



THANET DISTRICT COUNCIL

BYELAWS
REGULATING
THE SEASHORE AND PROMENADES
IN THE
DISTRICT OF THANET

WP61[h]

THANET DISTRICT COUNCILBYELAWS MADE BY THE THANET DISTRICT COUNCIL UNDER SECTIONS 82 AND 83
OF THE PUBLIC HEALTH ACTS AMENDMENT ACT 1907 AND SECTION 235 OF THE
LOCAL GOVERNMENT ACT 1972 WITH RESPECT TO THE SEASHORE AND PROMENADES**1 THE COUNCIL**

Throughout these byelaws the expression "the Council" means the Thanet District Council.

2 INTERPRETATION

For the purpose of these byelaws the following expressions shall have the following meanings:

- (a) "The seashore" means those areas of beach and foreshore within the District of Thanet for the time being in the possession of or in the occupation of the Council.
- (b) "The promenade" means all those pedestrian walkways listed in the Schedule hereto.

- 3** An act necessary to the proper execution of his duty on the seashore or the promenade by an Officer of the Council, or any act which is necessary to the proper execution of any contract with the Council or by any person who has lawful authority under an agreement with the Council, shall not be deemed an offence against these byelaws.

4 HORSE RIDING

No person shall on the seashore:

- (a) Between 1 May and 30 September inclusive in any year ride any horse between the hours of 9.00 am and 7.00 pm;
- (b) At any time ride any horse or other animal in a race or so as to cause danger or annoyance to any person using the seashore or break-in any horse.

Provided that this byelaw shall not apply to children riding either horses or donkeys led or attended by a responsible person on foot.

5 VEHICLES

- (1) A person shall not, except in pursuance of a lawful agreement with the Council or otherwise in the exercise of any lawful right or privilege, bring or cause to be brought onto the seashore or the promenade, any barrow, truck, machine, or motorised or other vehicle other than:
 - (a) a wheeled bicycle or other similar machine;
 - (b) a wheelchair or perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid;
 - (c) a mechanically or electronically propelled wheelchair used solely for the conveyance of a disabled person;

- (d) any vehicle belonging to the police, fire or ambulance services or where entry to the seashore is required for the purpose of any emergency or in connection with the saving of life;
- (e) any vehicle towing a trailer and being used for the purpose of launching or recovering a boat at Beresford Gap, the slipway nearest to Westbrook Promenade Car Park and Friends Gap.

- (2) No person shall on the promenades skate on rollers, skateboards, wheels or other mechanical contrivances to the danger of other persons lawfully using the promenades.

6 OBSTRUCTING OFFICIALS

No person shall:

- (a) intentionally obstruct any Officer of the Council in the proper execution of his duties;
- (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
- (c) intentionally obstruct any other person in the proper use of the seashore, or behave so as to give reasonable grounds for annoyance to other persons on the seashore.

7 BONFIRES

- (1) Where any part of the seashore has by notices affixed in conspicuous positions on the seashore been set apart by the Council for the holding of parties or barbecues no person shall hold any party or barbecue on any other part of the seashore.
- (2) A person shall not on any part of the seashore so set apart by the Council for the holding of parties or barbecues organise any party or barbecue unless:
 - (a) he has given to the Chief Executive and Clerk of the Council seven days prior notice in writing or as soon as reasonably practicable after that time, specifying the site, date, time and duration of the party or barbecue; and
 - (b) he has not been notified in writing by the Chief Executive and Clerk of the Council that, at the date and time specified in his notice the use of the site has been claimed by an earlier applicant.
- (3) A person shall not on any part of the seashore so set apart by the Council for the holding of parties and barbecues commence to hold a party or barbecue before the time or continue it for longer than the period of duration specified in the notice given under paragraph (a) of Byelaw 7(2).
- (4) This byelaw shall not extend to any party or barbecue attended by twelve or less people.

- (5) in proceedings against any person for an offence under Byelaw 7(2) or 7(3) above, it shall be a defence for that person to prove that he had taken all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

8 BEGGING, TOUTING ETC

No person shall on the seashore, to the annoyance or obstruction of any person using the seashore, beg or solicit alms or for the purpose of selling or advertising any article or of obtaining custom, tout or importune, either verbally or by the distribution of hand bills, circulars or advertisements.

Provided that this byelaw shall not apply to any collection of money or sale of any article in accordance with any Regulations made under Section 5 of the Police, Factories Etc (Miscellaneous Provisions) Act 1916 for the time being in force in the District of Thanet.

9 HAWKING

Where any part of the seashore has, by notices affixed in conspicuous positions on the seashore, been set apart by the Council for the sale and hawking of such articles, commodities, or things, or classes thereof, as may be specified in the notices, no person shall offer for sale or hawk the same on any other part of the seashore.

