

The National Trust for Places of Historic Interest or Natural Beauty

Byelaws 1965

Made by the National Trust for Places of Historic Interest or Natural Beauty in pursuance of the powers vested in the National Trust by the National Trust Acts 1907-1953 with respect to land held for the benefit of the Nation.

Definitions

1. In the construction of these Byelaws “the National Trust” means the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907.

“Trust Property” means all land and water including estuaries, fore-shores, lakes, ponds, rivers, streams, canals and other land covered by water, and buildings for the time being held by the National Trust for the benefit of the Nation.

“Trust Buildings” mean any building upon Trust Property which is for the time being open to the Public whether on payment or not.

“Unauthorised person” means any person except -

(a) Any person for the time being duly authorised by the National Trust in writing for any purpose in connection with the management, maintenance or regulation of Trust Property.

(b) A person acting in the legal exercise of some right in or over or affecting Trust Property; or

(c) A person duly authorised by a person entitled so to act as aforesaid.

Soil and Vegetation

2. (a) No unauthorised person shall dig, cut or take turf, sods, gravel, sand, clay or any other substance on or from Trust Property.

(b) No unauthorised person shall dig up or remove, cut, fell, pluck or injure any flowers, plants, fungi, moss, ferns, shrubs, trees or other vegetation growing on Trust Property or remove any seeds thereof or injure any grass or climb any tree.

(c) No unauthorised person shall knowingly bring and leave on or in or knowingly permit to be brought onto and left on or in Trust Property any form of living vegetation in such circumstances that the same would be likely to reproduce or propagate itself.

Fire

3. (a) No unauthorised person shall on Trust Property light any fire or discharge any fire-work.

(b) No person shall on Trust Property place, throw or let fall any lighted match, cigarette or any inflammable gas, spirit, substance or thing, or any bottle or broken glass so as to cause or be likely to cause damage by fire to Trust Property or to any object or vegetation thereon.

Firearms and Other Weapons

4. (a) No unauthorised person shall have in his possession while he is on any part of Trust Property other than any part thereof which is a public right of way any firearm unless it is so covered with a securely fastened gun cover that it cannot be fired.

In this byelaw the expression “firearm” means any lethal barrelled weapon of any description from which any shot, bullet or missile can be discharged.

(b) No unauthorised person shall throw or discharge any missile, stone, boomerang, or use any lasso to the danger or annoyance of any person or animal on Trust Property.

Litter and Rubbish

5. (a) No unauthorised person shall bring rubbish, scrap, or waste materials on to Trust Property for the purpose of abandoning or disposing of the same whether in the litter bins provided by the National Trust or otherwise.

(b) No person shall leave or abandon on Trust Property except in receptacles provided for the purpose any litter, refuse, waste materials or offensive matter including (but without prejudice to the generality of the foregoing) any metal, rubber, wooden or plastic articles and containers, bottles, paper, glass, china, dead animals, scrap, rubble and road-mending materials.

Note: An extract from the Litter Act 1958 is set out at the end of these Byelaws.

Malicious Damage

6. No person shall deface by writing or other marks any tree or rock on Trust Property or any building or other structure or any fixed or movable equipment set up, placed or maintained by the National Trust thereon.

See note on Malicious Damage at the end of these Byelaws.

Advertisements

7. No unauthorised person shall post, paint, display or distribute any bill, placard, advertisement or notice on Trust Property.

Dogs and Other Animals

8. No unauthorised person shall cause or allow any dog or other animal belonging to him or in his charge:

(a) To enter any part of Trust Property to which the Public are not granted access.

(b) To enter Trust Property to which Public access is had by payment unless a notice permitting such entry is exhibited at the entrance.

(c) To enter or remain on any Trust Property to which entry is allowed unless such dog or other animal is under proper control and is effectually restrained from causing damage to property including plants and from injuring, annoying or disturbing any person, bird or animal.

Protection of Animals

9. (a) No unauthorised person shall on Trust Property knowingly take, molest or wilfully disturb, injure, or destroy any living creature or the eggs of any living creature or spread or use any net or set or use any snare or other engine, instrument, lamp, lure or other means for the taking, injury, or destruction of any such living creature or its eggs whether in on or above Trust Property.

