

HASTINGS BOROUGH COUNCIL

BYELAWS FOR PROMENADES



DRAFT

JANUARY 2016

## Arrangement of Byelaws

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5. Trading
6. Skateboarding
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SCHEDULE 1 – Promenades to which byelaws apply generally

SCHEDULE 2 – Designated routes for cycling and skateboarding

Byelaws made under Section 83 of the Public Health Acts Amendment 1907 by the Hastings 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 Hastings 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 Promenades described in Schedule 1

“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 the vehicle or by one or more other persons pulling or pushing the vehicle.

### **Application**

2. These Byelaws apply to all of the Promenades within the District of Hastings Borough Council as described in Schedule 1

### **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 on the designated route as shown on Map P2 in Schedule 2.

## **Motor Vehicles**

4. No person shall without reasonable excuse drive or bring a motor vehicle or trailer onto the Promenade except -
- on any part of the Promenade where there is a right of way for that class of vehicle.

## **Trading**

5. No person shall -
- (a) sell or hawk any article or any food or any 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 Promenade.

## **Skateboarding**

- 6.
- (1) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles on the Promenade except where there is a right of way for cycles or on the designated route as shown on Map P2 in Schedule 2
  - (2) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles on the Promenade in such a manner as to cause danger or give reasonable grounds for annoyance to other persons using the Promenade.

## **Protection of Flower Beds and Planting**

7. No person shall walk on or ride over -
- (a) any flower bed, shrub or plant;
  - (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
  - (c) any area of the Promenade set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

## **Unauthorised Erection of Structures**

- 8.
- (1) No person shall erect or place on the Promenade any booths, tents, sheds, stands, stalls, shows, exhibition, swings, roundabouts, or any other structure, whether fixed or movable, except in a designated area for such structures.
  - (2) Byelaw 8(1) shall not apply to the use of personal windbreaks or sunshelters

## **Removal of Signs and Structures**

9. No person shall without reasonable excuse remove from the Promenade 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**

10. No person shall, except in case of emergency, remove from or displace any life-saving appliance provided by or on behalf of the Council or other competent authority on the Promenade.

## **Obstruction**

11. 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**

12. 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**

13. 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 of Byelaws**

14. The byelaws relating to the Parade, Stade, Foreshore and Sands which were made by the Mayor, Aldermen and Burgesses of the County Borough of Hastings on the 3<sup>rd</sup> July 1896 and confirmed by the Local Government Board on 27<sup>th</sup> August 1896 are revoked under Section 236B(2) of the Local Government Act 1972.

The byelaws relating to Selling and Hawking on the seashore or esplanades which were made by the Mayor, Aldermen and Burgesses of the Borough of Hastings on 2<sup>nd</sup> March 1906 and confirmed by the Secretary of State on 7<sup>th</sup> May 1906 are revoked under Section 236B(2) of the Local Government Act 1972.

The byelaws relating to the User of Certain Parades and Promenades which were made by the Council of the County Borough of Hastings on 11<sup>th</sup> July 1939 and confirmed by the Secretary of State on 1<sup>st</sup> October 1939 are revoked under Section 236B(2) of the Local Government Act 1972.

The byelaws relating to the Prevention of Danger, Obstruction or Annoyance to persons using the Promenades which were made by the Mayor, Aldermen and Burgesses of the County Borough of Hastings on 12<sup>th</sup> March 1964 and confirmed by the Secretary of State on 27<sup>th</sup> May 1964 are revoked under Section 236B(2) of the Local Government Act 1972.

The byelaws relating to Skateboarding which were made by the Hastings Borough Council on 3<sup>rd</sup> September 1990 and confirmed by the Secretary of State on 8<sup>th</sup> January 1991 are revoked under Section 236B(2) of the Local Government Act 1972 .

