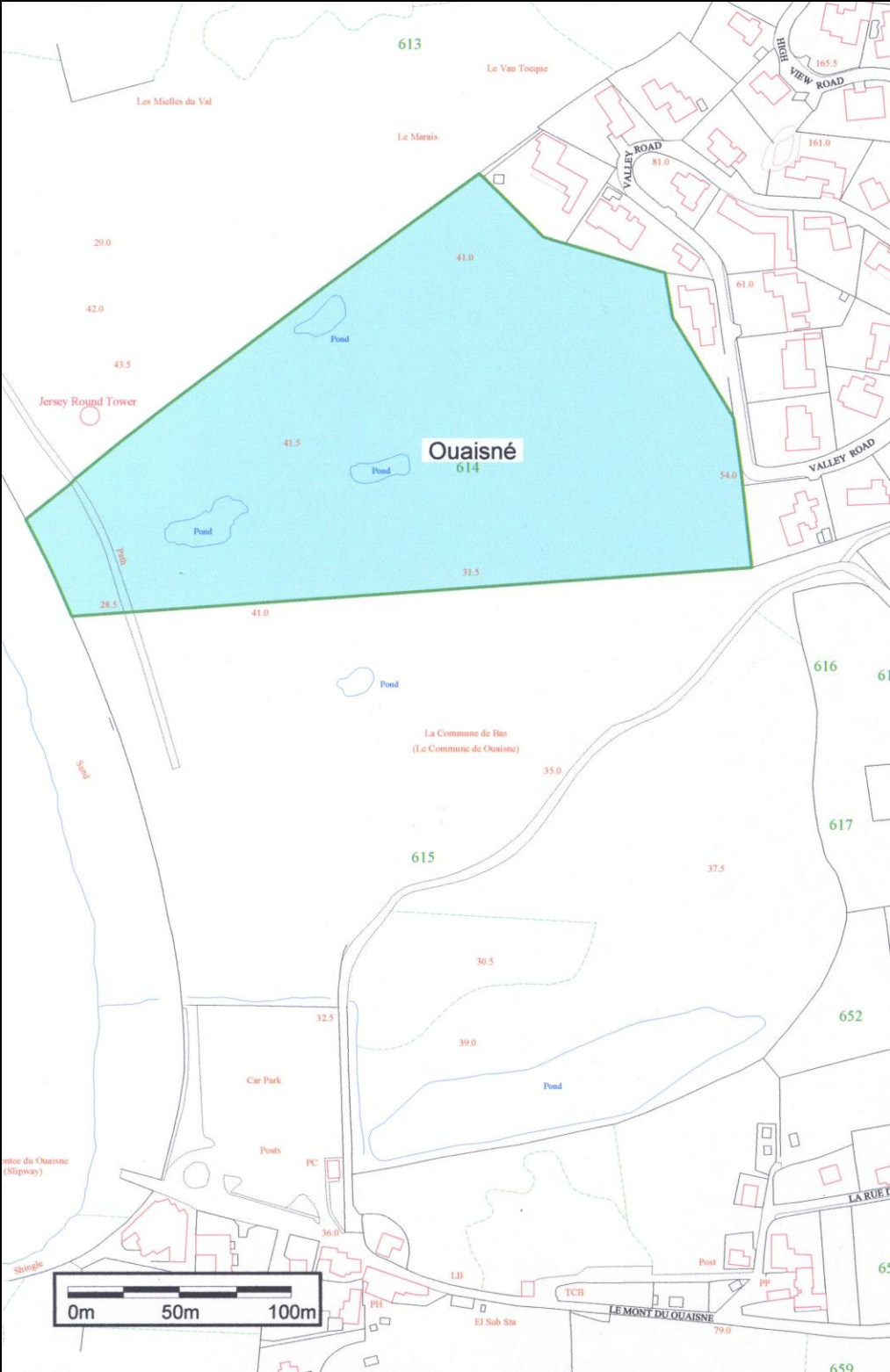


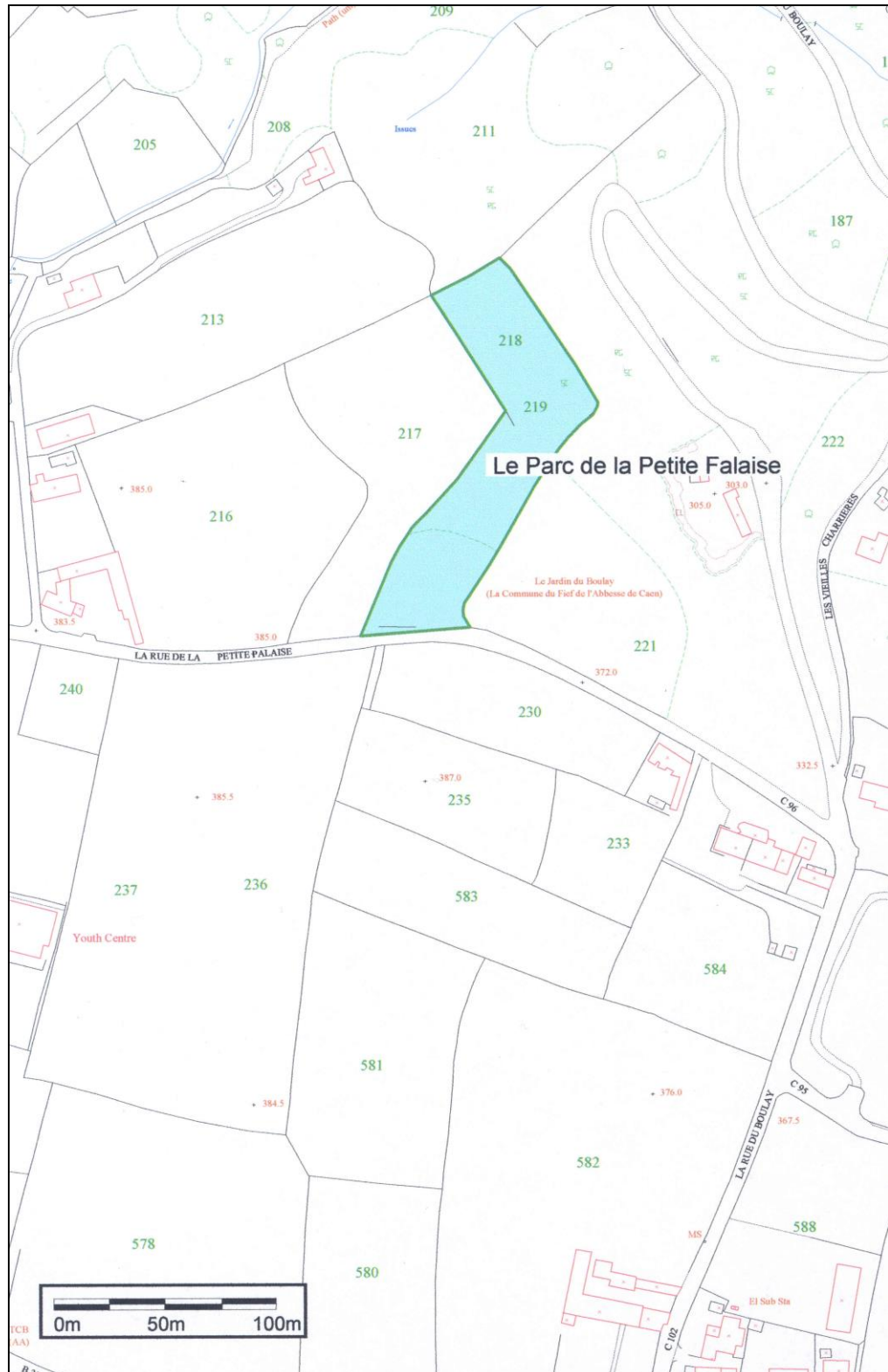
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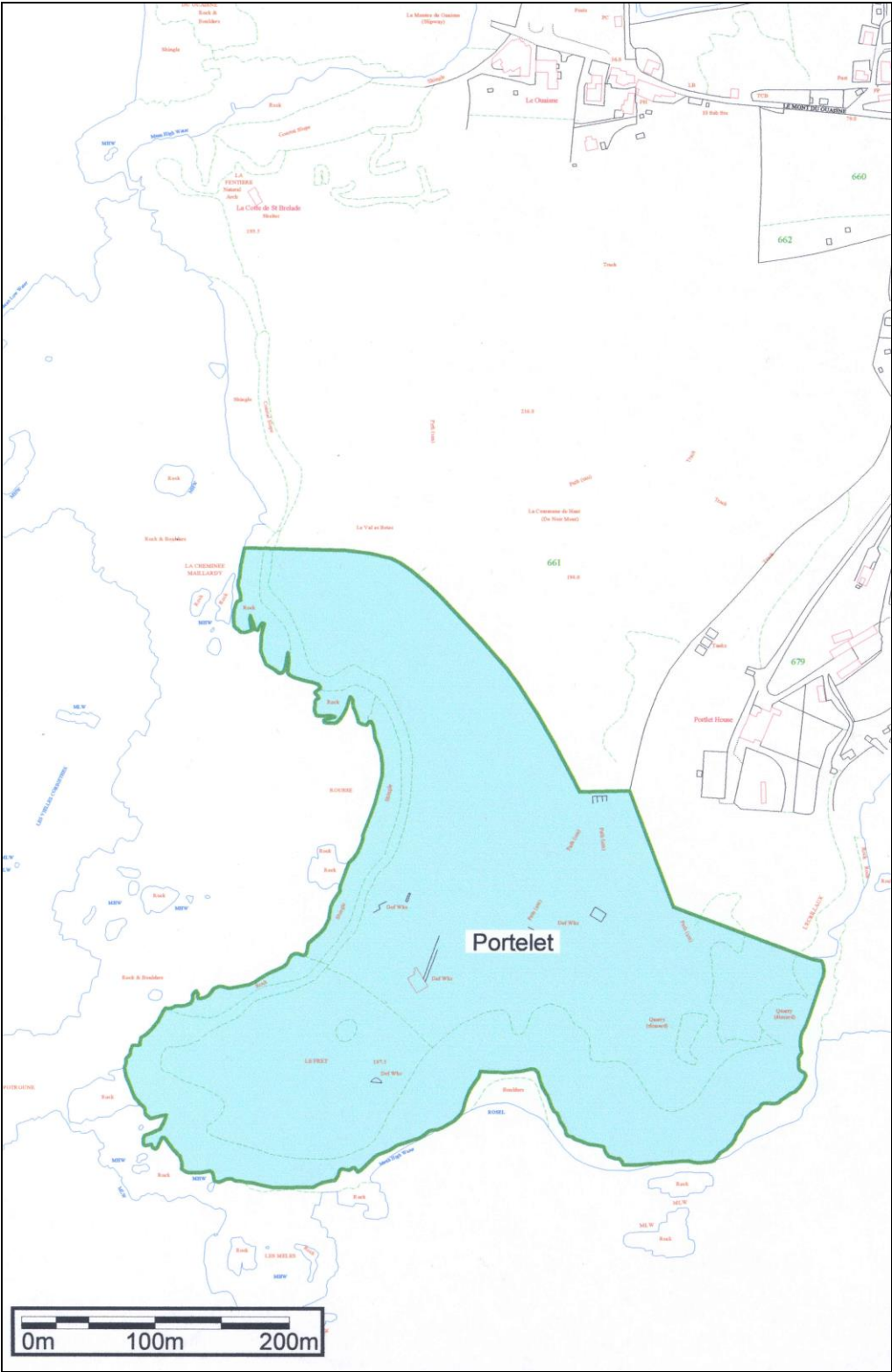


