

## Sheppey Promenade Beach and Foreshore

### Contacting Swale Borough Council

The Customer Service Centre deals with all enquiries across the Council; it should be your first stop when contacting us.

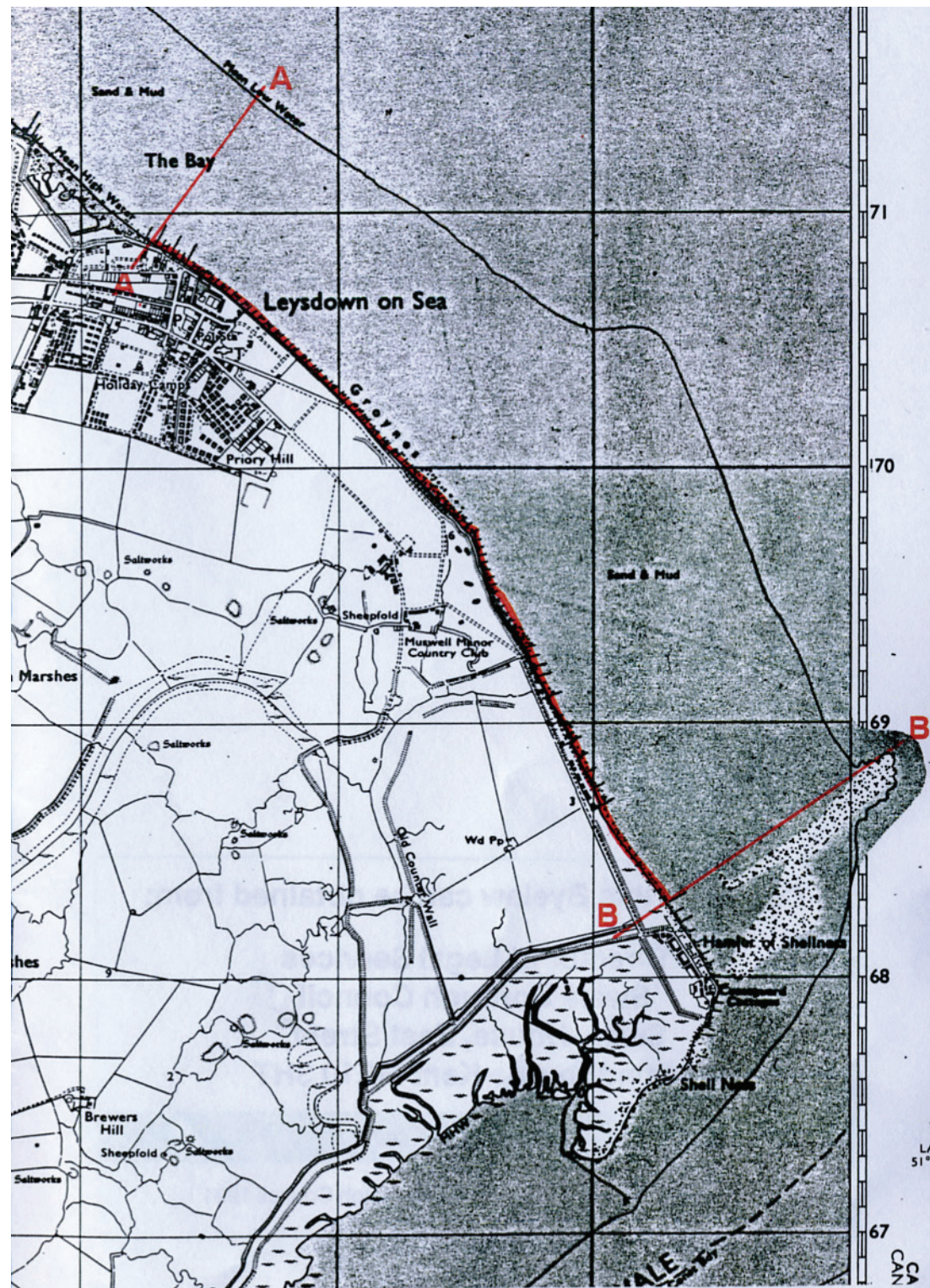
Copies of this booklet are available on the council website [www.swale.gov.uk](http://www.swale.gov.uk).

If you would like further hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request. Please contact the council at:

Swale Borough Council  
Swale House, East Street  
Sittingbourne  
Kent, ME10 3HT

Customer Service Centre ☎ 01795 417850





**SWALE BOROUGH COUNCIL  
(SHEPPEY PROMENADE BEACH AND FORESHORE)  
BYELAWS 1991**

By virtue of powers conferred on the Council by Sections 82 and 83 of the Public Health Acts Amendment Act, 1907.

For preserving order and good conduct among persons frequenting the said Promenade Beach and Foreshore; for regulating the erection of any booths, tents, sheds, stands, stalls, shows, or other erections and the playing of games, and generally for regulating the user for such purposes as shall be prescribed by the byelaws in respect of the said Promenade Beach and Foreshore or any part thereof; For regulating the selling and hawking of any article, commodity or thing on the Promenade Beach and Foreshore; For regulating the user of the said Promenade and Foreshore or any part thereof for riding or driving.

