EPSOM AND WALTON DOWNS CONSERVATORS

BYELAWS

made by

The Epsom and Walton Downs Conservators

under and by virtue of

Epsom and Walton Downs Regulation Act 1984 for the protection of Epsom Downs and Walton Downs within the Borough of Epsom and Ewell in the County of Surrey

K Beldon

Clerk of the Conservators

BYELAWS

made by **The Epsom & Walton Downs Conservators**

under and by virtue of

Section 11 of the Epsom and Walton Downs Regulation Act 1984 in respect of Epsom Downs and parts of Walton Downs within the District of Epsom and Ewell in the County of Surrey

1. In these byelaws the expression “The Act” means the Epsom and Walton Downs Regulation Act 1984, the expression “The Conservators” means The Epsom and Walton Downs Conservators constituted by the Epsom and Walton Downs Regulation Act 1936 and the Epsom and Walton Downs Regulation Act 1984 and the expressions “the Downs” “Epsom Downs” “Walton Downs” “Race Course” “Signed Map” “Southern Part of the Race Course” “Northern part of the Race Course” “authorised meeting” “Racing period” “the Company” and “the Owner” have the meanings assigned to them by Section 2 of that Act.

   “Model Aircraft” means an aircraft which weighs not more than 7 kilogrammes (15.4 pounds) without its fuel;

   "Power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances or by one or more electric motors;

   “Radio-controlled” means controlled by a radio signal from a wireless transmitter or similar device;

   “Jet-propelled or rocket-propelled” means driven by jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres (one inch) in length;

   “Turbine-powered” means driven by jet propulsion produced by a gas turbine.

2. (i) A person shall not, without the consent of the Conservators, on the Downs:

   (a) enclose any part of the Downs or erect any building shed or other structure thereon or construct any roads or parking places

   (b) place any tent stall show exhibition swing roundabout or other like thing

   (c) play golf or organised games

   (d) turn out or permit any animal to graze

(e) dig or take any stem chalk soil or other materials or take any turf sods trees flowers shrubs plants or grass or use any device designed or adapted for detecting or locating any metal or mineral in the ground

(f) drive or place any carriage cart motor car or other vehicle other than upon public carriageways or use any part of the Downs as a parking place

(g) camp or light fires

(h) displace or remove any seats fences banners notice-boards or other things put up and maintained by the Conservators or the Company or the Owner under the powers of the Act

(i) sell or offer or expose for sale or let to hire or offer or expose for letting to hire any commodity or article or provide any service

(j) walk on the Race Course except at crossing places authorised under paragraph 5(a) of Section 17 of the Act and indicated by notices conspicuously displayed

2. (2) A person shall not on the Downs:

(a) by operating or causing or permitting to be operated any wireless set gramophone amplifier tape recorder or similar instrument make cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the Downs

(b) allow any dog in his charge to enter or remain on the Downs unless such dog be and continue to be under proper control and be effectually restrained from causing annoyance to any person and from worrying or disturbing any animal

(c) intentionally hinder or obstruct any officer or servant of the Conservators in the exercise of his duties

(d) fly any model aircraft in such a manner as to be likely to cause undue interference with the enjoyment of the land by persons lawfully using the land

(e) intentionally obstruct endanger or give reasonable cause for annoyance to any other person in the proper use of the Downs.

3. A person shall not without lawful authority ride a horse on the Downs otherwise than upon the rides and areas shown for that purpose on the signed map and on such other rides or areas as may from time to time be authorised by the Conservators.

