

ROTHER DISTRICT COUNCIL

SEASIDE PLEASURE BOATS BYELAWS (Revised 2014)

Sea Side Pleasure Boats

The Rother District Council makes these byelaws in exercise of the powers conferred by section 76 of the Public Health Act 1961 and Section 10 of the East Sussex Act 1981 for the prevention of danger, obstruction or annoyance to persons bathing in the sea or using the seashore.

Interpretation

1 (1) These byelaws may be cited as the Rother District Council Seaside Pleasure Boats Byelaws 2014.

(2) In these byelaws-

“Council” means Rother District Council

“navigator” means the person who, whether as owner or otherwise, has the charge or control of a pleasure boat or, being present, is entitled to give orders to the person having charge or control of it.

Extent

2. These byelaws apply in the area described in the Schedule (“the Zone”).

Avoidance of danger, obstruction or annoyance

3. The navigator of a pleasure boat within the Zone must not cause or permit it to be used in a dangerous manner, without due care and attention or without reasonable consideration for other persons.

Operation of Pleasure Boats

4. (1) Subject to paragraph (3) the navigator of a pleasure boat must not during the months of May to September inclusive cause or permit it to exceed a speed of five nautical miles per hour through the water within the Zone.

(2) Subject to paragraph (3), paragraph (1) does not apply to any person who is:

(a) taking part in any activity or event organised either by the Council or by any other person or organisation authorised or licensed by the Council in writing.

(b) providing safety facilities at such an event and using a vessel designated for that purpose by the person organising the event; or

(c) acting in a rescue operation or involved in some other emergency

(3) This byelaw 4 does not apply to the following channels extending from the shore to the seaward limit of the Zone:

- (i) A channel between on the one side the Council's groyne no.106 near the western foot of Galley Hill and on the other side an imaginary line 100 metres to the west of the first side and parallel to it as shown hatched black on Map 1 attached to these byelaws;
- (ii) A channel between the Council's groynes 54 and 55 a little to the west of Brockley Road as shown hatched black on Map 2 attached to these byelaws;
- (iii) A channel between the Council's groynes 35 and 36 near Pages Gap as shown hatched black on Map 3 attached to these byelaws; and
- (iv) A channel of 100m in width marked by buoys or other suitable markers placed by the Council within the Zone between on the one side an imaginary line from the centre line of the level crossing at Herbrand Walk to a point 430 metres to the east as shown hatched black on Map 4 attached to these byelaws.

Prohibition of Boats propelled by Internal Combustion Engines

5. The navigator of a pleasure boat propelled by an internal combustion engine must not use the pleasure boat unless the engine is fitted with a silencer suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of exhaust gases from the engine.