1. Throughout these byelaws the following expressions shall have the meanings assigned to them that is to say:

"The Council" shall mean The Swale Borough Council.

"The Promenade" shall mean all those four lengths of roadway footpath and sea wall:

a) firstly from a point to the south of Queen-borough Hard (o.s. ref: TQ 906722) to a point adjoining the Lappel Bank vehicle compound (o.s. ref: 908738)

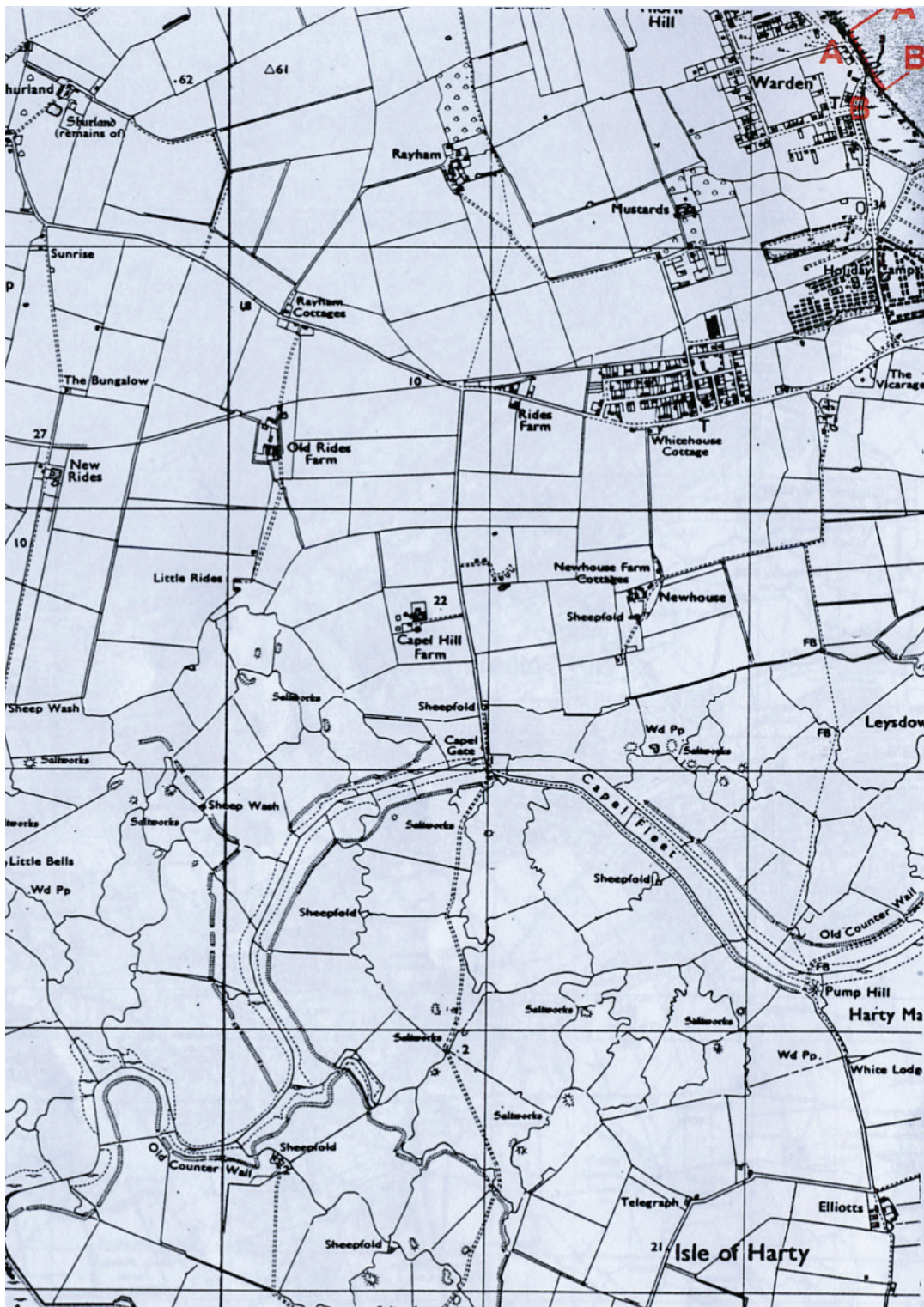
b) secondly from a point to the east of Garrison Point Sheerness (o.s. ref: 910756) to the end of the concrete sea defence at Minster Leas (o.s. ref: 964735) including Neptune Terrace, Sheerness.

c) thirdly from a large water outfall pipe at Ward-en (o.s. ref: 025717) to the end of concrete sea defence (o.s. ref: 024718)

d) fourthly from a large groyne (o.s. ref 033708) to a large groyne marking the end of the Natur-ist Beach (o.s. 053683)

"Beach" shall mean all that area of beach including all letties, slip-ways and landing stages from time to time situate above the line of the level of High Water mark of medium tides between the lines marked AA and BB on the plan annexed hereto.

"Foreshore" shall mean all those four areas of land including jetties, slipways and landing stages from time to time situate between the line of the level of High Water mark of the medium tides and the line of the level of Low Water mark of medium tides between the lines marked AA and BB on the plan annexed hereto.



