

(For attachment to Council Papers, 22/5/09)

WORTHING BOROUGH COUNCIL

BYELAWS FOR PROMENADES

ARRANGEMENT OF BYELAWS

1. Interpretation
2. Application
3. Cycling
4. Unauthorised erection of structures
5. Horseriding
6. Public Shows and Performances
7. Obstruction
8. Savings
9. Penalty
10. Revocation

Byelaws made under section 83 of the Public Health Acts Amendment Act 1907 by Worthing Borough Council for the prevention of danger, obstruction, or annoyance to persons using the esplanades or promenades.

General interpretation

1. In these byelaws:

“the Council” means Worthing Borough Council;

“designated” in relation to a route or area means set aside for a specified purpose, the route or area and the purpose to be indicated by notices placed in a conspicuous position;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

(a) the unladen weight of which does not exceed 150 kilograms,

(b) the width of which does not exceed 0.85 metres, and

which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person;

“promenade” means each of the esplanades and promenades described in the Schedule to these byelaws;

“motor vehicle” means a mechanically propelled vehicle other than an invalid carriage;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more other persons pulling or pushing the vehicle.

Application

2. These byelaws apply to the promenades and esplanades listed in the Schedule.

Cycling

3. No person shall without reasonable excuse ride a cycle on the promenade except where there is a right of way for cycles or a designated route for cycles.

Unauthorised erection of structures

4. (a) No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure on the promenade.
- (b) No person shall, without reasonable excuse, remove from 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 on the promenade.

5. Horseriding

- (a) No person shall ride or drive any horse or other animal on promenades “(a)” and “(b)” as defined in the Schedule between 1st May and 30th September inclusive between the hours of 10am and 8pm.
- (b) No person shall ride or drive any horse or other animal on promenades “(a)” and “(b)” as defined in the Schedule in such a manner as to cause danger or annoyance to any other person.

Public Shows and Performances

- 6. (a) 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.
- (b) 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.

Obstruction

- 7. No person shall on the promenade—
 - (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

- 8. 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.

Penalty

- 9. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Revocation

- 10. The byelaws relating to the promenade which were made by Worthing Borough Council on 26 April 1996 and confirmed by Secretary of State for the Home Office on 25 February 1997 are revoked.

SCHEDULE

The promenades and esplanades referred to in byelaw 2 are as follows:

- (a) The Beach Path immediately adjoining the Seashore commencing at the western Borough boundary at a point 290 metres east of the centre line of Sea Lane, Ferring and extending therefrom in an easterly direction to a point opposite the west side of George V Avenue.
- (b) The Esplanade commencing at a point opposite the west side of George V Avenue and extending therefrom in an easterly direction to the point known as "Splash Point".
- (c) "Beach Parade" commencing at "Splash Point" aforesaid and extending eastwards to a point opposite the west side of Merton Road.
- (d) The Esplanade commencing at the west side of Merton Road aforesaid extending to an easterly direction to a point to a point opposite Windsor Road and thereafter in an easterly direction to the eastern Borough Boundary at a point opposite the centre line of Western Road.

The Common Seal of THE BOROUGH)
COUNCIL OF WORTHING was hereunto)
affixed on the day of May)
Two Thousand and Nine)
in the presence of:)

JEREMY COOK
Executive Head of Legal and Democratic Services

(Confirmation by Secretary of State)