



# Norfolk and Suffolk Broads Act 1988

## 1988 CHAPTER 4

### PART I

#### THE BROADS AUTHORITY

#### 6 Byelaws: general.

- (1) The Authority may make byelaws under this section for the purpose of securing that persons resorting to land to which the byelaws apply do not—
  - (a) damage the land or anything in, on or under it; or
  - (b) interfere unduly with the enjoyment of the land by other persons.
- (2) Byelaws under this section may only be made in respect of land within the Broads—
  - (a) of which the Authority is the owner or occupier;
  - (b) to which the general public have a right of access; or
  - (c) which is commonly used by the general public.
- (3) Byelaws under this section may, in particular—
  - (a) prohibit or restrict the use of land (other than any highway or other road or any land within the navigation area or the Haven), either generally or in any manner specified in the byelaws, by traffic of any description so specified;
  - (b) contain provisions prohibiting the depositing of rubbish and the leaving of litter;
  - (c) regulate or prohibit the lighting of fires; and
  - (d) make provision as to the conditions of use of parking places provided by the Authority and prohibit or restrict persons from plying for hire with vehicles at any such parking places.
- (4) Before making, varying or revoking any byelaws under this section, the Authority shall consult [<sup>F1</sup> Natural England ].
- (5) Subsections (3) to (8) and (11) of section 236, and section 238, of the <sup>M1</sup>Local Government Act 1972 (procedure for making byelaws) shall apply in relation to byelaws made by the Authority under this section as they apply in relation to byelaws

*Status: Point in time view as at 01/04/2012.*

*Changes to legislation: Norfolk and Suffolk Broads Act 1988, Section 6 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

made by a local authority; but the Secretary of State may confirm the byelaws with such modifications as he thinks fit.

- (6) Where the Secretary of State proposes to make any such modification which appears to him to be substantial, he shall inform the Authority and require it to take such steps as he considers necessary for informing persons likely to be concerned with the modification.
- (7) Where the Secretary of State has informed the Authority of his intention to make a modification which appears to him to be substantial, he shall not confirm the byelaws until such period has elapsed as he thinks reasonable for the Authority, and for others who have been informed of his proposal, to consider and comment on it.
- (8) The Secretary of State may hold a local inquiry before deciding whether or not to confirm any byelaws made under this section.
- (9) Section 12 of the <sup>M2</sup>Local Government (Miscellaneous Provisions) Act 1982 (enforcement of byelaws) shall apply in relation to byelaws under this section as if the Authority were a relevant local authority.
- (10) Any byelaws made under this section may provide for any person contravening any of their provisions to be guilty of an offence and liable—
  - (a) on summary conviction to such fine (not exceeding level three on the standard scale) as may be specified in the byelaws; and
  - (b) in the case of a continuing offence, such further fine (not exceeding one tenth of level three for each day during which the offence continues after conviction) as may be so specified.
- (11) The Authority may, for the purpose of advising and assisting members of the public using the Broads and of securing compliance with any byelaws made under this Act, appoint one or more of its officers to act as wardens.

#### Textual Amendments

**F1** Words in s. 6(4) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006](#) (c. 16), s. 107, **Sch. 11 para. 112(a)**; S.I. 2006/2541, art. 2 (with Sch.)

#### Marginal Citations

**M1** 1972 c.70.

**M2** 1982 c.30.

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