10 GAMES

Where any part of the seashore has, by notices affixed in conspicuous positions on the seashore, been set apart by the Council for the playing of such games (involving the exclusive use of any space by the players) as may be specified in the notices:

- (a) no person shall play any game so specified on any other part of the seashore; and
- (b) no person shall use or attempt to use any such part so as to interfere with or cause annoyance to any person already using such part for any purpose for which it has been set apart.

11 PREACHING, LECTURES, MUSIC, ENTERTAINMENT

Where any part of the seashore has, by notices affixed in conspicuous positions on the seashore, been set apart by the Council for delivery of such lectures, sermons, speeches or performances of music, or for the holding of such entertainment as may be indicated in the notices:

- (a) no person shall deliver any lecture, sermon or speech, or perform any music, or hold any entertainment so indicated, as the case may be, on any other part of the seashore; and
- (b) no person shall use or attempt to use any such part in such manner as to interfere with or hinder any person already using it for any purpose for which it has been set apart.

12 BOOTHS, TENTS ETC

Where any part of the seashore has, by notices affixed in conspicuous positions on the seashore, been set apart by the Council for the erection or placing of such booths, tents, sheds, stands and stalls (whether fixed or movable), or vehicles for the sale or exposure of any article or thing, or such shows, exhibitions, swings, roundabouts or other erections vans or other vehicles, whether drawn or propelled by animals, persons or any mechanical power, as may be specified in the notices, no person shall set up, place, or continue any erection or vehicle so specified on any other part of the seashore.

13 PENALTY

Every person who shall offend against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale.

14 SAVING OF CROWN AND OTHER RIGHTS

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

15 REVOCATIONS

All existing byelaws for the regulation of the seashore and promenades made by the Council of the Borough of Margate, the Council of the Borough of Ramsgate and by the Council of the former Urban District of Broadstairs and St Peter's in so far as they relate to the District of Thanet are hereby repealed.

SCHEDULE

PROMENADES

- (a) All the lower promenades from a point opposite Plum Pudding Island, Birchington, to a point opposite the junction of All Saints Avenue with Marine Terrace, Margate;
- (b) all lower promenades from and including the promenade known as the Rendezvous, east of Margate Harbour to a point adjacent to the westernmost side of the roadway at Friends Gap;
- (c) the promenade from a point opposite the footpath to Stone Road Stone Bay, Broadstairs, to the north side of Broadstairs Harbour;
- (d) the lower promenade from the southern side of Viking Bay to Dumpton Gap Road including Louisa Bay;

- (e) the promenade from a point adjacent to the northern boundary of King George VI Memorial Park at sea level to the commencement of Marine Incline Road, Ramsgate;
- (f) the whole of Western Undercliff Promenade of Ramsgate;
- (g) the upper promenade at Margate from the Winter Gardens to Botany Bay, Kingsgate;
- (h) the upper promenade from its entrance at Harbour Street, Broadstairs, to its junction with West Cliff Road, Broadstairs; and
- (i) West Cliff Upper Promenade at Ramsgate from the Paragon, to include the whole of West Cliff Promenade and Prince Edward Promenade.

The Common
Seal of The
Thanet District
Council

W DAWSON
CHAIRMAN

{ MADE UNDER THE COMMON SEAL OF
{ THE THANET DISTRICT COUNCIL
{ which was hereunto affixed
{ this Fourth day of April
{ One thousand nine hundred and
{ ninety-one in the presence of:-

P J NORTH
CHIEF SOLICITOR

The foregoing Byelaws are hereby confirmed by the Secretary of State and shall come into operation one month after the date on which consent of the Department of Transport is given to the Byelaws

Signed by Authority of the Secretary of State

23 Dec 1991
Home Office
London SW1

R J Fries
(An Assistant Under-Secretary
of State)

The
Official
Seal of the
Secretary
of State

The Secretary of State for Transport
consents

M W Jackson

2 January 1992
Department of Transport
London WC1

(An Assistant Secretary in the
Department of Transport)

**CERTIFICATE UNDER SECTION 238 OF THE
LOCAL GOVERNMENT ACT 1972**

I, Peter North, Chief Solicitor to the Thanet District Council hereby certify that the Thanet District Council Byelaws regulating the Seashore and Promenades in the District of Thanet were made by the Thanet District Council on the Fourth day of April 1991 and confirmed by the Secretary of State on the twenty third day of December 1991 and the consent of the Secretary of State for Transport was given on the second day of January 1992 the same coming into operation on the Second day of February 1992 and I further certify that this printed copy is a true copy of the said Byelaws as confirmed.

Signed 

**Chief Solicitor
Thanet District Council**

