

HASTINGS BOROUGH COUNCIL

BYELAWS FOR THE SEASHORE



JANUARY 2016

Arrangement of Byelaws

1. Interpretation
2. Application
3. Sandlines
4. Public shows and performances
5. Trading
6. Fires
7. Parties
8. Unauthorised erection of structures
9. Removal of signs and structures
10. Interference with life-saving appliances
11. Obstruction
12. Savings
13. Penalty
14. Revocation of byelaws

SCHEDULE 1 – areas of seashore to which byelaws apply

Byelaws made under Section 82 of the Public Health Acts Amendment Act 1907 by Hastings Borough Council for the prevention of danger, obstruction, or annoyance to persons using the seashore.

Interpretation

1. In these byelaws:

“the Council” means Hastings Borough 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 watermark of medium tides/between the level of low watermark of medium tides and the promenade; as described in Schedule 1

Application

2. These byelaws apply to all areas of seashore that border the Borough of Hastings as set out in Schedule 1

Sandlines

3. No sandlines 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.

Public Shows and Performances

4.
 - (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.

Trading

5. 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.

Fires

6.

- (1) No person shall on the seashore light a fire, or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 6(1) shall not apply –
 - (i) in a designated area for barbecues, to the lighting or use in such a manner as to safeguard against damage or danger of a properly constructed camping stove or barbecue in such a manner as to safeguard against damage or danger; or
 - (ii) to the lighting of a fire on the seashore with the consent of the Council.

Parties

7.

- (1) No person shall hold a party on the seashore without the consent of the Council.
- (2) In Byelaw 7(1), "party" means an event attended by 15 or more people at which music will be played.

Unauthorised Erection of Structures

8.

- (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 8(1) shall not apply to the use of personal windbreaks or sunshelters.

Removal of Signs and Structures

9. 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

10. No person shall except in 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

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

Savings

12. 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.

Nothing in or done under these byelaws shall –

- (a) prevent the exercise of any public rights; or
- (b) affect any right, power or privilege legally exercisable by any person in, over and in respect of the foreshore.

Penalty

13. 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

14. The byelaws relating to the Parades, Stade, Foreshore and Sands which were made by the Mayor, Aldermen and Burgesses of the Borough of Hastings on 3rd July 1896 and confirmed by the Local Government Board on 27th August 1896 are revoked under Section 236B(2) of the Local Government Act 1972.

The byelaws relating to Selling and Hawking on the seashore or esplanades which were made by the Mayor, Aldermen and Burgesses of the Borough of Hastings on 2nd March 1906 and confirmed by the Secretary of State on 7th May 1906 are revoked under Section 236B(2) of the Local Government Act 1972.

The byelaws relating to wireless sets, gramophones, amplifiers or similar instruments on the beach which were made by the Mayor, Aldermen and Burgesses of the County Borough of Hastings on 18th April 1963 confirmed by the Secretary of State on 31st May 1963 are revoked under Section 236B(2) of the Local Government Act 1972.

SCHEDULE 1
(AREAS OF SEASHORE TO WHICH BYELAWS APPLY)

The area of seashore to which these byelaws apply is set out in Map S1 attached