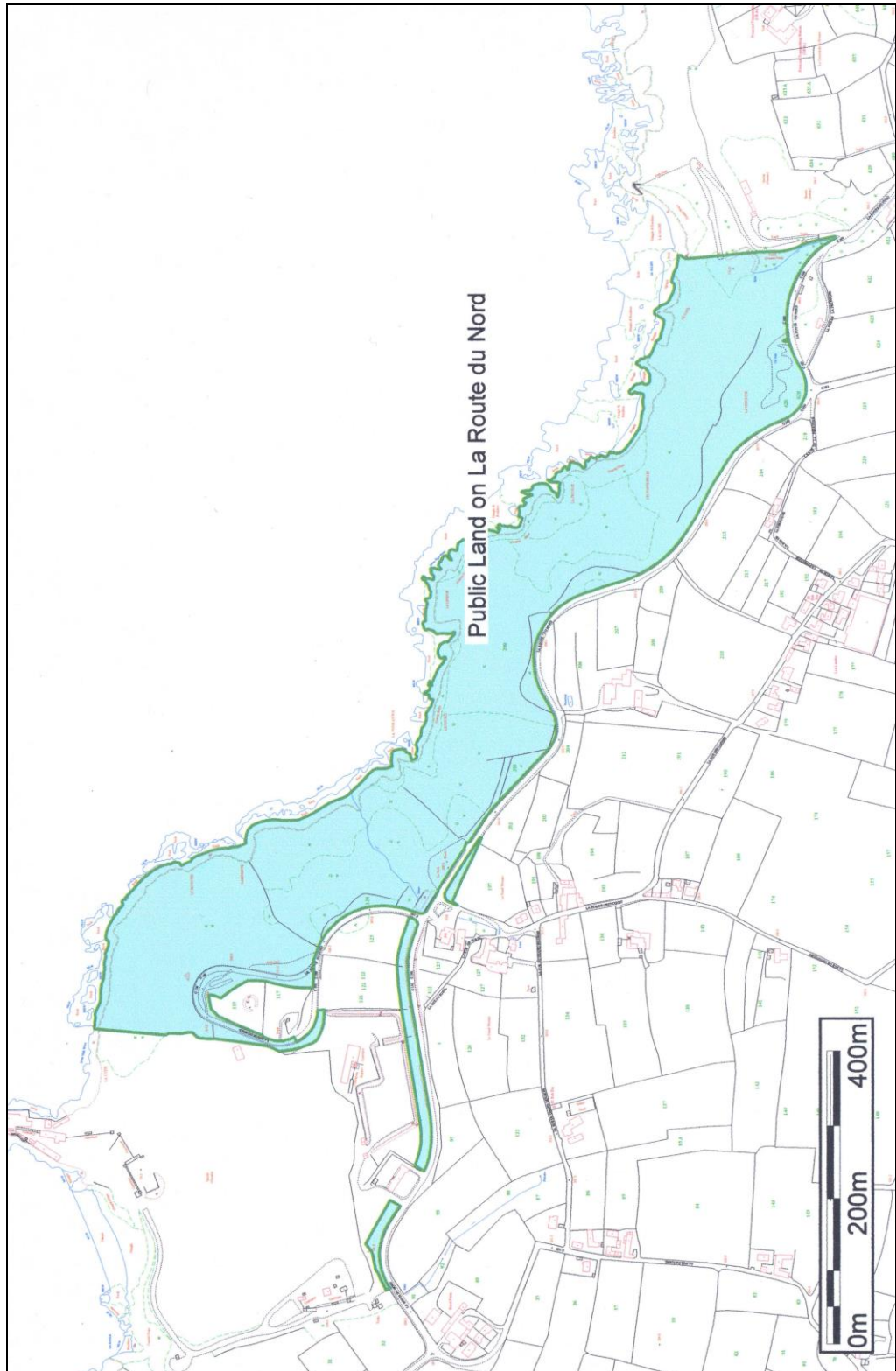


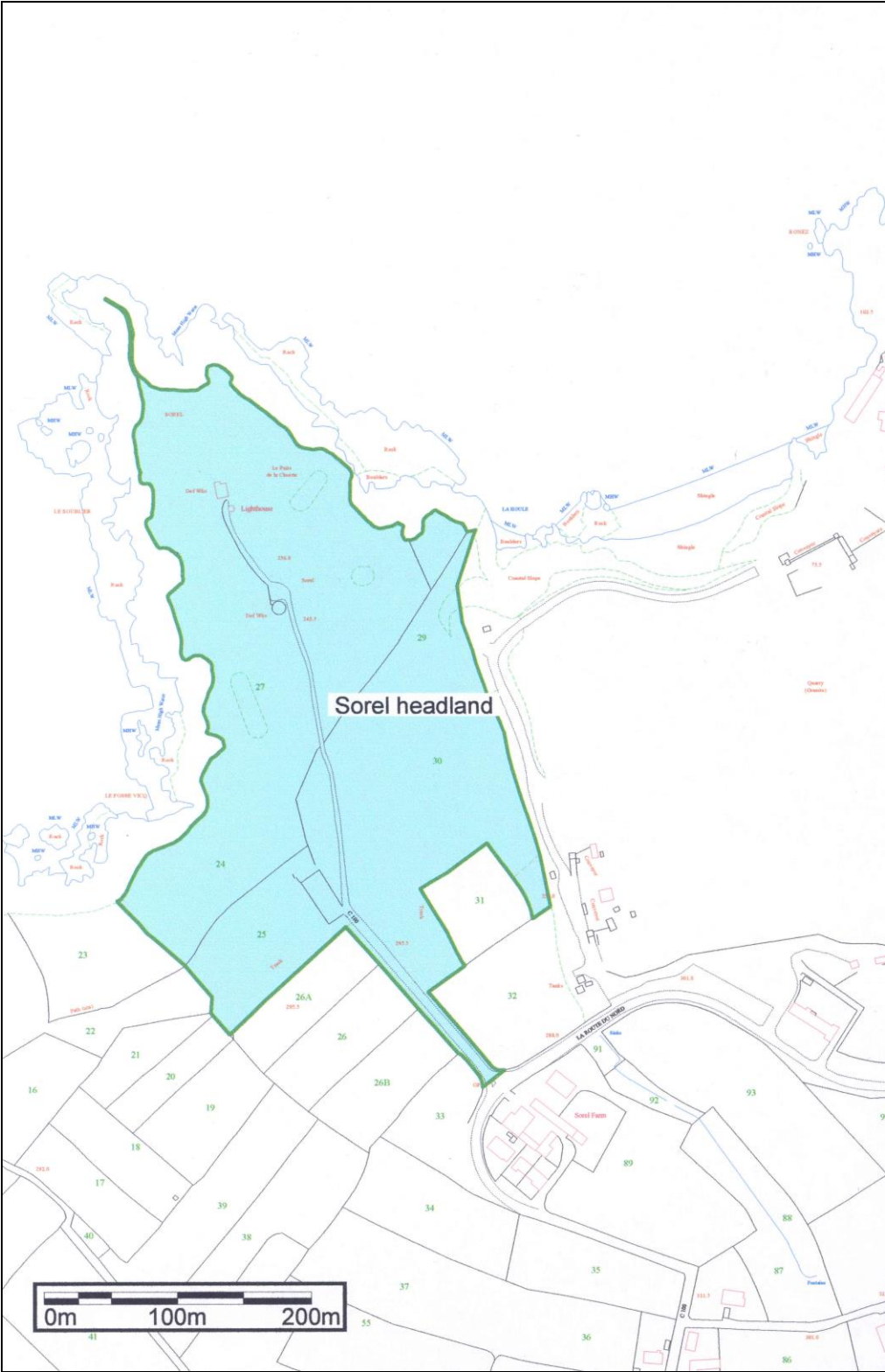












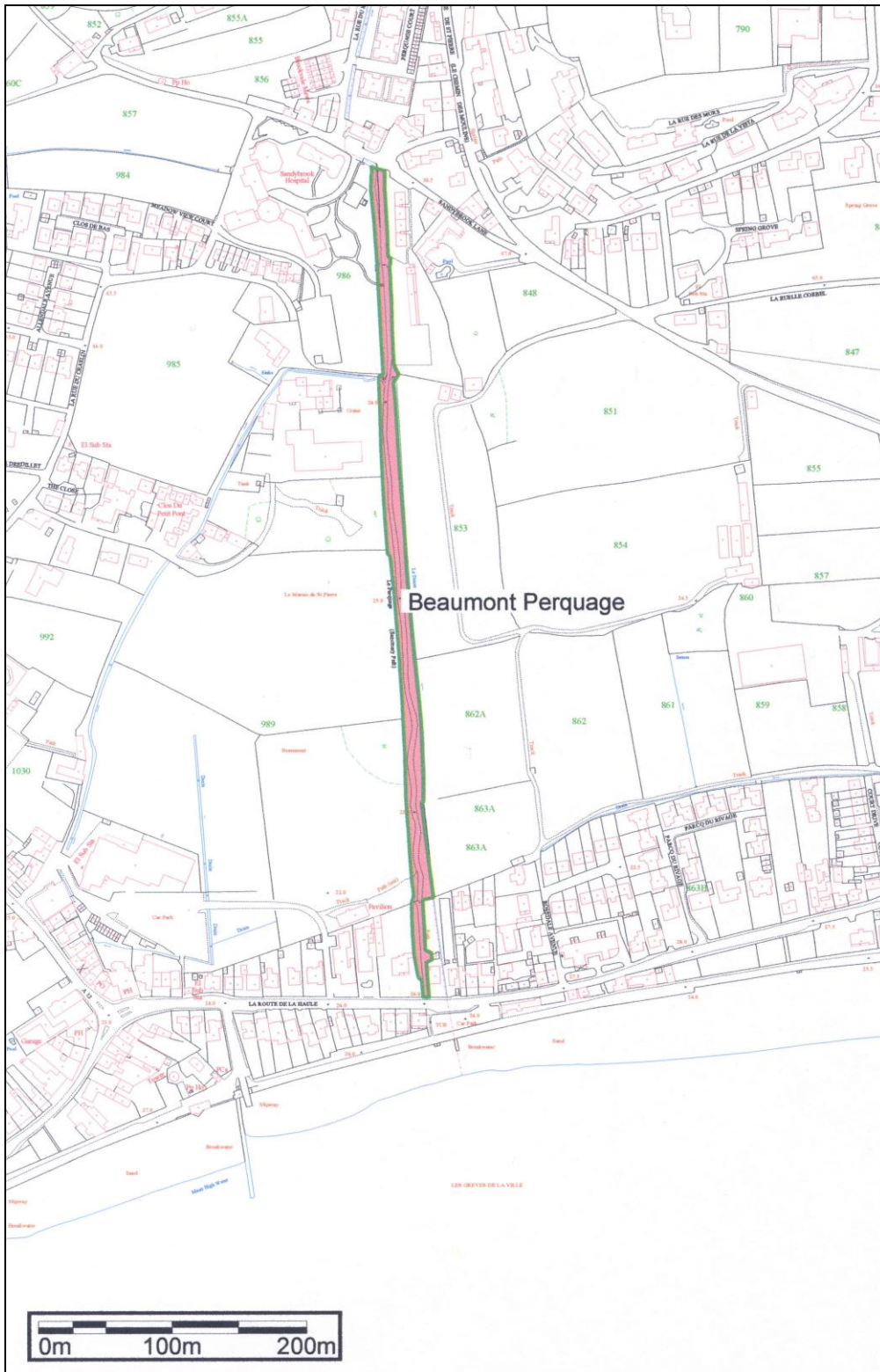
Promenade and gardens from St. Helier to St. Aubin – Plan 1

