

Management Rules for Public Parks, Beaches, and Green space.

The City of Edinburgh Council in exercise of the powers conferred on them by Section 112 of the Civic Government (Scotland) Act 1982 hereby make the following Management Rules for the Council's Public Parks, Beaches, and Green space.

Interpretation

In these Management Rules the following words have the meanings given to them:

“Council” means The City of Edinburgh Council;

“Park” means any land provided, owned, leased, occupied, or managed by the Council within the City of Edinburgh and used as a recreation ground, public playground, public open space, public walk, walkway, woodland, ornamental or pleasure ground or gardens, spaces of semi-natural character managed for biodiversity that may be designated as a Local Nature Reserve or have other nature or conservation status due to their topography or ecology, any areas landscaped or otherwise provided for the amenity of the general public, all Council-owned and managed land within the Pentland Hills Regional Park (e.g., Bonaly Country Park and Harlaw and Threipmuir Reservoirs), and all buildings, car parking areas, footways, roads, and works connected therewith;

“Green space” means any land, farmland, or geological feature that is partly or completely covered with grass, trees, shrubs, or other vegetation, bio swales, or rain gardens, or bodies of water, and is accessible to the public, and all buildings, car parking areas, footways, roads, and works connected therewith;

"Beach" means any public beach, seashore, or shoreline area in the vicinity of the sea above the high-water mark of ordinary spring tides provided, owned, leased, occupied, or managed by the Council within the City of Edinburgh and used as a pleasure beach or recreational beach accessible to the public, and all buildings, car parking areas, footways, roads, and works connected therewith;

"Camping" includes inhabiting and sleeping overnight in a tent or temporary shelter or bivouac, being under canvas or other or equivalent fabric including bivvy bags, and any form of camping for non-recreational purposes; however, residing in a motorhome, caravan, car, or other motorised vehicle is not a form of camping (see motor vehicles section);

“Council Official” means an employee of the Council or of Edinburgh Leisure, or any person authorised by the Council to enforce these Management Rules;

“Code” means the Scottish Outdoor Access Code 2005 made pursuant to section 10 of the Land Reform (Scotland) Act 2003 as amended or replaced from time to time and the Part 1 Land Reform (Scotland) Act 2003 Guidance for Local Authorities and National Park Authorities 2005 or as amended or replaced from time to time.

Summary

Any person who appears to be breaking, has broken, or is about to break any of the following Management Rules may be asked by a Council Official to leave the Park, Beach, or Green space. Any person refusing to leave ~~will~~ shall be guilty of an offence and liable on summary conviction, to a fine not exceeding level one on the standard scale.

- 1 Any person in any Park, Beach, or Green space who wilfully obstructs, interrupts, interferes, impedes, or insults any Council Official in the course of the Council Official carrying out their duties shall be guilty of an offence and liable on summary conviction to a fine not exceeding level one on the standard scale.
- 2 Any written permission required by these Management Rules must be shown on request to a Council Official.
- 3 The Council may decide to waive any particular Management Rule at any time.

General

The following acts are prohibited:

- 4.1 Behaviour which causes (or in the opinion of a Council Official is likely to cause) annoyance, offence, alarm or distress to any other user of the Park, Beach, or Green space.
- 4.2 Any wilful or careless act that causes damage or removes any artefact, plant, tree, shrub, building, structure, equipment, furniture or fitting.
- 4.3 Depositing litter except in litter bins provided for the purpose.
- 4.4 Pursuing any activity which endangers (or in the opinion of a Council Official is likely to endanger) any person or property.
- 4.5 Ball games in Princes Street Gardens, Saughton Walled Garden, and Sundial Garden (Inverleith Park).
- 4.6 Fishing in any water course without a permit.
- 4.7 Depositing or leaving any substance or article which is likely (in the opinion of a Council Official) to cause injury or damage to any person, property, or environment.
- 4.8 Metal or mineral detecting in any Park, Beach, or Green space except for archaeological research projects or planning-related work undertaken via agreed written schemes of investigation (WSI). It is a criminal offence to use a metal detector on a scheduled monument (e.g., Huly Hill) without written permission from Scottish Ministers.
- 4.9 The release of balloons, sky lanterns, birds (e.g., doves or pigeons), invasive fish, terrapins or any other similar or uncontrolled items in or onto land, air, or water.
- 4.10 Depositing, spreading, or burying cremulated human or animal remains or ashes in any Park or Green space. An exception is the ash scattering site at the River Almond (near Dowies Mill Weir).
The following acts are prohibited within a Park, Beach, or Green space unless the Council's written permission has been sought and obtained in advance:
- 4.11 Entering into or wilfully remaining in a Park, Beach, or Green space, or part of a Park, Beach, or Green space, when it is closed to the public.
- 4.12 Selling, hiring, or offering for sale or hire any items or goods or services.
- 4.13 Displaying or handing out advertisements, conducting surveys, or giving any displays or performances.
- 4.14 Begging, or busking with or without the use of amplification. Where busking is permitted, buskers must comply with the 'Hit The Right Note' guidance as amended or replaced from time to time.
- 4.15 Engaging in any commercial activity whatsoever (including, without limitation, dog walking services, photography, filming, and fitness training services).
- 4.16 Intentionally or recklessly uproot or damage any tree or plant or attach any structures or ropes to them.

- 4.17 Applying, affixing, tying, or placing any form, object, or plaque to a tree, on a stake, or tree guard, or at or on the ground in close proximity of a tree as a form of dedication or memorialisation.
- 4.18 Applying graffiti to any item, sign, building, surface, or wall.
- 4.19 Padlock or secure cycles or attach other items to any railings, gates, poles, or other infrastructure not dedicated or provided for this purpose in or around any Park, Beach, or Green space.

Dogs and Horses

The following acts are prohibited:

- 5.1 Allowing a dog to enter in or on a children's play area or area of the Park, Beach, or Green space that is designated as a 'dog free area', whether that designation is temporary, seasonal, or permanent. In terms of the decision made by the Council's Recreation Committee on 21 June 1999, all of Montgomery Street Park is hereby designated a children's play area and is, therefore, a dog free area.
- 5.2 Allowing dogs to foul in a Park, Beach, or Green space unless the person in charge of the dog immediately removes the fouling and properly disposes of it (in accordance with the Dog Fouling (Scotland) Act 2003 as amended or replaced from time to time).
- 5.3 Failing to keep a dog under proper control in any Park, Beach, or Green Space. Dogs must be kept on short leads when in a Park with strong botanical interest or heavily cultivated areas, e.g., Princes Street Gardens, Lauriston Castle formal garden areas, Saughton Winter Garden, and Sundial Garden (Inverleith Park), or in any area of a Park, Beach, Green space where a sign is displayed to indicate that dogs must be kept on a lead or under proper control. Leads must be suitably secured to the dog and also held by or be suitably attached to the dog handler.
- 5.4 Failing to keep a dog under proper control, at heel, on a short lead, or not placing your dog on a short lead where your dog does not respond to your commands and cannot be kept close at heel off a lead, when near young farm animals and at nesting time (April – July) in woodlands, grasslands, moorland, and at the seashore.
- 5.5 Allowing a dog to run onto sports pitches when these are in use.
- 5.6 Leading, riding, training, or exercising a horse in a manner which falls short of the responsibilities in the Code.
- 5.7 Allowing a dog to enter in or on an area of any Park or Green space that is maintained for the purpose of Forest Kindergarten or a Forest School.

BBQs, Fire and Camping

The following acts are prohibited:

- 6.1 Lighting fires or barbecues outwith designated barbecue sites, where these are provided, or in areas or in a manner likely to burn or scorch the ground or cause danger or nuisance to other Park, Beach, or Green space users or neighbouring residents.
- 6.2 Failing to remove litter associated with barbecues and picnics.
- 6.3 Failing to keep any lit barbecue or fire under proper control and active observation at all times, including failing to maintain an ability to extinguish any open flame or lit embers within reach.