4. A person shall not without lawful authority ride a horse before noon on any day upon:

(a) the ride on Epsom Downs between the entrance to Epsom Downs from Rosebery Road and the point where that ride joins bridleway 127 (being the ride between the points marked “A” and “B” on the signed map) and the area adjacent to that ride

(b) the area on the northern side of Walton Downs commencing by a junction with the ride along the north western boundary of Walton Downs immediately south of the point where the south-western side of the Warren meets that boundary following the southern edge of the woodland adjacent to the Warren and continuing generally in an easterly direction to a junction with bridleway 127 (being the area between the points marked “C” and “ D” on the signed map)

(c) the area on Walton Downs leading from the area on Walton Downs immediately adjacent to the eastern side of bridleway 127 commencing by a junction with that last mentioned area at a point 130 metres or thereabouts south of the point where Walton Road is crossed by bridleway 127 following the southern edge of the woodland and continuing generally in a north-easterly direction to the point where the first mentioned area joins the ride along the southern side of the Race Course and having a width of 10 metres throughout (being the area between the points marked “E” and “F” on the signed map)

(d) the area on Walton Downs immediately to the north of bridleway 66 (being the area between the points marked “G” and “H” on the signed map)

(e) the area on Walton Downs immediately to the north and north-west of the track shown on the signed map continuing from the termination of bridleway 66 to its junction with bridleway 65 (being the area between the points marked “I” and “J” on the signed map).

5. A person shall not without lawful authority ride a horse within a distance of 50 metres from any part of the Race Course or anywhere within the area bounded by the Race Course and an imaginary line drawn between the western extremities of the northern part of the Race Course and of the southern part of the Race Course during the period from half an hour before the start of the first race until half an hour after the finish of the last race at an authorised meeting.

6. A person shall not without lawful authority ride or exercise a horse on any ride or area in contravention of a restriction or prohibition temporarily imposed by the Conservators by the display of notices pursuant to their powers under Section 15(3) of the Act.

7. (1) A person shall not release any radio controlled power driven model aircraft for flight or control the flight of such aircraft or shall not cause such an aircraft to take off on any part of the Downs other than the cut strip of grass designated for this purpose and maintained by the Conservators.

(2) A person shall not without reasonable excuse fly a model aircraft over or cause such an aircraft to land on any part of the Downs other than that part which is enclosed by the following boundaries (but excluding the Mile Post Car Park) that is to say

(a) the guard railings on the inside of the Race Course

(b) the eastern side of Langley Vale Road from the underpass to its junction with the footpath leading to Rosebery Road and

(c) the line of that footpath from its junction with Langley Vale Road to a point in line with the guard railings on the inside of the Race Course.

(3) A person shall not without reasonable excuse cause a radio controlled model aircraft to fly over the area set apart by the Conservators for the flying of kites at an altitude of less than 61 metres (200 feet).

8. A person shall not on any part of the Downs set apart by the Conservators for the flying of model aircraft release any model aircraft for flight or control the flight of such an aircraft or cause any such aircraft to take off or land:

(a) on the days when race meetings are held, or

(b) on any other days before 1200 hours or after sunset, or

(c) in the case of radio controlled power driven models on any other days before 1200 hour or after sunset or 2000 hours whichever is the earlier.

9. A person shall not on any part of the Downs release any model aircraft for flight or control the flight of such an aircraft or cause any such aircraft to take off or land which is:

(a) power driven and attached to a control line or

(b) launched by means of a catapult or

(c) jet-propelled or rocket-propelled or

(d) turbine-powered.

10. A person shall not on any part of the Downs set apart by the Conservators for the flying of power driven model aircraft:

release any power-driven model aircraft for flight or control the flight of such an aircraft or cause any such aircraft to take off or land unless-

(i) the noise emitted by the aircraft gives a noise measurement of not more than 82dB(A) at a distance of 7 metres (23 feet) from the aircraft when measured by means of the equipment described, and by the method set out in the Code of Practice issued in pursuance of the approval given by the Control of Noise (Code of Practice on Noise from Model Aircraft) Order 1982

11. A person shall not, without the consent of the Conservators, on any part of the Downs, release any model aircraft.

12. A person shall not release any kite for flight or control the flight of such a kite and shall not cause a kite to take off or without reasonable excuse cause such a kite to land on any part of the Downs other than that part which is enclosed by the Old London Road to the north, east and south and to the west by Public Bridleway 127 or without reasonable excuse cause or allow a kite to fly within a distance of 45.75 metres (150 feet) of those boundaries.

