
STATUTORY INSTRUMENTS

2010 No. 490

The Conservation of Habitats and Species Regulations 2010

PART 2

CONSERVATION OF NATURAL HABITATS AND HABITATS OF SPECIES

Byelaws

Power to make byelaws

30.—(1) The appropriate nature conservation body may make byelaws for the protection of a European site under section 20 of the 1949 Act⁽¹⁾ (byelaws for protection of nature reserves).

(2) Such byelaws may, in particular, make the kinds of provision mentioned in this regulation, subject to regulation 31(1).

(3) Byelaws may—

- (a) provide for prohibiting or restricting the entry into, or movement within, the site of persons, vehicles, boats or animals;
- (b) prohibit or restrict the killing, taking, molesting or disturbance of living creatures of any description in the site, the taking, destruction or disturbance of eggs of any such creature, the taking of, or interference with, vegetation of any description in the site, or the doing of anything in the site which will interfere with the soil or damage any object in the site;
- (c) contain provisions prohibiting the depositing of rubbish and the leaving of litter in the site; and
- (d) prohibit or restrict, or provide for prohibiting or restricting, the lighting of fires in the site or the doing of anything likely to cause a fire in the site.

(4) Byelaws may prohibit or restrict any activity referred to in paragraph (3) within such area surrounding or adjoining the site as appears to the appropriate nature conservation body necessary for the protection of the site.

(5) Byelaws may provide for the issue, on such terms and subject to such conditions as may be specified in the byelaws, of permits authorising—

- (a) entry into the site or any such surrounding or adjoining area as is mentioned in paragraph (4), or
- (b) the doing of anything within the site, or any such surrounding or adjoining area,

where such entry, or doing that thing, would otherwise be unlawful under the byelaws.

(6) Byelaws may be made so as to relate either to the whole or to any part of the European site, or of any such surrounding or adjoining area as is mentioned in paragraph (4), and may make different provision for different parts of the site.

⁽¹⁾ Section 20 was amended by the Telecommunications Act 1984 (c. 12), paragraph 28 of Schedule 4; the Water Act 1989 (c. 15), paragraph 13 of Schedule 25; the Communications Act 2003 (c. 21), paragraph 20(1) and (2) of Schedule 17; and the Natural Environment and Rural Communities Act 2006 (c. 16), paragraph 15(d) of Schedule 11.

(7) This regulation does not apply in relation to a European marine site (but see regulation 38 (European marine sites: byelaws and orders)).