



**Lewes District Council**

## **LEWES DISTRICT COUNCIL**

### **BYELAWS : SEASIDE PLEASURE BOATS**

Byelaws for securing safety in navigation and for the prevention of danger, obstruction or annoyance to persons bathing in the sea or using the beach or seashore, made by the Council of the District of Lewes under section 76 of the Public Health Act 1961 and section 10 of the East Sussex Act 1981.

#### **Interpretation**

1. In these byelaws, unless the context otherwise requires:-

“the Council” means Lewes District Council;

“distance seaward” means a distance seaward measured from the level of mean low-water springs;

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

#### **Extent**

2. These byelaws shall apply:-

- (a) to the area of sea which lies between an imaginary straight line extending seaward at an angle of  $220^{\circ}$  from Splash Point, Seaford, for a distance seaward of 500 metres and an imaginary straight line extending seaward from the shore at East Pier, Newhaven, along the angle of the pier for a distance seaward of 500 metres (as shown on the map attached to these byelaws);

- (b) to the area of sea which lies between the western breakwater, Newhaven and an imaginary straight line extending seaward at an angle of  $180^{\circ}$  from a point identified by a red and white marker beacon on the foreshore at Burrowhead, Newhaven, for a distance seaward of 500 metres (as shown on the map attached to these byelaws);

- (c) to the area of sea which lies between an imaginary straight line extending seaward at an angle of  $200^{\circ}$  from a point identified by a red and white marker beacon on the foreshore at Crowborough Pier, Saltdean, for a

distance seaward of 500 metres and an imaginary straight line extending seaward at an angle of 200° from the red and white marker beacon on the foreshore at the fourth groyne, East Saltdean, for a distance seaward of 500 metres (as shown on the map attached to these byelaws).

### **Seaside Pleasure Boats**

3. No person, being the navigator of a pleasure boat, shall cause or permit such boat to be driven or sailed in a dangerous manner or without due care and attention or without reasonable consideration for other persons bathing in the sea or using the seashore.
4. No person, being the navigator of a pleasure boat propelled by an internal combustion engine, shall 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 the exhaust gases from the engine.
5. (1) Between 1<sup>st</sup> May and 30<sup>th</sup> September inclusive in any year, no person, being the navigator of a pleasure boat propelled otherwise than by hand, shall cause or permit such boat to be driven or sailed within a distance seaward of 200 metres, except for the purpose of going directly to sea beyond that distance or returning directly to land from beyond that distance.  
  
(2) This byelaw shall not apply to the area which is described in Part I of the Schedule to these byelaws
6. (1) Between 1<sup>st</sup> May and 30<sup>th</sup> September inclusive in any year, no person, being the navigator of a pleasure boat, shall cause or permit such boat to be driven or sailed within a distance seaward of 200 metres at a speed in excess of eight nautical miles per hour through the water.  
  
(2) This byelaw shall not apply to the area which is described in Part II of the Schedule to these byelaws.
7. Byelaws 5(1) and 6(1) shall not apply to any person who is taking part in an event organised either by the Council or by any other person with the consent of the Council in writing.
8. Byelaws 4, 5(1) and 6(1) shall not apply to any person who is acting in a rescue operation or involved in some other emergency.

### **Penalty**

9. Any person offending against any of 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**

10. 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 and sea-bed below high water mark of any estate or interest in or right over such foreshore and sea-bed 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 and sea-bed, 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 and in respect of the foreshore and sea-bed.

## **Revocation**

11. The byelaws with respect to seaside pleasure boats made by the Council on 9<sup>th</sup> March 1977 and confirmed by the Secretary of State for the Home Department on 10<sup>th</sup> May 1977 are hereby revoked.

## **SCHEDULE**

### **PART I – AREA IN WHICH PLEASURE BOATS MAY BE DRIVEN OR SAILED WITHIN A DISTANCE SEAWARD OF 200 METRES**

#### **EXTENT OF AREA**

Between Edinburgh Road, Seaford and East Pier, Newhaven, as identified by buoys or other suitable markers laid by the Council, and as shown cross-hatched on the map attached to these byelaws.

### **PART II – AREA IN WHICH PLEASURE BOATS MAY EXCEED THE PERMITTED SPEED LIMIT OF EIGHT NAUTICAL MILES PER HOUR WITHIN A DISTANCE SEAWARD OF 200 METRES**

#### **EXTENT OF AREA**

Between Groyne No. 50 and Groyne No. 52 at Splash Point, Seaford, as identified by buoys or other suitable markers laid by the Council, and as shown as a ski lane on the map attached to these byelaws.

GIVEN UNDER THE COMMON SEAL of the Lewes District Council this 30<sup>th</sup> day of November one thousand nine hundred and ninety five in pursuance of a resolution of the Council passed on the twenty first day of November one thousand nine hundred and ninety five

THE COMMON SEAL of	)	
LEWES DISTRICT COUNCIL	)	LS
was hereunto affixed in the	)	213/95
presence of	)	

Catherine Knight  
District Solicitor

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the fifteenth day of April 1996.

Signed by authority of the Secretary of State

M. E. HEAD  
An Assistant Under-Secretary of State

19 Mar 1996

Home Office  
London SW1

DATED 30<sup>th</sup> November 1995

LEWES DISTRICT COUNCIL

BYELAWS

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Byelaws made under Section 76  
of the Public Health Act 1961 and  
Section 10 of the East Sussex Act 1981  
with respect to Seaside Pleasure Boats  
in the District of Lewes

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Catherine Knight  
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