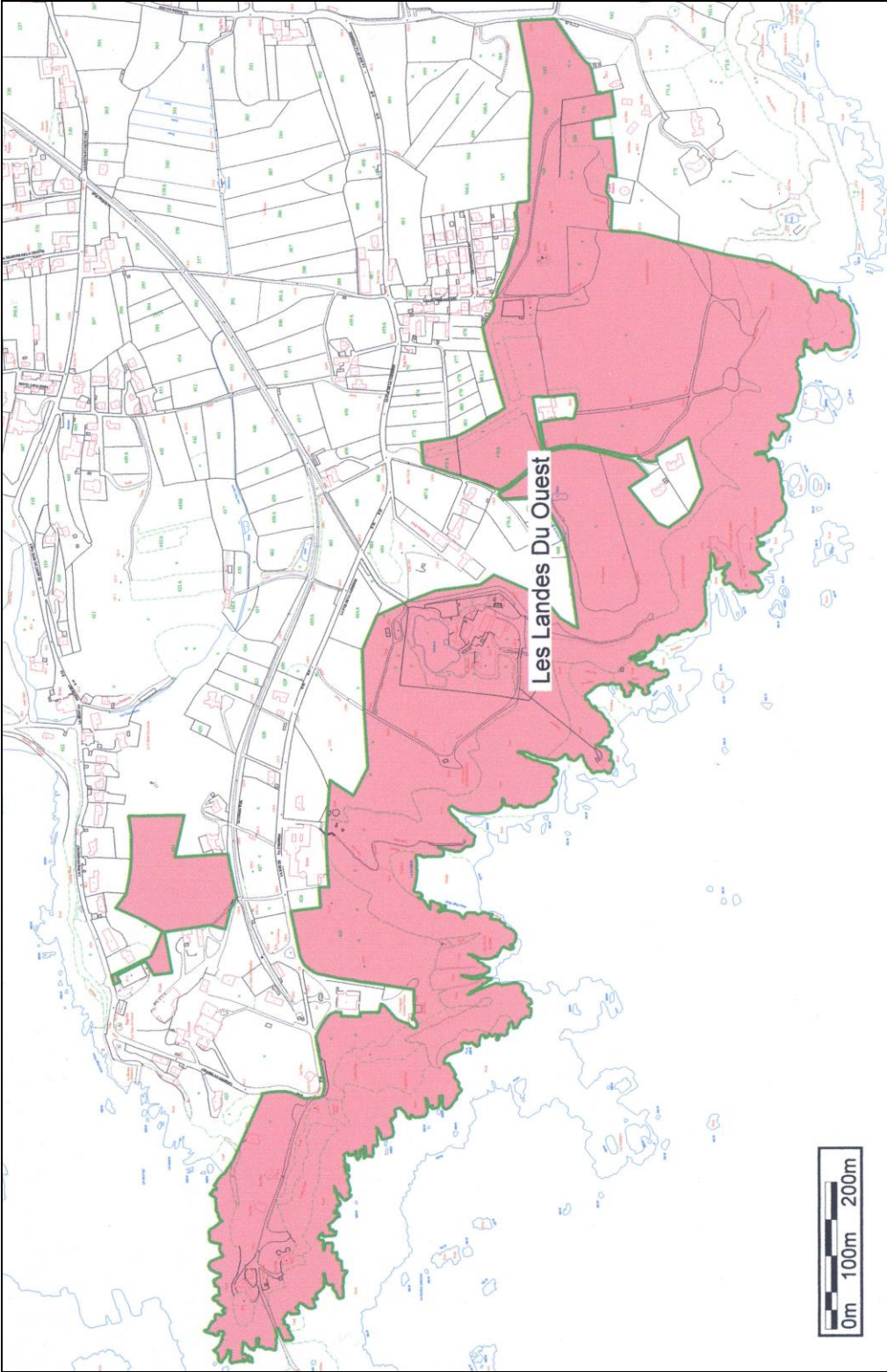


Promenade and gardens from St. Helier to St. Aubin – Plan 2