(b) No unauthorised person shall knowingly bring and leave on or in or knowingly permit to be brought on to and left on or in Trust Property any living creature in such circumstances that the same would be likely to reproduce or propagate itself or cause damage to Trust Property or plant or animal life thereon.

Bathing and Skating

10. (a) No person shall bathe or skate on Trust Property or use Trust Property for bathing or skating in or on any lake, pond, river, stream or canal adjacent thereto where such bathing or skating is for the time being prohibited by authorised notices exhibited on Trust Property.

(b) No unauthorised person shall waterski on Trust Property nor use Trust Property for waterski-ing in or on any lake, pond, river or canal adjacent thereto.

(c) No person shall skate on rollers in any car park on Trust Property or on any road owned by the National Trust and on which vehicular traffic is permitted by the National Trust.

Driving, Parking and Mooring of Conveyances

11. (a) No unauthorised person shall:

(i) Moor, park or leave on Trust Property any conveyance except in mooring sites or parking places provided by the National Trust.

(ii) Leave any conveyance between sunset and sunrise in any parking place on Trust Property.

(iii) Ride or drive any conveyance over or upon Trust Property otherwise than upon roads, tracks and waterways authorised for the use of such conveyance.

(iv) Use any part of Trust Property in connection with any race, hill climb, rally, regatta, or other similar function involving the use of any conveyance.

(b) No person shall ride or drive any conveyance to the danger or annoyance of or without due consideration for other persons resorting to Trust Property.

Note: In this Byelaw “conveyance” includes any air, land or watercraft vehicle or machine other than wheelchairs and perambulators. Subparagraphs (i) and (ii) of paragraph (a) shall have no application to pedal cycles.

Horse-riding

12. (a) No unauthorised person shall ride a horse on any part of Trust Property where horse-riding is prohibited by an authorised notice or where horse-riding is likely to result in damage to Trust Property whether prohibited by notice or not.
- (b) No person shall ride a horse to the danger or annoyance of or without due consideration for other persons resorting to Trust Property.

Camping

13. No unauthorised person shall pitch, erect, or permit to remain on Trust Property any tent, booth, wind-break, pole, clothes-line, building, shed, post, fence, railing or other erection or obstruction whatsoever.

Water Abstraction

14. No unauthorised person shall take any water from Trust Property or pollute the same.

Noise

15. No person shall:
- (a) In any building on Trust Property; or
- (b) In the open air on any Trust Property, after having been requested to desist by any, person on Trust Property who is disturbed by the sound of the instrument operate or cause or suffer to be operated any wireless set, television set, tape recorder, gramophone, amplifier or similar instrument, or operate or play upon any noisy or musical instrument.
16. No unauthorised person shall bring on to Trust Property any swing, roundabout, organ or other like thing.

Hawking

17. No unauthorised person shall on Trust Property sell or offer or expose for sale any commodity, or article or for the purpose of trade or reward take any photograph.

Public Gatherings

18. No organised public gathering, procession or exhibition shall take place on Trust Property without the previous written authority of an Officer of the National Trust, and no person shall interfere with or hinder any function which has been authorised as aforesaid.

Training of Animals

19. No unauthorised person shall, except in any such place as may, from time to time be set apart by the National Trust for the purpose, break in or train or race any horse, dog or other animal.

Agistment

20. No unauthorised person shall turn out or permit to remain on Trust Property any cattle, sheep or other animal.

National Trust Officers' Powers to Remove Offenders

21. Any Officer of the National Trust may remove from Trust Property:
- (a) Any conveyance as defined in Byelaw 11 for the time being on Trust Property in contravention of these Byelaws.
- (b) Any structure for the time being erected on Trust Property in contravention of these Byelaws.
- (c) Any show, exhibition, swing, roundabout, organ or other like thing for the time being on Trust Property in contravention of these Byelaws.
- (d) Any cattle, sheep or other animal found by him on Trust Property in contravention of these Byelaws.
- (e) Any cattle, sheep or other animal suffering from disease.
- (f) After due warning any person who in his view commits any offence against these Byelaws.