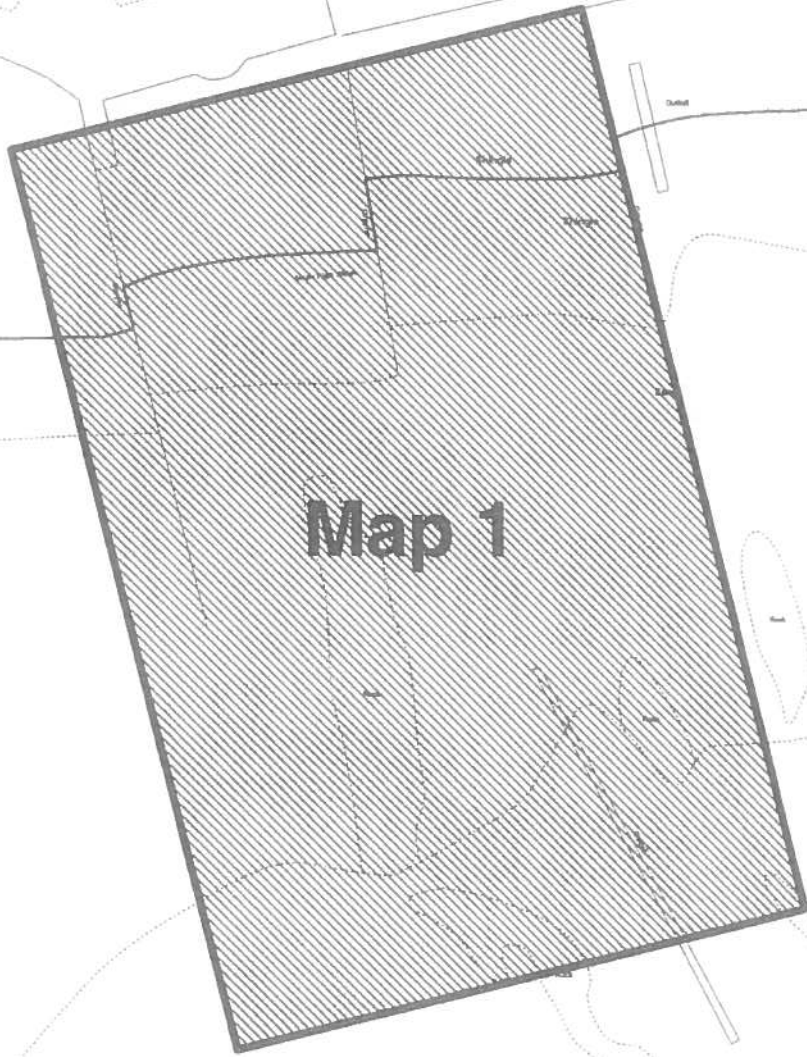
Penalty

6. Any person committing an offence under these byelaws shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Saving of Crown and Other Rights

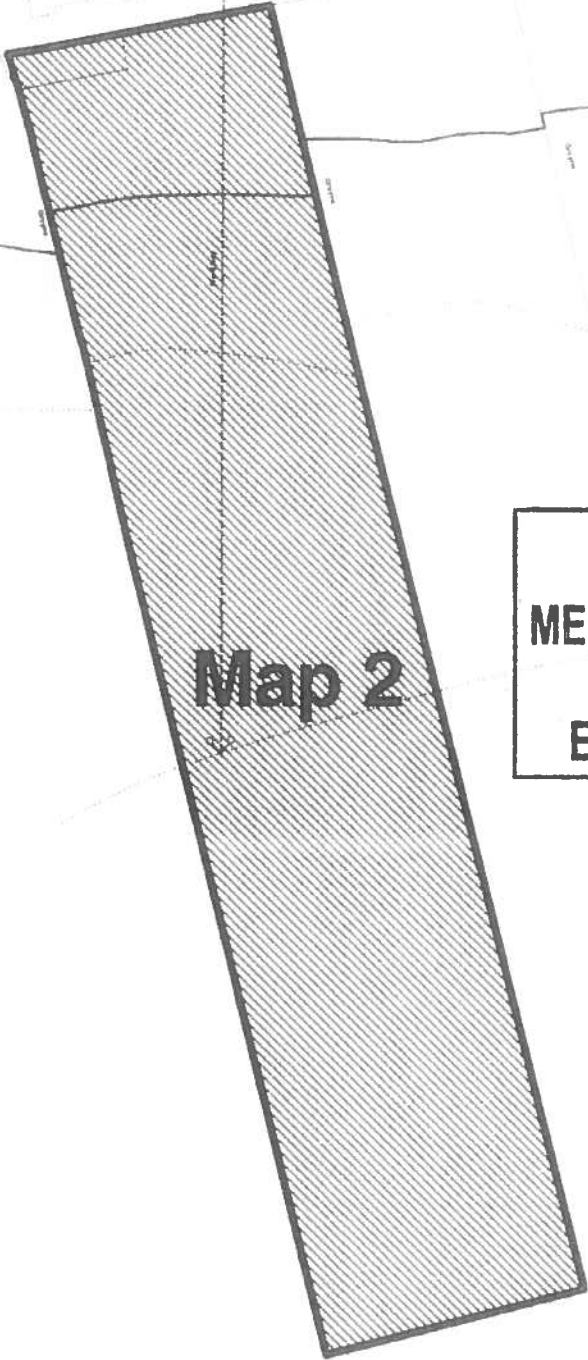
7. Nothing contained in any of the foregoing byelaws shall to be deemed to be or shall operate as a grant by or on behalf of the Crown as owner of any part of the foreshore and seabed below high watermark of any estate or interest in or right over any such part of the foreshore or seabed, nor shall anything contained in or done in any of the provisions of any of the foregoing byelaws in any respect prejudice or injuriously affect the rights and interests of the Crown in such foreshore and seabed, or prevent the exercise thereon of any public rights or prejudice or injuriously affect any right, power or privilege legally exercisable in, over and in respect of the foreshore and seabed.