The following acts are prohibited unless the Council's written permission has been obtained in advance:

- 6.4 Lighting an open fire in any Park, Beach, or Green space.
- 6.5 Camping within one mile of a public road, except when camping in the Pentland Hills Regional Park, (e.g., Bonaly Reservoir and any sensitive sites) unless advised otherwise by a Council Official. All camping equipment and accessories must be removed when no longer in use.
- 6.6 Failing to properly use a barbecue responsibly, safely, and respectfully on a Park, Beach, or Green space ensuring that it does not constitute nuisance to others. This includes failure to ensure that barbecues are removed and disposed of safely, or that embers and surrounding sand on a Beach is suitably disturbed to dissipate any residual heat.
- 6.7 Erect, occupy, or use any shed, tent, (except a tent in unenclosed countryside where wild camping may be undertaken in compliance with the Code), any other structure, or caravan or motorhome, overnight in any Park, Beach, or Green space outwith designated areas.

Cycling

The following acts are prohibited:

- 7.1 Cycling in a manner that falls short of the responsibilities in the Code.
- 7.2 Cycling off the paths in Princes Street Gardens, in woodland, or other areas sensitive to environmental damage.
- 7.3 Modification of provided skate parks or bike trails or damaging a Park or Green space to create a new or modified bike trail or skate park.
- 7.4 Cycling within Princes Street Gardens, Saughton Winter Garden, or Lauriston Castle formal garden areas, or on or over any lawn or grass area under renovation.

Motor Vehicles

The following acts are prohibited:

- 8.1 Operating any motorised or mechanically propelled toy or model vehicle, aircraft or boat so as to disturb wildlife, endanger or give annoyance to other people, or if asked by a Council Official not to do so.
- 8.2 Ride or drive any motorised or electric vehicle greater than 5 mph or other signed speed.
- 8.3 Leaving any vehicle abandoned, unlawfully parked, parked outwith designated parking areas, parked on footways, or causing obstruction. In the event of any of the above, the vehicle may be removed from the Park, Beach, or Green space and stored for collection in accordance with the signage displayed.
- 8.4 Parking in a space designated for use by a disabled person without displaying an appropriate 'Blue Badge'.

The following acts are prohibited unless the Council's written permission has been obtained in advance:

- 8.5 Driving, using, or leaving any car, motorbike, quad bike, mini moto, electric scooters, hoverboards, or other vehicle, or parking a caravan, except on roads and in car parks provided by the Council for vehicles, and any electrically assisted pedal cycle not meeting the Electrically Assisted Pedal Cycles (Amendment) Regulations 2015), unless the Council's written permission has been obtained in advance. This Management Rule does not apply to prams, wheelchairs, or battery-operated vehicles used for carrying children or people with a disability provided this adapted vehicle is being used by such a person. Emergency vehicles are allowed without any written consent at any time.
- 8.6 Launch or land a powered, remote or radio controlled, motorised or mechanically propelled aircraft or drone.
- 8.7 Parking of any motorised vehicle, caravan, or trailer on grass verges, paths, or outwith designated car parking areas, in a way that prohibits others from accessing another part of the Park, Beach, or Green space, or without due consideration of the safety of others or where parking impedes routes for emergency services, pedestrians, cyclists, or other road users.

Events and Other Activities

The following acts are prohibited:

- 9.1 Swimming, wading, or carrying out other recreational activities in ornamental ponds, in water bodies, or wetland areas specifically managed for horticulture or wildlife.
- 9.2 Entering onto or into frozen bodies of water.
The following acts are prohibited except with the Council's prior written permission:
- 9.3 Holding an event, tour, performance, ceremony in any Park, Beach, or Green space, or a demonstration or public meeting on any Beach or in any Park or Green space except East Meadows, Calton Hill, or Leith Links.
- 9.4 Carrying, or discharging firework or firearm, building or lighting a bonfire, or carrying or setting of any trap.
- 9.5 Playing any organised game or sport, sports coaching, fitness, or hobbies on bookable, marked pitches provided by the Council, or any activity that may impact other users or increase ground surface wear. Use of areas adjacent to pitches in any Park or Green space for informal training by clubs or others does not require written permission.
- 9.6 Motorised and non-motorised water-based activities in ornamental ponds, fountains, or waterways specifically managed for wildlife.