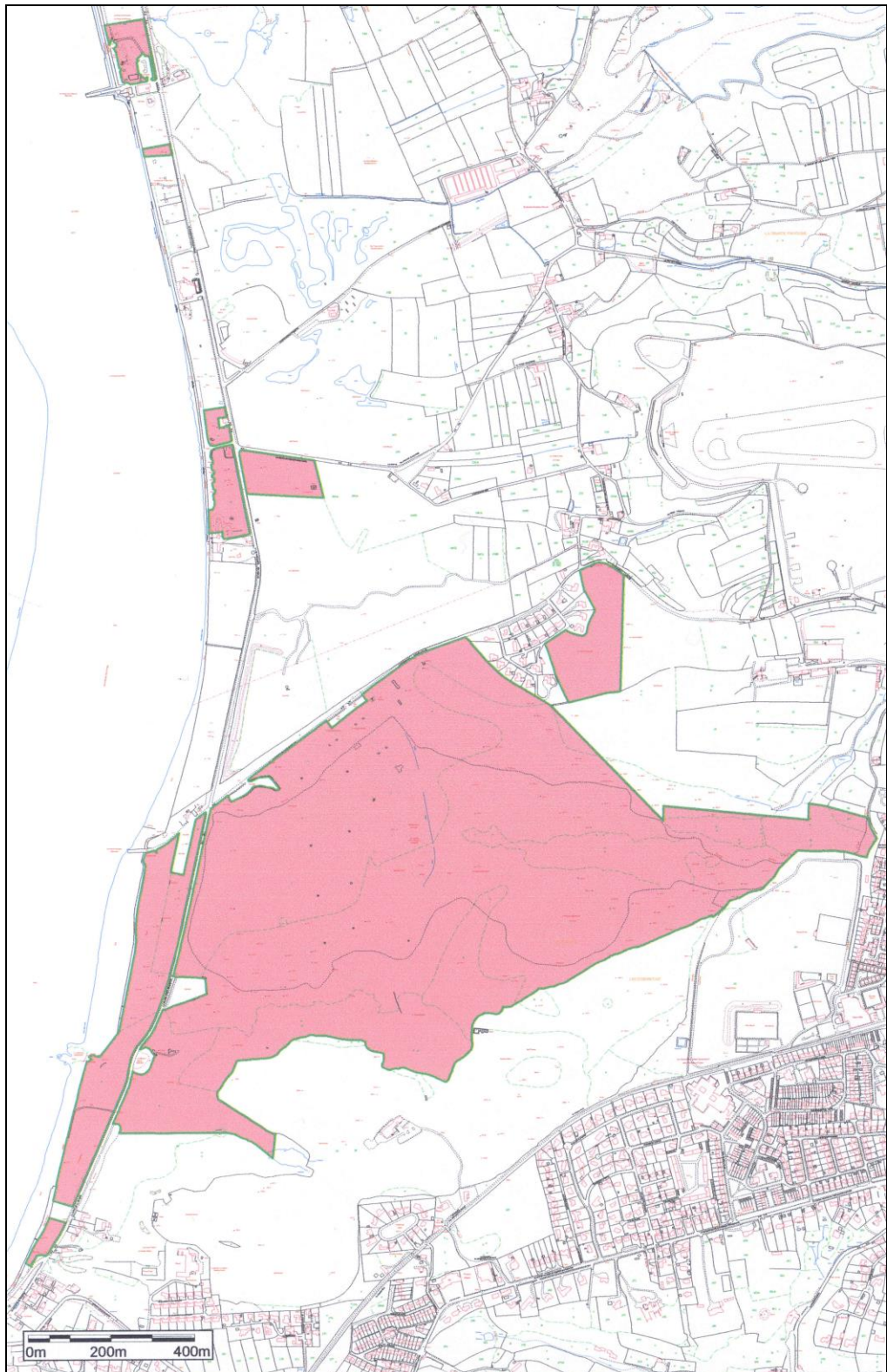


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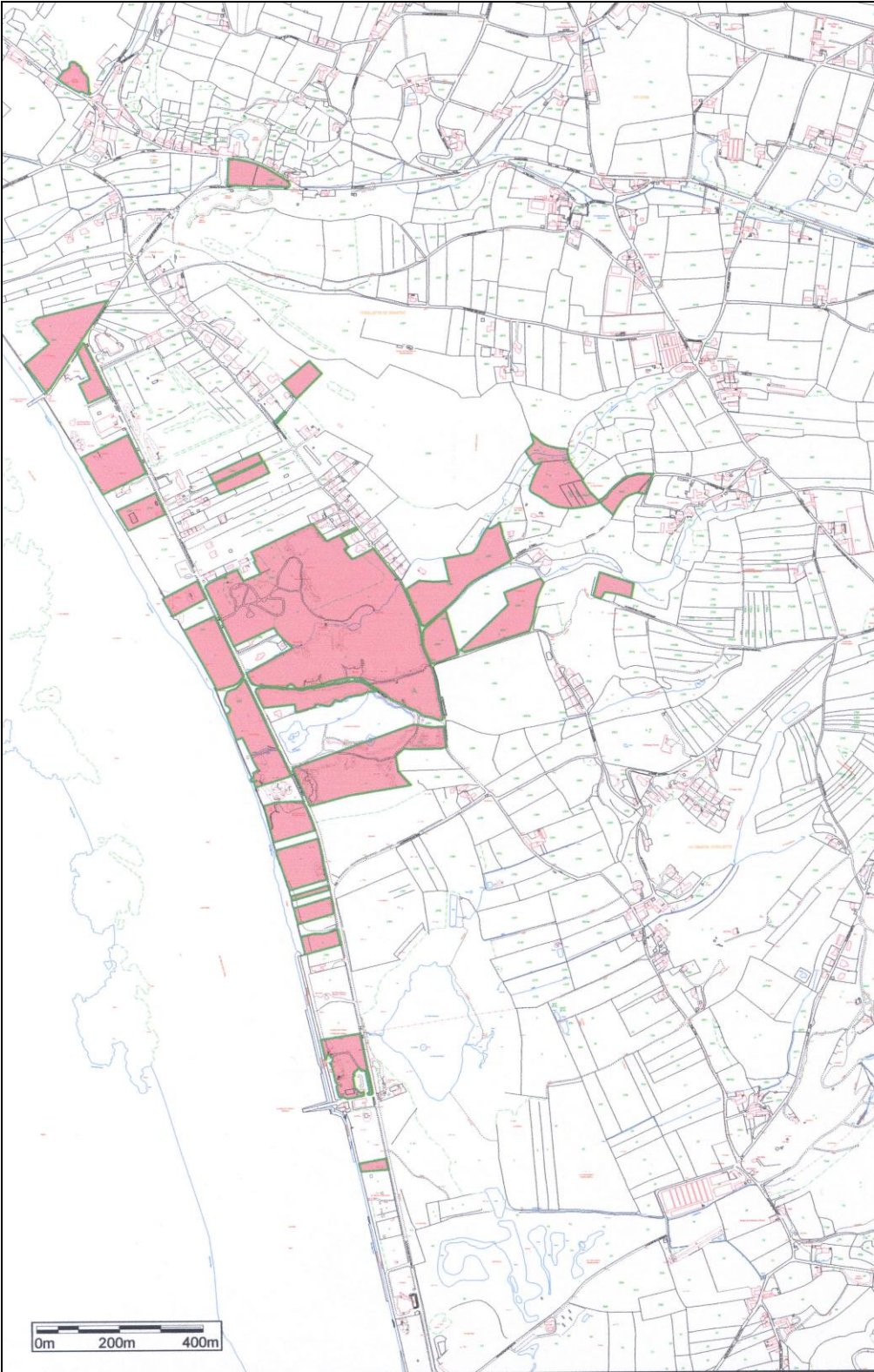