John Cornell
MEMBER OF THE COUNCIL
[Signature]
EXECUTIVE DIRECTOR



Map 1

(Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
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Scale 1:1250



Map 2

John Connell
MEMBER OF THE COUNCIL
[Signature]
EXECUTIVE DIRECTOR

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Scale 1:1250



[Signature]
MEMBER OF THE COUNCIL
[Signature]
EXECUTIVE DIRECTOR

Map 3

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Scale 1:1250



J. J. Council
MEMBER OF THE COUNCIL
[Signature]
EXECUTIVE DIRECTOR

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Revocation

8. The byelaws relating to seaside pleasure boats which were made by the Council of the Borough of Bexhill on the 31st January 1972 and were confirmed by the Secretary of State on the 1st July 1972 are hereby revoked.

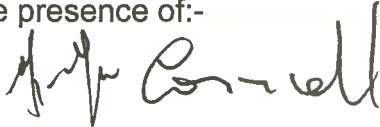
The Schedule

These byelaws apply to the seashore situated within the District of Rother from the eastern boundary of the District with Hastings Borough to the western boundary of the District with Wealden District at Norman's Bay and extending for a distance seaward of 200 metres from mean low-water mark.

The COMMON SEAL of
ROTHER DISTRICT COUNCIL

was hereunto affixed on
31st July 2015

in the presence of:-



Chairman of the Council



Executive Director



No. in Seal
Register
10194

ROTHER DISTRICT COUNCIL
SEASIDE PLEASURE BOATS BYELAWS
(REVISED 2014)

The Schedule

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The COMMON SEAL of
ROTHER DISTRICT COUNCIL
was hereunto affixed on
2016

in the presence of:-

Chairman of the Council

Executive Director

The Rother District Council (Seaside Pleasure Boats) Byelaws 2014 are hereby confirmed by the Secretary of State and shall come into operation on 05 September 2016.

Signed by the authority of the Secretary of State



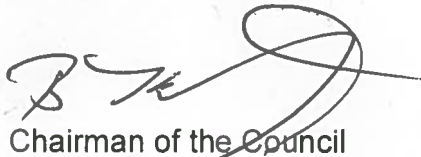
Sir Alan Massey
Chief Executive
05 August 2014

Maritime and Coastguard Agency
Spring Place
105 Commercial Road
Southampton
SO15 1EG

The Schedule

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The COMMON SEAL of
ROTHER DISTRICT COUNCIL
was hereunto affixed on
07 September 2016
in the presence of:-


Chairman of the Council


Executive Director



The Rother District Council (Seaside Pleasure Boats) Byelaws 2014 are hereby confirmed by the Secretary of State and shall come into operation on 05 September 2016.

Signed by the authority of the Secretary of State





Bill Dunham
Director of Strategy and Corporate Services
12 August 2016

Maritime and Coastguard Agency
Spring Place
105 Commercial Road
Southampton
SO15 1EG

