

ROTHER DISTRICT COUNCIL
BYELAWS FOR THE SEASHORE
ARRANGEMENT OF BYELAWS

1. Interpretation
2. Application
3. Sandlines
4. Horse Riding
5. Public Shows and Performances
6. Games
7. Trading
8. Parties
9. Aircraft and taking-off etc. without an Aircraft
10. Kites and Wind-Propelled Vehicles
11. Personal Water Craft
12. Unauthorised Erection of Structures, Camping
13. Removal of Signs and Structures
14. Interference with Life-Saving Appliances
15. Obstruction
16. Savings – for Acts done by Council Officers and Contractors
17. Savings – to protect Rights of the Crown
18. Penalty
19. Revocation of Byelaws

Byelaws made under Section 82 of the Public Health Acts Amendment Act 1907 by Rother District Council for the prevention of danger, obstruction, or annoyance to persons using the esplanades or promenades.

Interpretation

1. In these byelaws:

"aircraft" includes any fixed-wing aircraft, helicopter, or hot air balloon;

"the Council" means Rother District Council;

"designated area" means an area of the seashore which is set aside for a specified purpose, that area and purpose to be indicated by notices placed in a conspicuous position;

"seashore" means all that area of beach and foreshore including all steps, ramps, paths and jetties from time to time situated above the level of low water mark of medium tides;

"restricted area" means such parts of the seashore between imaginary lines extending seawards from the Western edge of the Metropole Lawn and the Sailing Club Building, as lie above the low water mark.

Application

2. These byelaws apply to all areas of seashore that border the District of Rother within Bexhill and Normans Bay lying to the East of the boundary with the District of Wealden and to the West of the boundary with the Borough of Hastings.

Sandlines

3. (1) No sandlines or fish hooks shall be laid in the restricted area on any day between the 1st day of May and the 30th day of September.
- (2) No sandlines or fish hooks shall be laid in such a position as to be likely to cause injury to any person using the seashore, and all sandlines shall be visibly marked.

Horse Riding

4. (1) No person shall break in any horse or other animal on the seashore.
- (2) No person shall ride or drive any horse or other animal on the seashore in such a manner as to cause danger or annoyance to any other person.

Public Shows and Performances

5. (1) No person shall deliver any lecture, sermon or speech or perform any music, or hold any entertainment except in a designated area for such performances.
- (2) No person shall use any designated area for performances in such a manner as to cause obstruction or annoyance to any person using it for any purpose for which it has been set apart.

Games

6. No person shall on the seashore play or participate in any game or sport so as to cause danger, obstruction or annoyance to any person.

Trading

7. No person shall-
 - (a) sell or hawk any article or any food or drink;
 - (b) advertise or solicit custom for any service; or
 - (c) distribute handbills, circulars or advertisements, in such a manner as to cause obstruction or annoyance to any person on the seashore.

Parties

8. (1) No person shall hold a party on the seashore without the consent of the Council.
- (2) In byelaw 8 (1) "party" means an event attended by 15 or more people at which music will be played.

Aircraft, and taking-off etc. without an Aircraft

9. (1) No person shall except in cases of emergency start, take-off or land an aircraft on any part of the seashore except on such part as:
 - (a) is designated by the Council for the starting, taking-off or landing of aircraft; and
 - (b) is licensed by the Civil Aviation Authority as an aerodrome.
- (2) No person shall on the seashore take-off into the air, fly or land using any kite, parachute, airfoil, hang glider or parascending or motor gliding equipment or in any other manner without an aircraft

except on such part as is designated by the Council for such taking-off into the air, flying or landing.

Kites and Wind-Propelled Vehicles

10. (1) No person shall on any day between the 1st day of May and the 30th day of September drive, ride, launch or land any vehicle powered by wind in:
- (a) the restricted area; or
 - (b) such parts of the seashore between imaginary lines extending seawards from the steps at Beaulieu Green and (to the West) the Eastern edge of the Cooden Beach Hotel, as lie above the low water mark; or
 - (c) such parts of the seashore between imaginary lines extending seawards from the Public Conveniences at Norman's Bay and (to the West) the Western boundary of Rother District, as lie above the low water mark.
- (2) No person shall on the seashore fly any kite or drive or launch any vehicle powered by wind in such a manner as to cause danger, nuisance or annoyance to any other person on the seashore.

Personal Water Craft

11. No person shall, except in cases of emergency launch, use or land any personal water craft or other non-displacement water craft on any part of the seashore except on such part as is designated by the Council for their launching, use or landing.

Unauthorised Erection of Structures, Camping

12. (1) No person shall erect or place on the seashore any booths, tents, sheds, stands, stalls, shows, exhibitions, swings, roundabouts, or any other structure, whether fixed or movable, except in a designated area for such structures.
- (2) Byelaw 12 (1) shall not apply to the use of personal windbreaks and personal sunshades not exceeding 10 square metres in area.
- (3) No person shall on the seashore, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except in any area which may be set apart and indicated by notice as a place where camping is permitted.

Removal of Signs and Structures

13. No person shall without reasonable excuse remove from the seashore or displace any barrier, post or seat or any part of any structure or ornament or any notice or flag displayed by or on behalf of the Council or any other competent authority.

Interference with Life-Saving Appliances

14. No person shall, except in the case of emergency, remove from the seashore or displace any life-saving appliance provided by or on behalf of the Council or any other competent authority.

Obstruction

15. No person shall on the seashore-
 - (a) obstruct any officer of the Council in the proper execution of his duties; and
 - (b) obstruct any person carrying out an act which is necessary to the proper execution of a contract with the Council.

Savings – for Acts done by Council Officers and Contractors

16. It shall not be an offence under these byelaws for an officer of the Council to do anything necessary to the proper execution of his duty or for any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of that contract.

Savings- to protect Rights of the Crown

17. Nothing in or done under these byelaws shall -
 - (a) operate as a grant by or on behalf of the Crown as owner of the foreshore below high water mark of any estate or interest in or right over the foreshore or any part of it;
 - (b) prejudice the rights and interests of the Crown;
 - (c) prevent the exercise of any public rights; or
 - (d) affect any right, power or privilege legally exercisable by any person in, over and in respect of the foreshore.

Penalty

18. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Revocation of Byelaws

19. The byelaws relating to the Seashore in the former Borough of Bexhill which were made by Bexhill Borough Council on 22 April 1912 and confirmed by the Local Government Board on 29 July 1912 and the byelaws relating to the use of fish-hooks which were made by Bexhill Borough Council on 25 May 1956 and confirmed on 2 August 1956 are revoked.

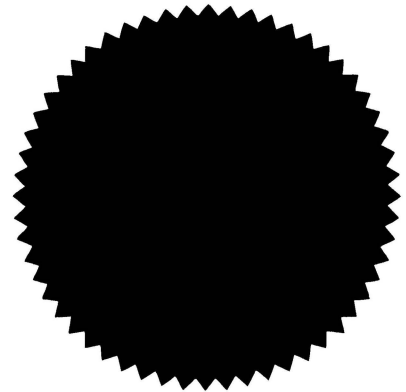
GIVEN under the Common Seal of the Rother District Council this 20 December 2011

THE COMMON SEAL of ROTHER DISTRICT)
COUNCIL was hereunto affixed in the)
presence of:-)


member
Chairman of the Council



Chief Executive



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
A senior civil servant in the Department for Communities and Local Government

Date: 9 May 2013