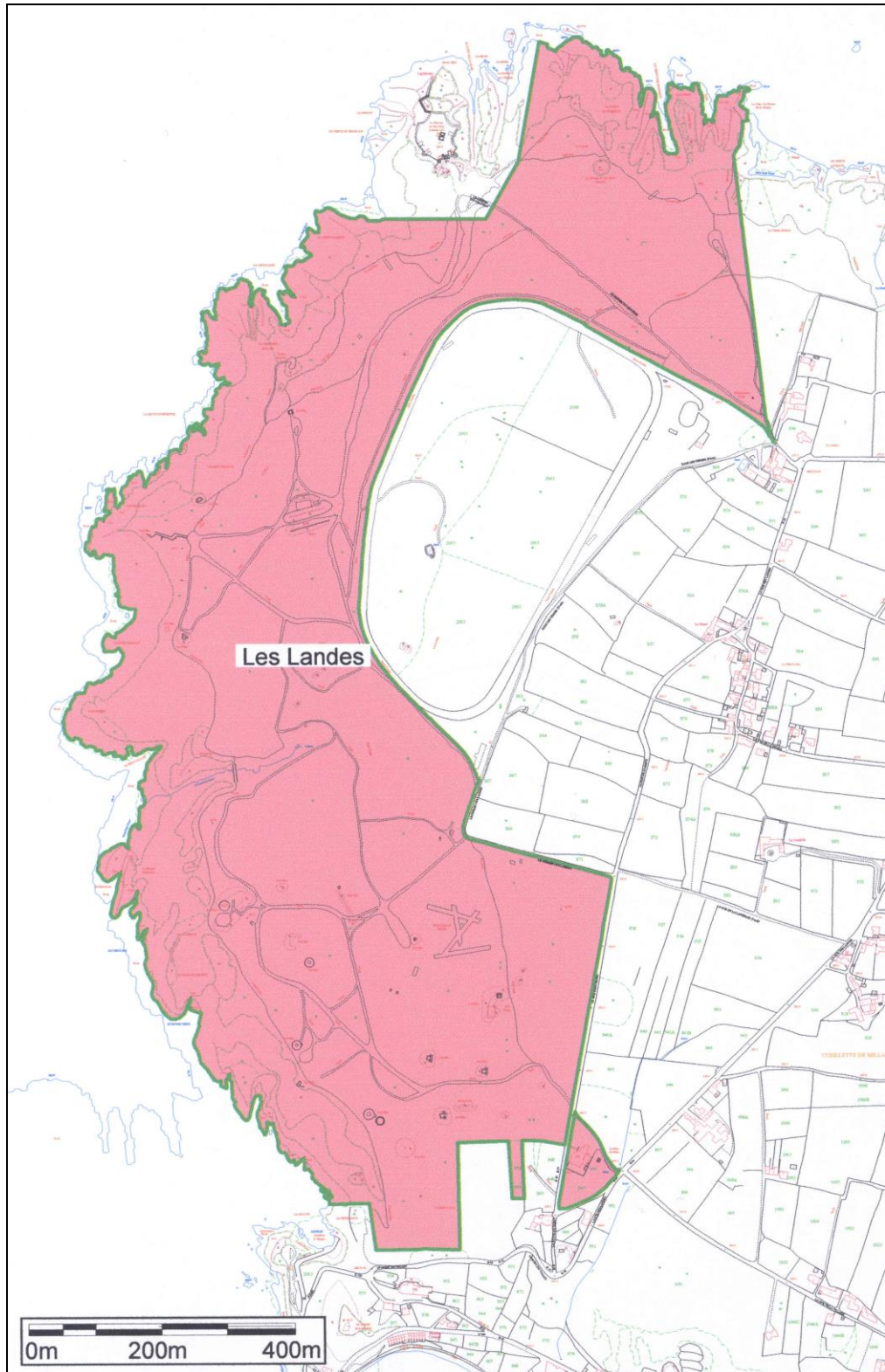


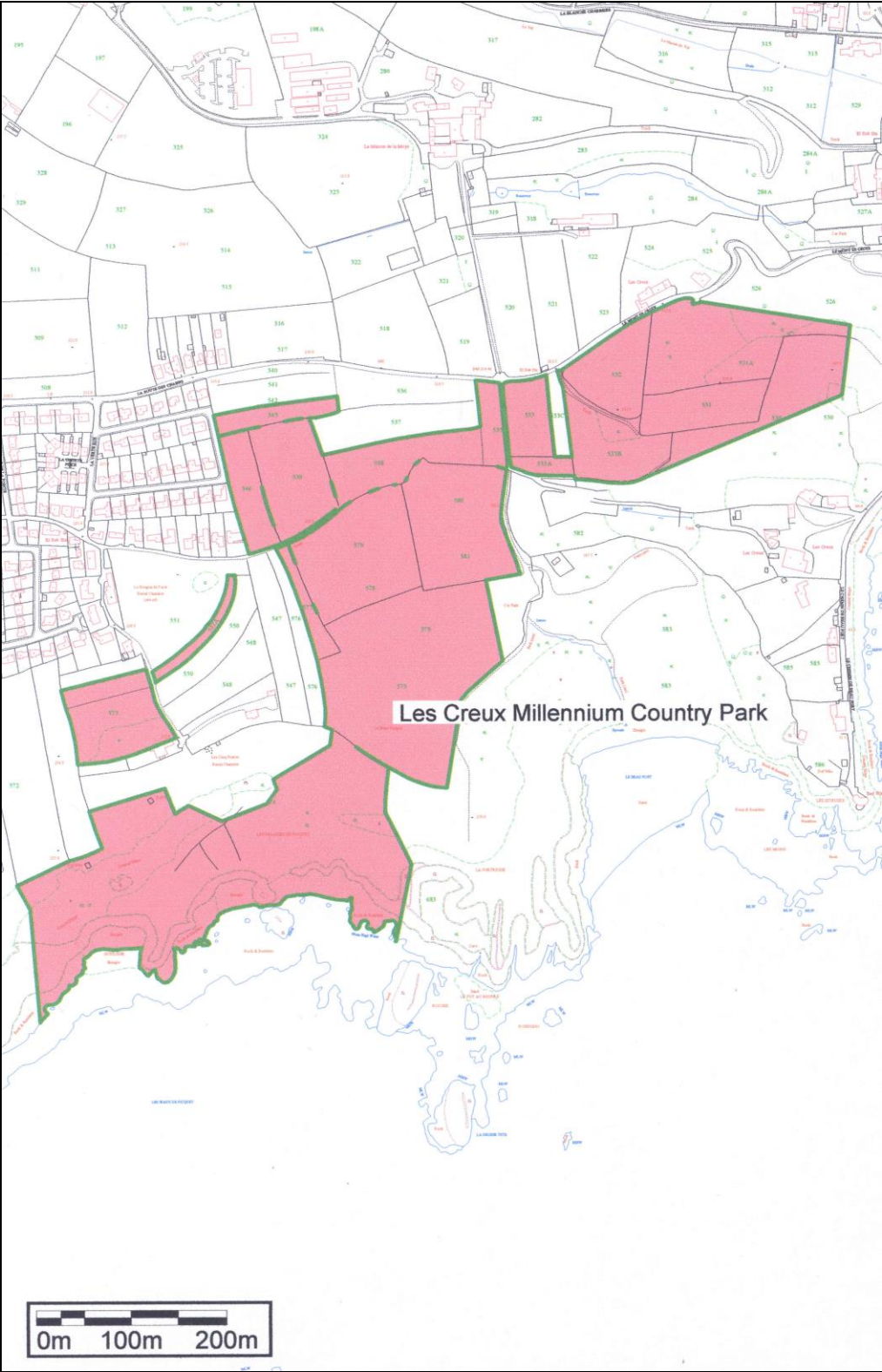
Les Mielles – Plan 1

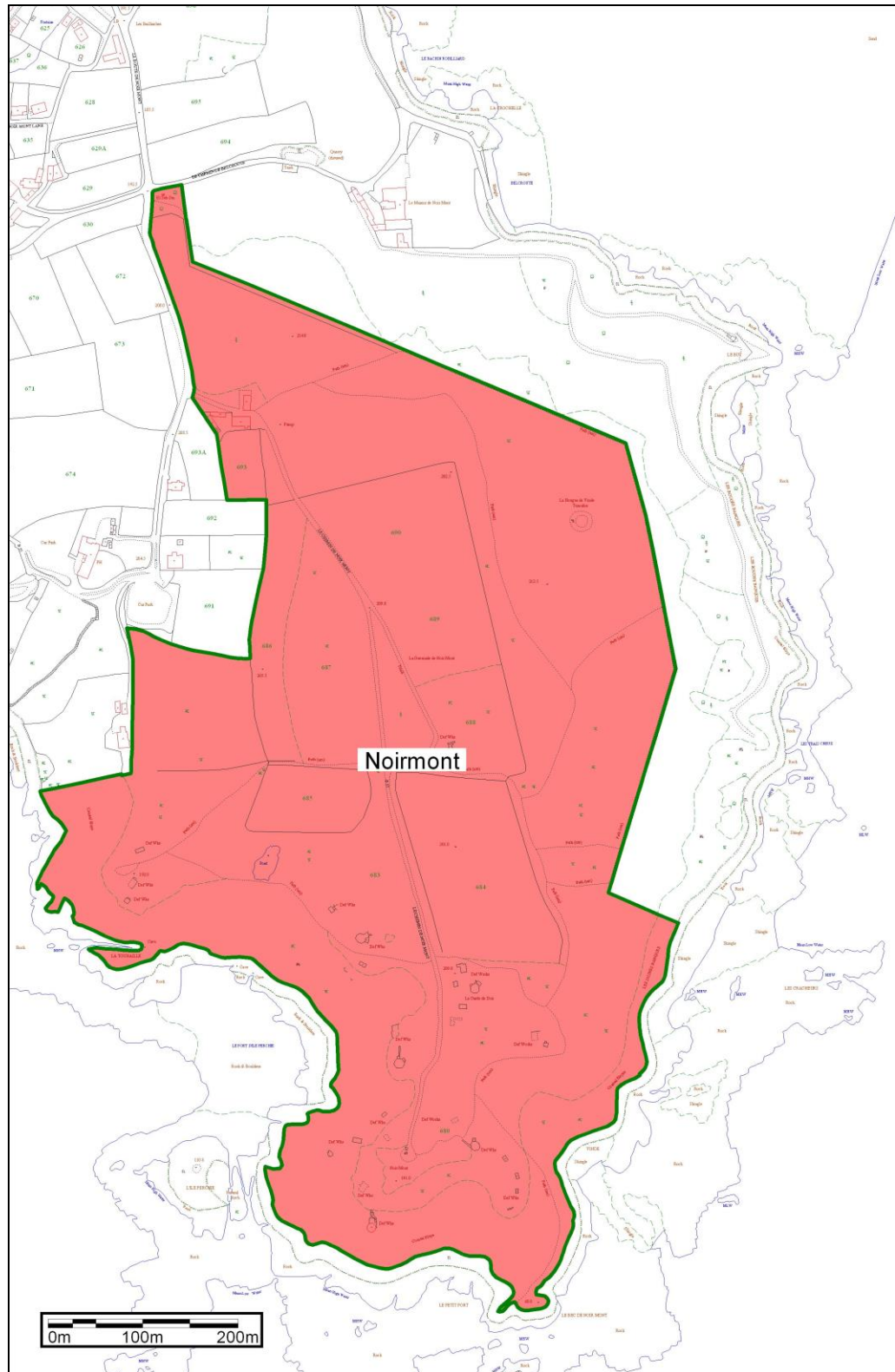


Les Mielles – Plan 2

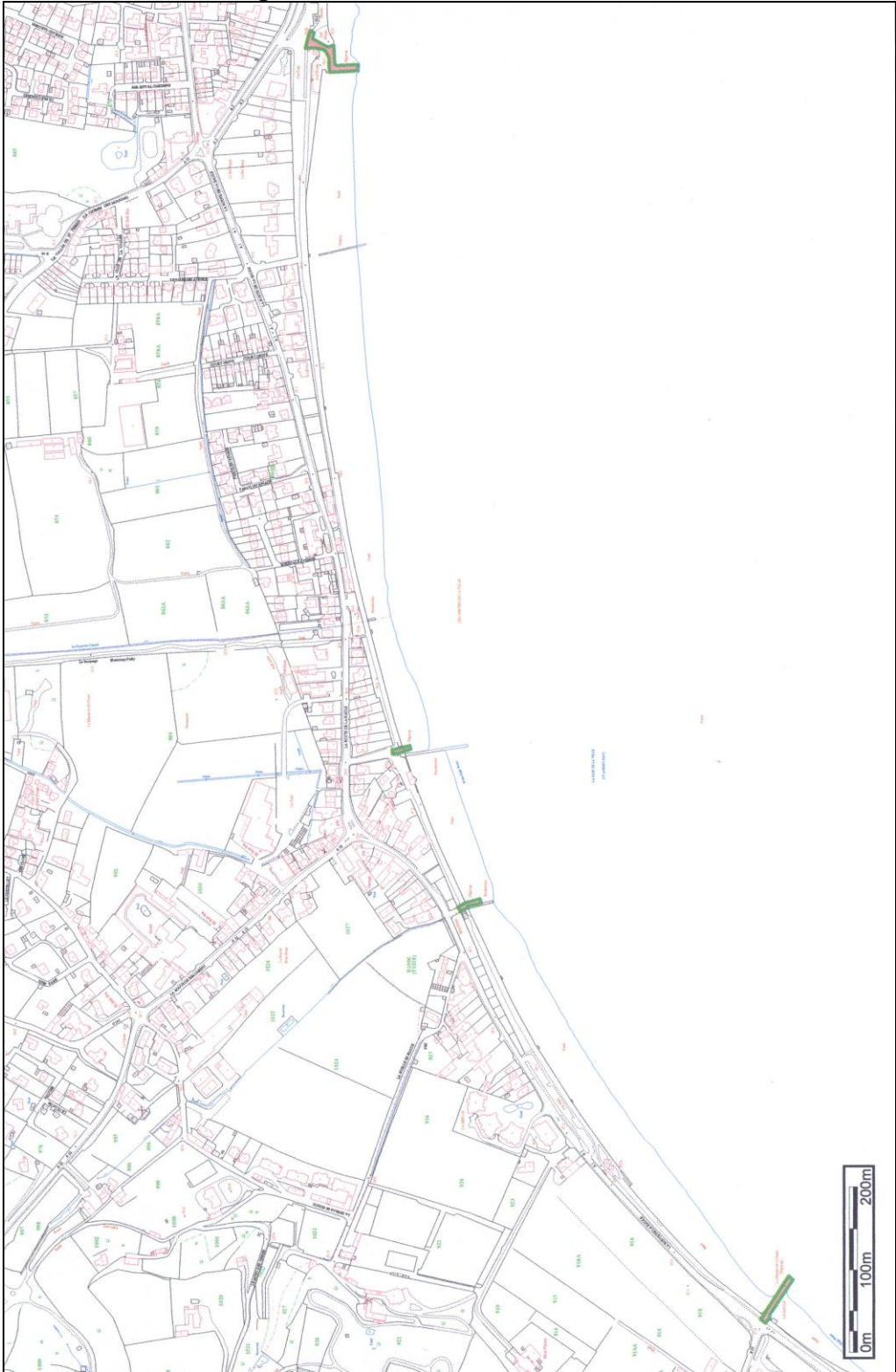


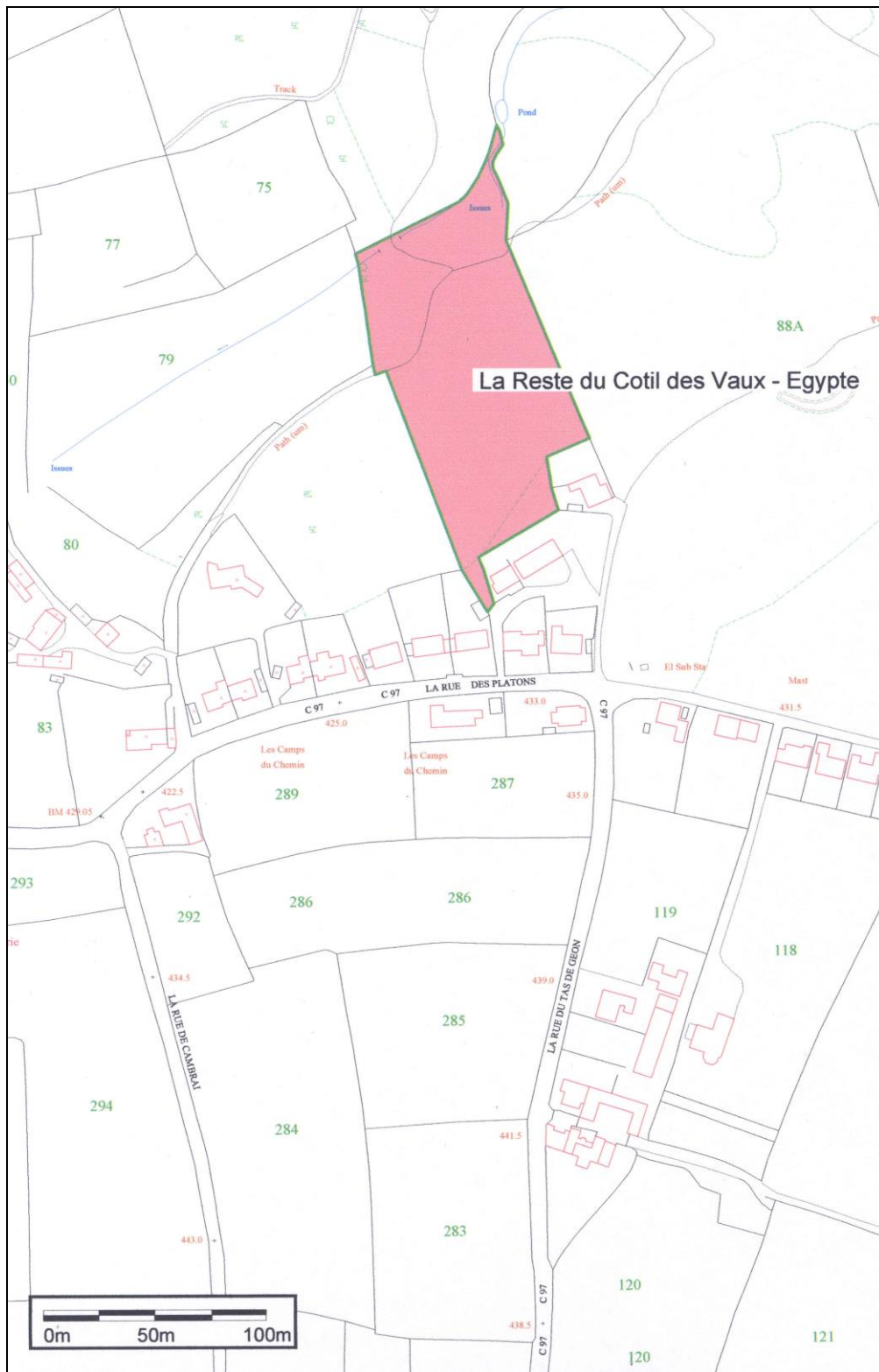