Obscene Language

22. No person shall on Trust Property use any indecent or obscene language to the annoyance of any person.

Trust Buildings

23. No unauthorised person shall without the permission of the National Trust:

(a) Enter or remain in any Trust Building wearing boots or shoes which may do damage to such building or any of the contents thereof.

(b) Smoke or carry a lighted pipe, cigar or cigarette in any Trust Building.

(c) Take any photograph in any Trust Building.

(d) Touch any furniture or other contents of any Trust Building or (with-out prejudice to the generality of the foregoing) sit upon any chair or other article of furniture in any such building.

Nuisance and Wilful Obstruction

24. No person shall on Trust Property wilfully obstruct, disturb, interrupt or annoy any other person in the proper use and enjoyment of such property or wilfully hinder, obstruct, disturb, or interrupt any Officer of the National Trust in the exercise of his powers and duties under the National Trust Acts 1907-1953 or these Byelaws.

Unlawful Entry

25. No unauthorised person shall climb any wall, fence, or hedge on or enclosing Trust Property or any gate in such wall, fence or hedge.

Penalties for Infringement of Byelaws

26. Every person who shall offend against any, of the foregoing Byelaws shall be liable on summary conviction to a fine not exceeding £20 and in the case of a continuing offence to a further fine not exceeding £2 for each day during which the offence continues, or such other maximum as may be specified from time to time by any Act of Parliament enacted after the date hereof.

27. The Byelaws which were made by the National Trust on the 15th July 1955 and were confirmed by the Secretary of State on the 18th October 1955 shall be and are hereby repealed.

Made and Ordered to be Sealed the Eleventh day of June One thousand nine hundred and sixty-five.

The Common Seal of the National Trust for
Places of Historic Interest or Natural Beauty (SEAL)
was hereunto affixed in the presence of:

CONESFORD, Member of Executive Committee
J. F. W. RATHBONE, Secretary

The Secretary of State this day confirmed the foregoing Byelaws and fixed the date on which they are to come into operation as the first day of October 1965.

R. J. GUPPY (SEAL)
An Assistant Under Secretary of State

Whitehall
26th August, 1965

Notes:

The Environmental Protection Act 1990, section 87 reads:

87. Offence of leaving litter

(1) If any person throws down, drops or otherwise deposits in, into or from any place to which this section applies, any thing whatsoever in such circumstances as to cause, or contribute to, or tend to lead to, the defacement by litter of any place to which this section applies, he shall, subject to subsection (2) below, be guilty of an offence.

(2) No offence is committed under this section where the depositing and leaving of the thing was

a) authorised by law, or

b) done with the consent of the owner, occupier or other person or authority having control of the place in or into which that thing was deposited.

(3) This section applies to any public open place and, in so far as the place is not a public open place, also to the following places

a) any relevant highway or relevant road and any trunk road which is a special road;

b) any place on relevant land of a principal litter authority;

(c) any place on relevant Crown land.

(d) any place on relevant land of any designated statutory undertaker;

(e) any place on relevant land of any designated educational institution;

(f) any place on relevant land within a litter control area of a local authority.

(4) In this section “public open place” means a place in the open air to which the public are entitled or permitted to have access without payment; and any covered place open to the air on at least one side and available for public use shall be treated as a public open place.

(5) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(6) A local authority, with a view to promoting the abatement of litter, may take such steps as the authority think appropriate for making the effect of subsection (5) above known to the public in their area.

Criminal Damage

It is an offence under the Criminal Damage Act 1971 without lawful excuse to destroy or damage any property belonging to another intending to destroy or damage any such property or being reckless as to whether any such property would be destroyed or damaged. The maximum penalty under the Act on conviction on indictment is imprisonment not exceeding 10 years, though, by virtue of section 22 of and Schedule 2 to the Magistrates’ Courts Act 1980 where the value of the damage caused appears to the court not to exceed the relevant sum (currently £2,000) the offence is triable only summarily with a maximum penalty of 3 months’ imprisonment or a fine of the amount specified for the purposes of section 33 of the Magistrates’ Courts Act 1980 (currently £2,500).