THE COMMON SEAL of HASTINGS )  
BOROUGH COUNCIL was hereunto )  
affixed this day )  
of 2016 )  
in the presence of:- )

Authorised Signatory

The Secretary of State this day )  
of 2016 confirmed )  
the foregoing Byelaws and fixed the date )  
on which they are to come into operation )  
as the day )  
of 2016 )

Signed by authority of the Secretary of State

JANUARY 2016

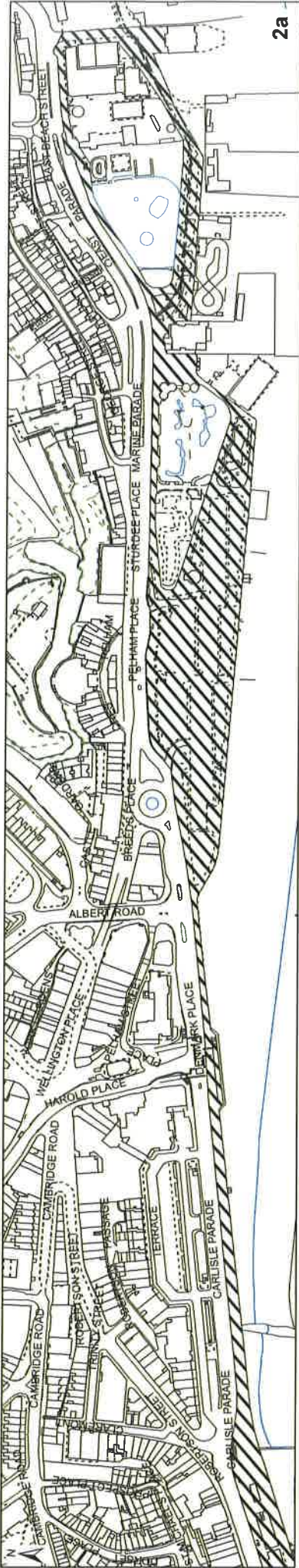
## **Schedule 1**

The Promenades and Esplanades referred to in Byelaw (2) are as follows:

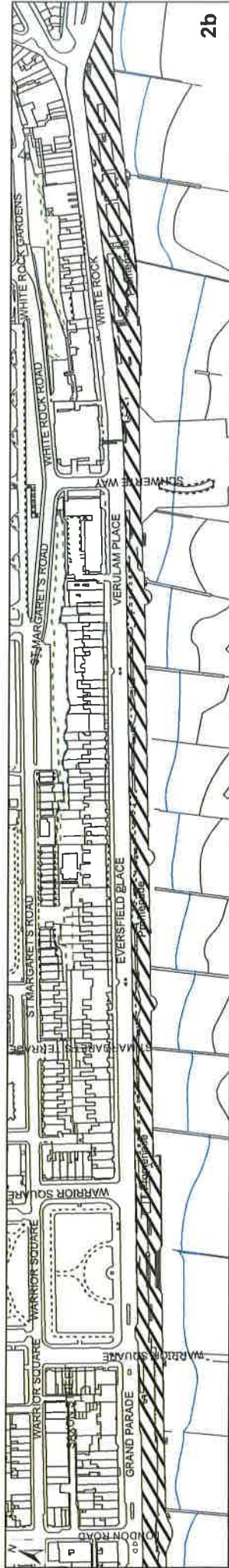
The Promenade being the areas i) between the South side of the carriageway of the A259 and the beach from, in the East, an imaginary line running northwards from the Harbour Arm to the Eastern end of East Beach Street to, in the West, the junction of the A259 with Sea Road, all such area to include the footway on the South Side of the A259, the Upper and Lower Promenades incorporating Bottle Alley, Marina Car Park and Pelham Place Car Park (as shown on Maps 2a, 2b and 2c, cross-hatched in black) and ii) between the South side of the carriageway of Sea Road and the beach (As shown on Map 2d cross-hatched in black).