## Saving for officers

2. An act necessary to the proper execution of his duty on the Promenade Beach or Foreshore by an officer of the Council the National Rivers Authority or the Medway Ports Authority or any act which is necessary to the proper execution of any contract with the Council or either of the said Authorities shall not be an offence under these byelaws

## Erection of posts, rails and fences etc.

3. A person shall not on the Promenade Beach or Foreshore except as hereinafter provided erect any post, rail, fence, pole, tent, booth, stand, building or other structure (other than a windbreak) or similar device. Provided that this prohibition shall not apply where, upon an application to the Council, they grant permission to erect any post, rail, fence, pole, tent, booth, stand, building or other structure upon such occasion and for such purpose as are specified in the application

## Selling and hawking

4. A person shall not on the Promenade Beach or Foreshore sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article, unless in pursuance of an agreement with the Council or otherwise in the exercise of any lawful right or privilege he is authorised to sell or let to hire on the Promenade Beach or Foreshore such commodity or article

## Performances etc.

5. A person shall not on the Promenade Beach or Foreshore hold or take part in any public show or performance. Provided that this byelaw shall not apply to any person holding or taking part in a band show or any other entertainment held on the Promenade Beach or Foreshore in pursuance of any agreement with the Council.

## Begging, touting etc.

6. No person shall on the Promenade Beach or Foreshore to the annoyance or obstruction of any person using the same, 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 handbills, 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 Borough.





## Truck, machine and vehicle prohibition

7. A person shall not drive, bring or cause to be brought onto the Promenade Beach or Foreshore (other than that part known as Crundall's Wharf Queenborough) any truck, machine or vehicle other than:

- (i) a wheeled bicycle, tricycle or other similar machine.
- (ii) a wheelchair, pushchair or perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or a disabled person.
- (iii) a mechanically or electronically propelled wheelchair used solely for the conveyance of a disabled person.

Provided that this byelaw shall not apply to:

- a. any vehicle belonging to the police, fire or ambulance services or where entry to any part of the Promenade Beach or Foreshore is required for the purpose of any emergency in connection with the saving of life.
- b. for the purpose of direct access to the slipways set aside by the Councillor the launching or recovering of any boat or vessel.
- c. any vehicle which is on the Promenade for the purpose of using and obtaining access to and egress from any parking place which has been set aside by the Council.

## Removal of barriers etc.

8. A person shall not on the Promenade Beach or Foreshore without reasonable excuse:

- (i) remove or displace any barrier, railing, post or seat or any part of any erection or ornament
- (ii) remove, displace or otherwise interfere with any life saving appliance placed by the Council.

## Games etc.

9. No person shall participate in any game, sport or pastime in a manner likely to interfere with or cause annoyance or danger to any other users of the Promenade Beach or Foreshore.

## Radios etc.

10. No person shall on the promenade beach or Foreshore by operating or causing or suffering to be operated, any radio, cassette or disc player, amplifier, or similar instrument, make, cause or suffer to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the Promenade Beach or Foreshore.

## Riding and driving

11. No person shall on the Promenade Beach or Foreshore break in any horse or other animal or ride or drive any horse or other animal in a race or so as to cause danger or annoyance to any person using the Promenade Beach or Foreshore.

## Intentionally obstructing constables etc. in the execution of duty

12. No person shall on the Promenade Beach or Foreshore:
- intentionally obstruct any officer of the Council in the proper execution of his duties
  - intentionally obstruct any person carrying out any act which is necessary to the proper execution of any contract with the Council
  - intentionally obstruct any other person in the proper use of the Promenade Beach or Foreshore or behave so as to give reasonable grounds for annoyance to other persons on the Promenade Beach or Foreshore.

## Penalties

13. 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.

## Saving of crown and other rights

14. 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 or other owner of the Beach or of the Foreshore below high water mark of any estate or interest in or right over such Beach or 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 or over and in respect of the Beach or Foreshore.

## 15. The following Byelaws are hereby revoked:

- Byelaws relating to the Seashore made by the Urban District Council of Sheerness on the eleventh day of July 1911 and confirmed by the Secretary of State on the twentieth day of October 1911.
- Byelaws with respect to Esplanades and Promenades made by the Borough Council of Queenborough in Sheppey on the fourteenth day of July 1971 and confirmed by the Secretary of State on the twenty fourth day of November 1971.

- Byelaws relating to the Seashore made by the Borough Council of Queenborough in Sheppey on the eleventh day of July 1972 and confirmed by the Secretary of State on the eighteenth day of September 1972.

THE COMMON SEAL of THE  
SWALE BOROUGH COUNCIL  
was hereunto affixed this 31<sup>st</sup> day  
of May 1991 in the presence of:

**Mr R Hawkins**  
**Authorised Signatory**

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.

**L.S**

Signed by the Authority of  
the Secretary of State.

19th September 1991  
Home Office  
London SW1

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

Secretary of State for Transport consents

8th October 1991  
Department of transport

**M.W. Jackson**  
(An Assistant Secretary in the London WC1  
Department of Transport)