13. A person shall not on any part of the Downs set apart by the Conservators for the flying of kites release any kite for flight or control the flight of such a kite or cause any kite to take off or land:

    (a) on the days in any racing period or

    (b) on any other days before 1200 hours or after sunset.

    (c) which is constructed in the delta format and exceeds 8 feet in span or in any other format and exceeds 5 metres in span

    (d) which is constructed in the parafoil format and where the number of kites in a stock on a common set of control lines exceeds three

    (e) where the length of any control line exceeds 45.75 metres (150 feet).

14. A person shall not on any part of the Downs engage in kite jumping or use kite buggies.

15. No person shall cause or allow a kite without reasonable excuse to be flown on any part of the Downs unattended or whilst left on the ground unattended cause or allow a kite without reasonable excuse to become airborne in unattended flight.

16. No person shall fly any kite in such a manner as to be likely to cause undue interference with the enjoyment of the land by persons lawfully using the land.

17. No person shall leave any kite parts on the Downs after the cessation of kite flying.

18. No person shall without reasonable excuse ride a bicycle on the Downs except on authorised routes. Any person who rides a bicycle on any bridleway or other authorised route shall give way to pedestrians and persons on horseback.

19. Every person who shall offend against any of the foregoing byelaws may after due warning be removed from the Downs by an officer or servant of the Conservators in either of the cases hereinafter specified, and in the second mentioned case may after due warning be excluded from the Downs by any officer or servant of the Conservators:

    (i) where the infraction of the byelaws is committed within the view of such officer or servant and the name and residence of the person infringing the byelaws are unknown to and cannot be readily ascertained by such officer or servant.

    (ii) where the infraction of the byelaw is committed within the view of such officer or servant and from the nature of such infraction or from any other fact of which such officer or servant may have knowledge or of which he may be credibly informed there may be reasonable ground for belief that the continuance on the Downs of the person infringing the byelaw may result in another infraction of a byelaw or that the removal of such person from the Downs is otherwise necessary as security for the proper use and regulation thereof.

20. Any officer or servant of the Conservators may after due warning take down or remove any thing or animal which is on the Downs in contravention of these byelaws.

21. Any person who without reasonable excuse contravenes any of these byelaws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

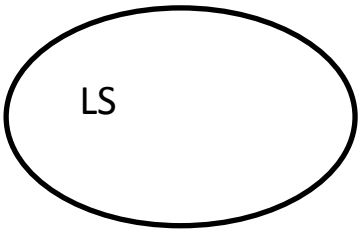
22. A person shall not be guilty of an offence of contravening byelaws 3 or 4 unless notice specifying the offence and the maximum penalty therefore is conspicuously displayed in such places on the Downs as the Conservators think fit, and the routes of the rides are clearly identified by signs or other means.

23. An act necessary to the proper execution of his duty by an officer of or by any person or servant of any person employed the Conservators the Epsom Training Grounds Management Board United Racecourses Limited or Epsom Golf Club shall not be deemed to be an offence against these byelaws.

24. The byelaws made by the Epsom and Walton Downs Conservators on 28 July 2005 and confirmed by the Secretary of State to the Office of the Deputy Prime Minister on 20 September 2005 relating to Epsom Downs and parts of Walton Downs are revoked.

The Common Seal of the Epsom and Walton Downs Conservators was hereunto affixed this 16 day of April 2013 in the presence of:

Chairman: Jean Smith



Clerk: Frances Rutter

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation one calendar month after the date of confirmation.

Signed by authority of the Secretary of State

Paul Rowsell

Senior Civil Servant for the Department for Communities and Local Government

Date: 24 September 2013