As shown hatched black on Map P1

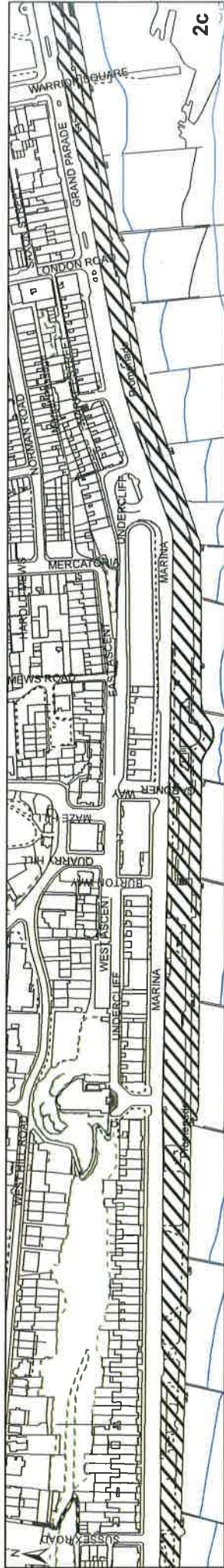




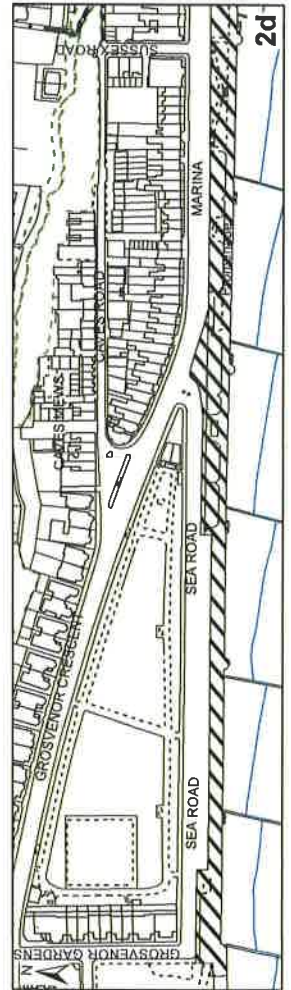
2a



2b



2c



2d

# Byelaws for the Promenades Map P1



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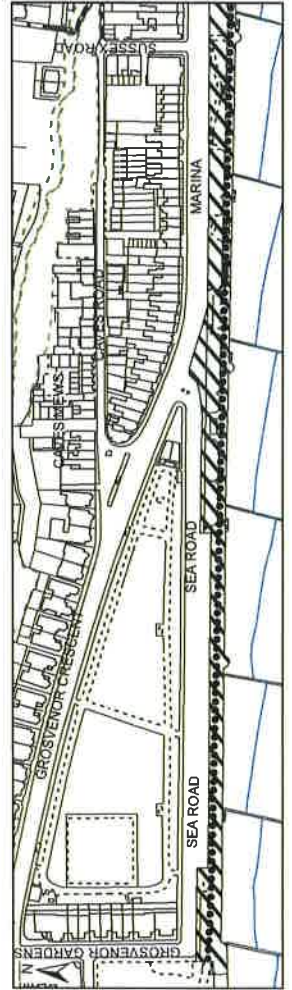
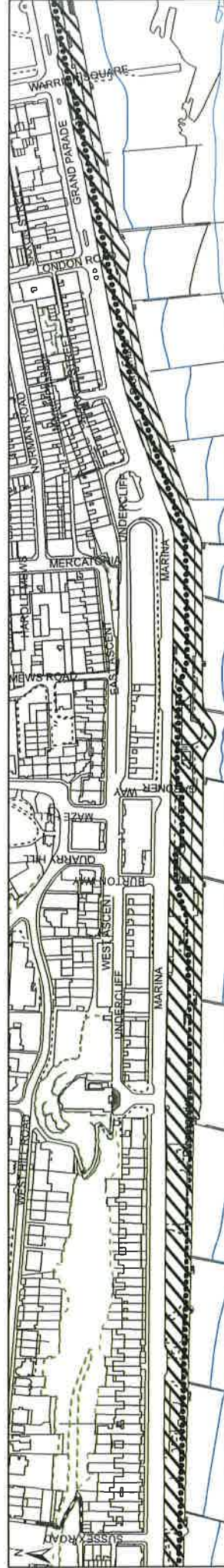
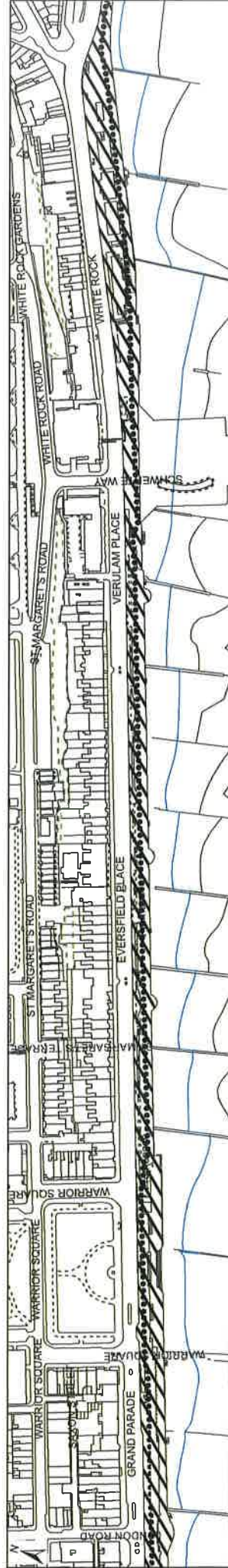
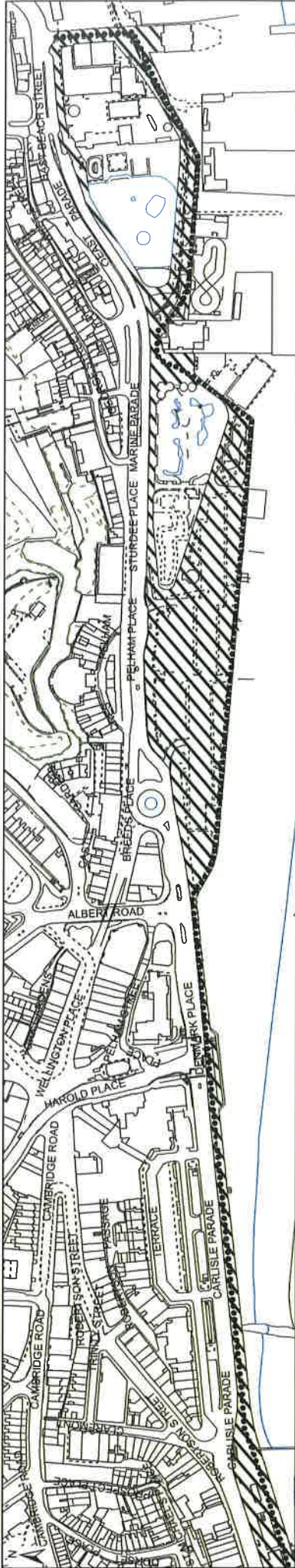
Promenade

## **Schedule 2**

Designated routes for cycling and skateboarding (Byelaws 3 and 6)

The designated cycling route runs along the promenade adjacent to the sea from the south side of the carriageway opposite East Beach Street, running west past East Parade, Marine Parade, Sturdee Place, Pelham Place, Breeds Place, Denmark Place, White Rock, Verulam Place, Eversfield Place, Grand Parade, Marina to Sea Road.

As shown by the dotted line on Map P2



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- Cycle and Skateboard Route
- ▨ Promenade

**Byelaws for the Promenades**  
**Byelaws 3 (1) and 6 (1)**  
**Map P2**



Hastings  
Borough Council  
1:3,000