

**ROTHER DISTRICT COUNCIL**  
**BYELAWS FOR THE SEASHORE**

ARRANGEMENT OF BYELAWS

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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 seashore.

### **Interpretation**

1. In these byelaws:

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

"boat" includes any ship, vessel, raft, canoe, kayak, skim board or water craft of any description and includes non-displacement craft, seaplanes, hovercraft, hydrofoils and any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily) but does not include any inflatable which is only capable of accommodating one person and which is not made or adapted to be propelled in whole or in part by means of machinery or wind;

"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;

"extreme sports area" means beach and dunes bounded on the east by an imaginary straight line from the south west corner of Jury's Sluice and extending seawards at an angle of 90 degrees to the low water mark; bounded on the west by an imaginary straight line from the point which is 460 metres along Lydd Road in an eastbound direction from 1 The Suttons and extending seawards at an angle of 90 degrees to the low water mark; and bounded on the north by Lydd Road;

"party" means an event attended by 15 or more people at which music will be played;

"restricted area" means such parts of the beach and dunes bounded on the east by an imaginary straight line from the south west corner of 21 The Suttons and extending seawards at an angle of 90 degrees to the low water mark; bounded on the west by an imaginary straight line from the end of the footpath that leads to the seashore from the central public conveniences in the Western Car Park and extending seawards at an angle of 90 degrees to the low water mark; and bounded on the north by an imaginary line on the boundary of the dunes (marked by location posts) and continuing to 21 The Suttons to the seaward side of the building;

"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.

### **Application**

2. These byelaws apply to all areas of seashore that border the District of Rather within the civil parish of Camber lying to the east of the River Rather and to the West of the boundary with the Borough of Shepway.

### **Sandlines**

3. 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 the restricted area on any day between the Thursday before Easter in any year and the 30th day of September except between the hours of 7 o'clock in the evening and half past eight in the morning.
  - (3) No person shall ride or drive any horse or other animal on the extreme sports area at any time.
  - (4) No person shall ride or drive any horse or other animal on any part of the seashore in such a manner as to cause danger or annoyance to any other person.

### **Public Shows and Performances**

5. No person shall deliver any lecture, sermon or speech or perform any music, or hold any entertainment in such a manner as to cause obstruction or annoyance to any person using it for any purpose.

### **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.

### **Fires**

- 8. (1) No person shall on the seashore light a fire or any barbecue, or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) This byelaw shall not apply-
  - (a) 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 gas-powered barbecue in such a manner as to safeguard against damage or danger; or
  - (b) to the lighting of a fire on the seashore with the consent of the Council.

### **Parties**

- 9. No person shall hold a party on the seashore without the consent of the Council.

### **Aircraft and taking-off etc. without an Aircraft**

- 10. (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 in the extreme sports area.

### **Kites and Wind-Propelled Vehicles**

- 11. (1) No person shall on any day between the Thursday before Easter in any year and the 30th day of September drive, ride, launch or land any vehicle powered by wind in any part of the seashore apart from the extreme sports area.

- (2) No person shall on any part of 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.

### **Boats**

12. No person shall, except in cases of emergency, launch, use or land any boat on any part of the seashore except on such part as is designated by the Council for the launching, use or landing of that category of boat.

### **Unauthorised Erection of Structures, Camping**

13. (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 13 (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**

14. 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**

15. 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**

16. No person shall on the seashore-
  - (a) obstruct any officer of the Council in the proper execution of his duties; or
  - (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**

17. 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**

18. 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**

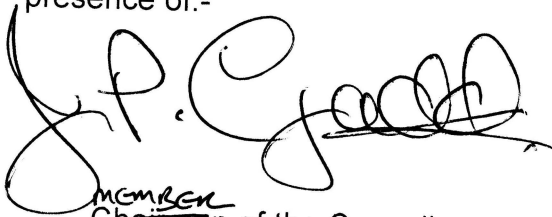
19. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

### **Revocation of Byelaws**

20. The byelaws relating to the Seashore in the former Rural District of Battle which were made by the former Rural District Council of Battle on 5 March 1936 and confirmed on 21 April 1936 and the byelaws relating to the use of fish-hooks which were made by the former Rural District Council of Battle on 18 July 1956 and confirmed on 2 August 1956 are revoked in so far as they apply to the civil parish of Camber.

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

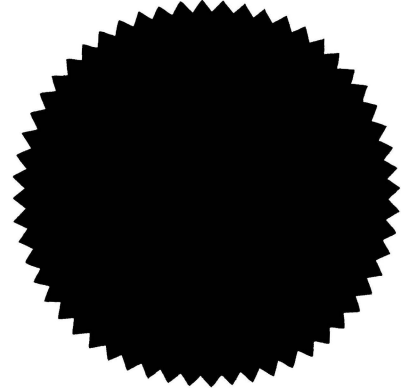
THE COMMON SEAL of ROTHER DISTRICT )  
COUNCIL was hereunto affixed in the )  
presence of:- )



~~MEMBER~~  
Chairman of the Council



Chief Executive



No. in Seal Register
9657

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.