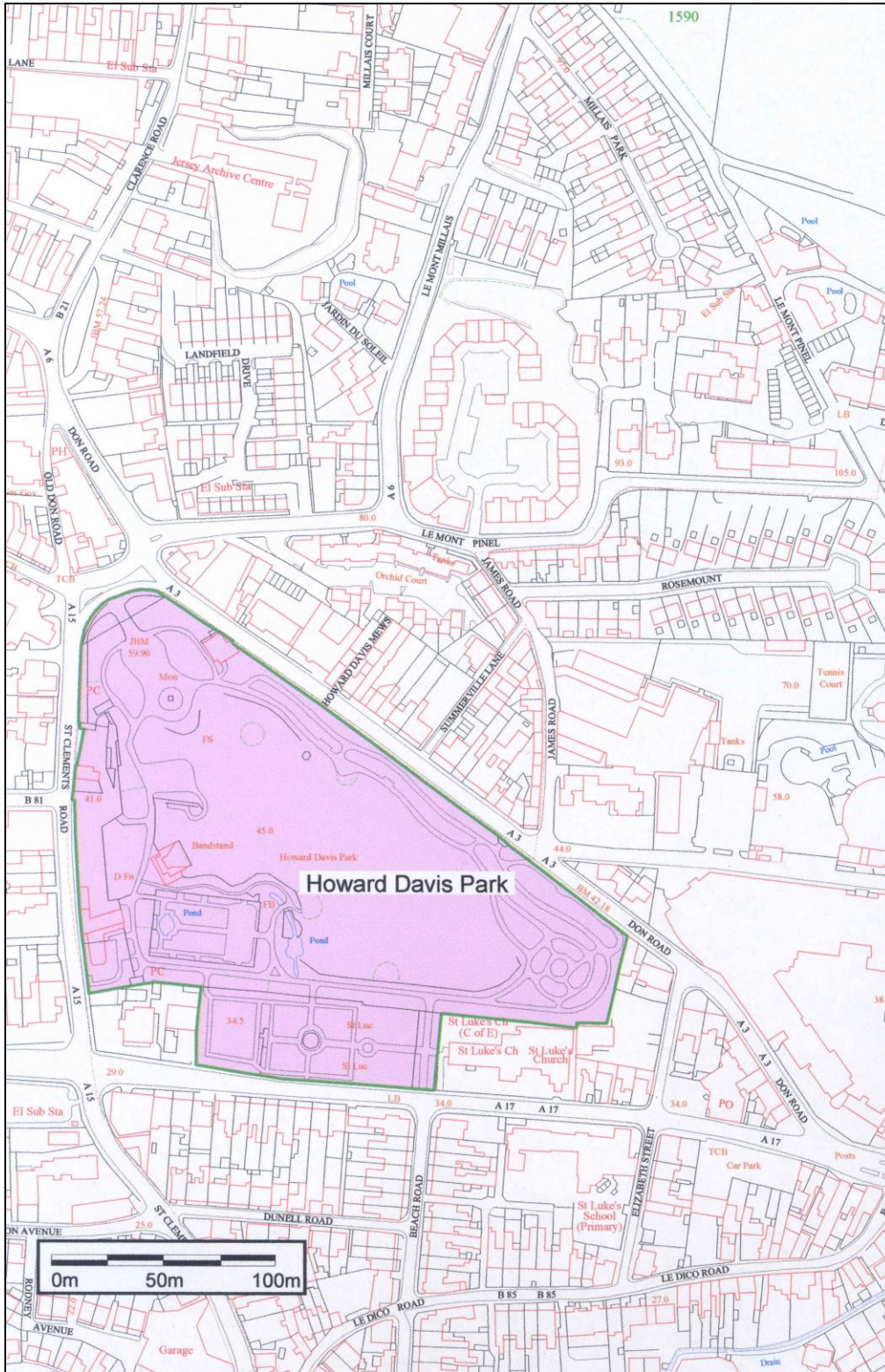


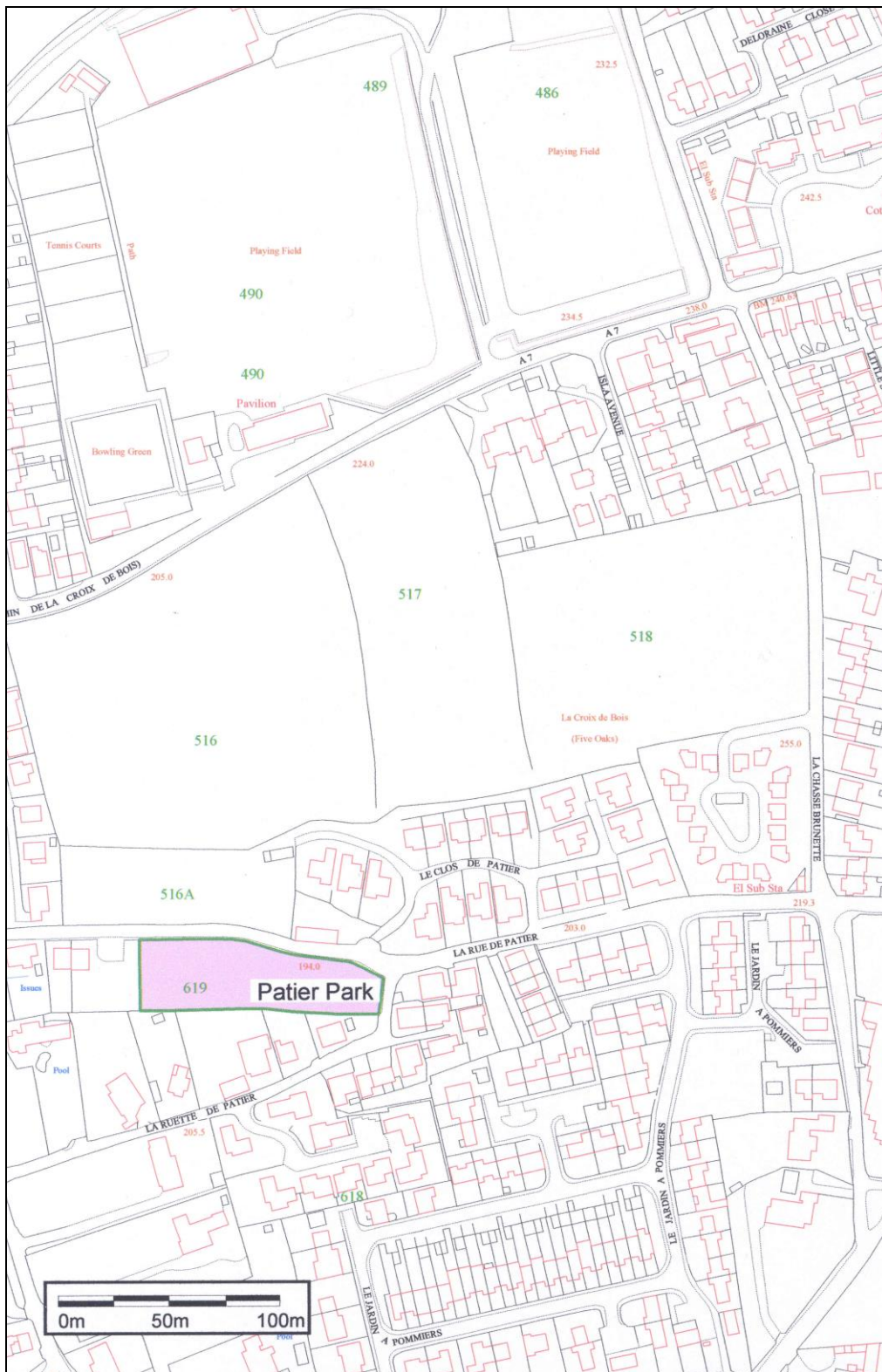
Promenade and gardens from St. Helier to St. Aubin – Beach access

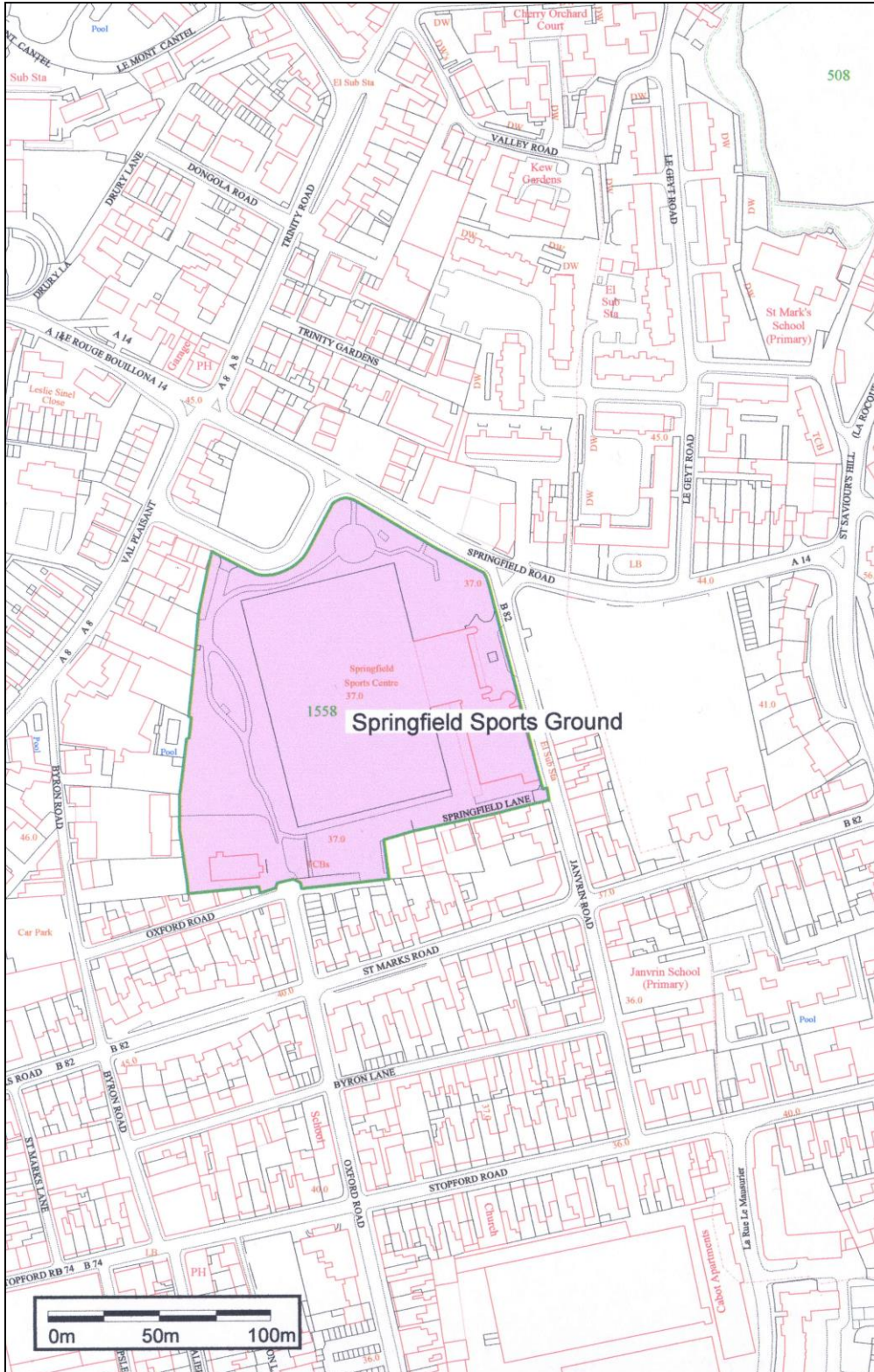




PART 5







¹ Chapter 23.350.

² Chapter 25.550.

³ Chapter 22.600.

⁴ Chapter 25.550.40.

⁵ Chapter 25.200.

⁶ Chapter 25.250.

⁷ Chapter 22.600.50 (R&O.4332).

⁸ Chapter 22.600.50 (R&O.4844).

⁹ Chapter 22.600.50 (R&O.6743).

¹⁰ Chapter 22.600.50 (R&O.7114).

¹¹ Chapter 22.600.50 (R&O.7291).

¹² Chapter 22.600.50 (R&O.7930).

¹³ Chapter 22.600.50 (R&O.8017).

¹⁴ Chapter 22.600.50 (R&O.8080).

¹⁵ Chapter 22.600.50 (R&O.8388).

¹⁶ Chapter 22.600.50 (R&O.8551).

¹⁷ Chapter 22.600.50 (R&O.8822).

¹⁸ Chapter 22.600.50 (R&O.8878).

¹⁹ Chapter 22.600.50 (R&O.9088).

²⁰ Chapter 22.600.50 (R&O.9309).

²¹ Chapter 22.600.50 (R&O.106/2003).