Short Hole Golf Courses

The following acts are prohibited for those not engaged in the game of golf:

- 10 Going onto playing surfaces when these are in use and onto greens at all times.

Miscellaneous

- 11.1 The Council is not responsible for any loss or damage to any vehicle, or any other property left in or on, any Park, Beach, or Green space.

- 11.2 The Council is not responsible for any loss, injury, or damage suffered by any person in any Park, Beach, or Green space where such loss, injury, or damage was occasioned by conduct of any person in contravention of these Management Rules or by failure to take proper and reasonable care whether on the part of the person who suffered such loss, injury, or damage, or such other person who was at the relevant time responsible for that person.
- 11.3 No person shall erect any memorial or attach any memorial items, plaques, vases, plastic flowers, ornaments, or any other type of memorabilia to trees, railings, or other items in any Park, Beach, or Green space without the Council's prior written permission. A Council Official shall be entitled to remove any such items without any prior notice but shall pay due attention to the sensitivity of such items.
- 11.4 On occasion, for limited purposes, including the allowing of ticketed admission for a particular event; in the interests of safety and security; for ensuring the protection of privacy; or any combination of these; or any other reason set out in relevant legislation from time to time in force; the Council may make an order under Section 11 of the Land Reform (Scotland) Act 2003 exempting any Park or Beach, or any part of any Park, Beach, or Green space for a specified purpose and a specified time from the access rights that would otherwise be exercisable. Any order under Section 11 having effect for 6 days or longer will be subject to prior public consultation and approval by Scottish Ministers.
- 11.5 Where a Park, Beach, or Green space has gender-specific toilets or changing rooms, users must respect the restrictions except a child under eight years of age whilst accompanied by an adult, or disabled persons being assisted in using facilities, or Council Official in the performance of their duties or to aid upkeep of the facilities.
- 11.6 Any person who remains inside any toilet, pavilion, shelter, bandstand, building, or any other enclosed structure or facility located in a Park, Beach, or Green space that is not designated as accommodation shall be guilty of an offence and be liable on summary conviction to a fine not exceeding level one on the standard scale.
- 11.7 The Council reserves the right to levy a charge or charges for the use of any Park, Beach, or Green space or for any facilities or services provided in any Park, Beach, or Green space. Prior Council written permission is required to use any Park, Beach, or Green space for an event, gala, fete, organised sport, etc., and for use of any Park or Green space as designated growing space, community garden, educational space, and the like, and the Council may levy charges for such use.

Expulsion and Exclusion

- 12.1 Where a Council Official has reasonable grounds for believing that a person has contravened, is contravening or is about to contravene any of these Management Rules, they may expel that person from the Park, Beach, or Green space.
- 12.2 Where a Council Official has reasonable grounds for believing that a person is about to contravene any of these Management Rules, they may exclude that person from the Park, Beach, or Green space.
- 12.3 Where a person has persistently contravened or attempted to contravene these Management Rules and in the Council's opinion is likely to contravene them again, the Council may decide to make that person subject to an exclusion order for a specified period of up to one year.

- 12.4 An exclusion order made under Rule 12.3 shall take effect on such date as the Council may decide, being not less than 14 days after the decision to make that person subject to an exclusion order. A person who has been made subject to an exclusion order:
- i) shall be entitled to written notice of the decision to make the exclusion order, containing a statement of the reasons for that decision, and
 - ii) shall be entitled to make written or oral representations to the Council at any time up to the time that the order would have taken effect but for the representation being made.

Interpretation

- 13.1 The Interpretation Act 1978 shall apply to the interpretation of these Management Rules as it applies to the interpretation of an Act of Parliament.
- 13.2 These Management Rules shall be cited as the 'City of Edinburgh Council Management Rules for Public Parks, Beaches, and Green space 2025'.
- 13.3 These Management Rules shall come into force on the date of their execution and shall remain in force for a period of ten years thereafter unless earlier revoked or amended.