



Annex 3

Fire Management Byelaw

General

1. The Cairngorms National Park Authority, constituted under the National Parks (Scotland) Act 2000 and the Cairngorms National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2003, and having its principal offices at 14 The Square, Grantown-on-Spey, Moray, PH26 3HG (“the Authority”), in exercise of the powers conferred upon it by Paragraph eight of Schedule Two to the National Parks (Scotland) Act 2000 hereby makes the following byelaws:

Citation and application

- a) These byelaws may be cited as The Cairngorms National Park Fire Management Byelaws 2025.
- b) These byelaws shall apply between the dates of 01 April and 30 September in each calendar year (both dates inclusive) within the Cairngorms National Park (“the National Park”).

Definitions and interpretations

2. In these byelaws, the following words, phrases and expressions have the interpretation and meaning hereby assigned to them, respectively:
 - a) “Barbecue” means an appliance or rack on which food is cooked out of doors over an open fire and shall include a disposable barbecue, whether manufactured as such or otherwise. It shall not include a gas barbecue.
 - b) “Bothy” means a building of no more than two storeys which:
 - i. Does not have any form of mains electricity, piped fuel supply and piped mains water supply.
 - ii. Is 100 metres or more from the nearest public road (within the meaning of Section 151 of the Roads (Scotland) Act 1984).
 - iii. Is 100 metres or more from the nearest habitable building.
 - c) “Curtilage” means land which is used for the comfortable enjoyment of a building, and which is sufficient to allow those occupying the building to have reasonable measures of privacy and to ensure that their enjoyment of the building is not unreasonably disturbed.



- d) "Dwellinghouse" means a residential property including a building containing one or more flats, or a flat contained within such a building and including such property when used for short-term let in terms of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022.
- e) "Fireplace" means a structure (including wood burning stove) that is designed to contain a fire and is made of brick, stone, metal or any other material.
- f) "Landowner" means the owner of any land or building within or connected to the National Park.
- g) "Licensed" means holding a valid licence issued under the Caravan Sites and Control of Development Act 1960.
- h) "Occupier" means any person who is occupying a dwellinghouse or property with the consent of the landowner.
- i) "Property" includes both land and built infrastructure.
- j) "Tenant" means the tenant of any land within the National Park leased or let to such tenant under a lease.

Fire

- 3. It shall be an offence under these byelaws for any person without lawful authority to light, have or tend a fire in the National Park, or place or throw or let fall a lighted match, firework or any other thing so as to be likely to cause a fire, unless the fire is wholly contained:
 - a) Within the curtilage of a private dwellinghouse and is under the control of the landowner, tenant or occupier of the dwellinghouse so as to safeguard against damage or danger to any person, wildlife, livestock, building, structure, tree, shrub or vegetation.
 - b) In a fireplace in a bothy so as to safeguard against damage or danger to any person, wildlife, livestock, building, structure, tree, shrub or vegetation.
 - c) In a licensed caravan site so as to safeguard against damage or danger to any person, wildlife, livestock, building, structure, tree, shrub or vegetation and has permission from the owner of the site.
 - d) Within private property, is under the control of the landowner, tenant or occupier of the property so as to safeguard against damage or danger to any person, wildlife, livestock, building, structure, tree, shrub or vegetation, and has the written permission of the landowner.
- 4. These byelaws shall not prevent the use of a camping stove manufactured as a camping stove or cooker (excluding any wood or coal-based system), provided it is used in such a manner as not to cause danger of, or damage by, fire.



Barbecues

5. It shall be an offence under these byelaws for any person without lawful authority to light or use a barbecue in the National Park, unless the barbecue is wholly contained:
 - a) Within the curtilage of a private dwellinghouse and is under the control of the landowner tenant or occupier of the dwellinghouse so as to safeguard against damage or danger to any person, wildlife, livestock, building, structure, tree, shrub or vegetation.
 - b) In a licensed caravan site so as to safeguard against damage or danger to any person, wildlife, livestock, building, structure, tree, shrub or vegetation, and has permission from the owner of the site.
 - c) Within private property, is under the control of the landowner, tenant or occupier of the property so as to safeguard against damage or danger to any person, wildlife, livestock, building, structure, tree, shrub or vegetation, and has the written permission of the landowner.
6. These byelaws shall not prevent the use of a gas barbecue, provided it is used in such a manner as not to cause danger of, or damage by, fire.

Provision of details

7. It shall be an offence under these byelaws for any person to refuse to provide their full name, address, date and place of birth, telephone number and email address (if any) to any person authorised in writing by the Authority who has reasonable grounds for believing that such person has committed an offence under these byelaws.

Penalties and offences

8. No person shall obstruct any person authorised in writing by the Authority in the execution of their duties in relation to these byelaws.
9. Any person who contravenes any of the foregoing byelaws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding Level two on the Standard Scale in respect of each offence.