

**SCOTTISH NATURAL HERITAGE
CAERLAVEROCK NATIONAL NATURE RESERVE**

Scottish Natural Heritage, in exercise of the powers conferred upon it by section 20 and 106 of the National Parks and Access to the Countryside Act 1949 enabling it in that behalf and with the consent of the Crown Estate Commissioners for their interest hereby makes the following byelaws for the protection of the byelaws area at Caerlaverock in the administrative area of Dumfries and Galloway Council. The byelaws relating to the Nature Reserve at Caerlaverock made by the Nature Conservancy Council on 21 April 1975 and confirmed by the Secretary of State on 22 August 1975 are hereby revoked.

In these byelaws –

“The byelaws area” means the seashore and areas of merse (saltmarsh) and land adjacent thereto in the Districts of Nithsdale and Annandale and Eskdale, in the Region of Dumfries and Galloway, lying between the west bank of the main channel of the River Nith as it may be from time to time in the said District of Nithsdale and the western boundary of the foreshore ex adverso Riddingdyke Farm in the said District of Annandale and Eskdale and in part generally between the Castle Corner car park and woodland at Castle Wood from the northern edge of the footpath between Castle Corner and Back O’ Woods, the Flooders and the mean low water spring mark and in part generally between the mean high water spring mark and the mean low water spring mark, which area extends in total to eight thousand one hundred and eighty four decimal seven eight hectares or thereby and is part of the area declared as a National Nature Reserve by declaration dated Third October Two Thousand and Seven made by Scottish Natural Heritage in pursuance of section 19 (4) of the National Parks and Access to the Countryside Act 1949 and section 35 of the Wildlife and Countryside Act 1981, all as the said seashore and areas of merse and land adjacent thereto are shown for the purposes of identification outlined in red on the map annexed to these byelaws and executed as relative to these byelaws (which map is declared to be demonstrative only in the event of any variation from time to time in the channel of the River Nith, the mean high water spring mark or the mean low water spring mark insofar as forming part of the boundary of the area, other than the mean high water spring mark forming the boundary between points X and Y on the said map);

“SNH” means Scottish Natural Heritage established under the Natural Heritage (Scotland) Act 1991;

“fifty metre strip” means the area of seashore extending to a minimum of 50 metres in width and lying to the south or south-west of the mean high water spring mark which forms the boundary shown between points X and Y on the said map, the southern and south western boundary of which area follows a series of straight lines linking the following grid reference points NY084672, and NY133652 is, or is to be, indicated on the ground by a series of permanent posts;

“firearm” has the same meaning as in section 57 of the Firearms Act 1968 as amended;

“Cycle” means a bicycle or a tricycle, not being in any case a motor cycle or motor vehicle

“Motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, with fewer than four wheels and the weight of which unladen does not exceed 410 kilograms.

“Motor vehicle” means a mechanically or electrically propelled vehicle, not being an invalid carriage, intended or adapted for use on roads.

Extent of prohibitions or restrictions

Within the byelaws area the acts listed in byelaws [1] and [2] below are prohibited or restricted to the extent described in the byelaws except in so far as such acts may be authorised by a permit issued by SNH in accordance with byelaw [3] or may be necessary for the proper execution of his duty by a person employed by or authorised by SNH.

1. Firearms

- (i) No person shall have in their possession in the byelaws area a firearm, or shoot or attempt to shoot any bird or animal within the byelaws area, unless authorised by a permit under byelaw (3) below;
- (ii) this byelaw shall not apply where the person is within the fifty metre strip between the points marked X and Y on the plan annexed to these byelaws.

2. Vehicles

No person shall bring onto the byelaws area:

- (i) a motor cycle, motor vehicle or any other mechanically or electrically propelled vehicle other than a cycle, except onto land set aside for that purpose by SNH and
- (ii) other than in the main channel of the River Nith, any hovercraft or other vehicle supported on a cushion of air; provided that this byelaw shall not extend to a vehicle or vessel constructed or adapted for use by person who has a disability and which is being used by such a person.

3. Permits

SNH may issue permits authorising any person to do any act within the byelaws area which would otherwise be unlawful under these byelaws, and such permit may be subject to such conditions and limitations as SNH sees fit.

4. Exercise of rights

Nothing in these byelaws shall interfere with the exercise by any person of a right vested in him as owner, lessee or occupier of land in the byelaws area or as limited owner of such land, or with the exercise of any public right of way or navigation, or of any servitude right, or any functions of statutory undertakers or a Public Authority, or shall affect the rights of the Crown Estates Commissioners or with the running of a electronic communications code network or the exercise of any right conferred by or in accordance with the electronic communications code on the operator of any such system.

5. Penalty

Any person who offends against any of these byelaws shall be liable on summary conviction to a fine on level 2 of the Standard Scale.

Making and confirmation

The foregoing byelaws were made by SNH on the 12th day of September 2006 with the consent of the Crown Estate Commissioners and were confirmed by the Scottish Ministers on the day of



Director Operations, South
Scottish Natural Heritage