

## **Bye-Laws as to The Seashore and Promenades**

BYE-LAWS made by the former Weymouth and Portland Borough Council by virtue of the powers conferred on the Council by Sections 82 and 83 of the Public Health Acts (Amendment) Act 1907.

1. Throughout these bye-laws the expression “the Council” means the former Weymouth and Portland Borough Council and the expression “the Promenades” means the Esplanade, Weymouth between the Pavilion and the junction of the Esplanade with Preston Road and the Promenade on the west side of Weymouth Road at Ferrybridge, Weymouth.

### **BOOTHS, TENTS ETC.**

2. Where any part of the Seashore or of the Promenades has, by notices affixed in conspicuous positions on the Seashore or on the Promenades, been set apart by the Council for the erection or placing of such booths, tents, sheds, stands, and stalls (whether fixed or movable) or vehicles for the sale or exposure of any article or thing, or such shows, exhibitions, swings, roundabouts or other erections, vans or other vehicles, whether drawn or propelled by animals, persons or any mechanical power, as may be specified in the notices, no person shall set up, place, or continue any erection or vehicle so specified on any other part of the Seashore or of the Promenades.

### **PERFORMANCES**

3. Where any part of the Seashore or of the Promenades has, by notices affixed in conspicuous positions on the Seashore or on the Promenades, been set apart by the Council for the delivery of such lectures, sermons, speeches, or performances of music, or for the holding of such entertainments as may be indicated in the notices:-

(1) no person shall deliver any lecture, sermon, or speech, or perform any music or hold any entertainment so indicated, as the case may be, on any other part of the Seashore or of the Promenades.

(2) no person shall use or attempt to use any such part in such manner as to interfere with or hinder any person already using it for any purpose for which it has been set apart.

## **GAMES**

4. Where any part of the Seashore or of the Promenades has, by notices affixed in conspicuous positions on the Seashore or on the Promenades, been set apart by the Council for the playing of such games (involving the exclusive use of any space by the players) as may be specified in the notices:-

(1) no person shall play any games so specified on any part of the Seashore or of the Promenades.

(2) no person shall use or attempt to use any such part so as to interfere with or cause annoyance to any person already using such part for any purpose for which it has been set apart.

## **SELLING AND HAWKING**

5. Where any part of the Seashore or of the Promenades has, by notices affixed in conspicuous positions on the Seashore or on the Promenades, been set apart by the Council for the sale and hawking of such articles, commodities, or things, or classes thereof, as may be specified in the notices, no person shall offer for sale or hawk the same on any other part of the Seashore or of the Promenades.

## **BEGGING AND TOUTING**

6. No person shall on the Seashore or on the Promenades, to the annoyance or obstruction of any person using the Seashore or the Promenades, 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 bye-law shall not apply to any collection of money or sale of any article in accordance with the Regulations made under Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916, for the time being in force in the Borough.

## **NOISY INSTRUMENTS**

7. No person shall ring any bell or sound any gong or blow any horn or trumpet or use any other instrument on the Seashore or on the Promenades to the annoyance of any person using the Seashore or the Promenades.

## **DOGS BARKING**

8. No person shall on the Seashore or on the Promenades after being required to desist by any constable or by any officer of the Council, incite any dog to bark to the annoyance of any person using the seashore or the Promenades.

## **RIDING AND DRIVING**

*Clauses 9a and 9b were substituted by the former Borough of Weymouth and Portland Byelaws as to the Seashore and Promenades Amendment No1, which were approved by the Secretary of State for Transport on 10th July 1985.*

9. (a). No person shall from 1st April to 30th September in any year (both dates inclusive) between the hours of 9.00 am to 7.00 pm ride or drive any horse or other animal on the Seashore. Provided that this bye-law shall not apply to children riding ponies or donkeys led or attended by someone on foot.

(b). No person shall on the seashore, at any time break in any horse or other animal or ride or drive any horse or other animals in a race or so as to cause danger or annoyance to any person using the Seashore.

## **WILFULLY OBSTRUCTING CONSTABLES, ETC. IN EXECUTION OF DUTY**

10. No person shall on the Seashore or Promenades wilfully obstruct, disturb, or interrupt any constable or officer of the Council in the proper discharge of his duties or any person employed by the Council in the proper execution of any work connected with the improvement, maintenance or regulation of the Seashore or of the Promenades.

## **RIDING BICYCLES ON PROMENADES**

11. Superseded byelaw

### **PENALTY**

*Clause 12 was substituted by the former Borough of Weymouth and Portland Byelaws as to the Seashore and Promenades Amendment No 2, which was approved by the Secretary of State for Transport on 7th January 1993.*

12. Every person who shall offend against any of the foregoing bye-laws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

### **SAVING OF CROWN AND OTHER RIGHTS**

13. Nothing contained in any of the foregoing bye-laws shall be deemed to be or shall 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 such 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 interest 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 over and in respect of the Seashore.

### **REPEAL OF BYE LAWS**

14. The bye laws relating to the Seashore which were made by the Mayor, Aldermen and Burgesses of the Borough of the Weymouth and Melcombe Regis on the 21st day of June 1923 and were confirmed by the Board of Trade on the 27th day of July 1923 and the bye law relating to the Esplanade, which was made by the said Mayor, Aldermen and Burgesses of the Borough of Weymouth and Melcombe Regis on the 8th day of April 1971 and was confirmed by the Secretary of State, Home Department, on the 25th day of June 1971 are hereby repealed.

**THE COMMON SEAL OF THE FORMER WEYMOUTH AND PORTLAND BOROUGH COUNCIL was hereunto affixed the 30th day of April 1976.**

**Mayor**

**Chief Executive**

**The foregoing bye laws are hereby confirmed by the Secretary of State for the Home Department who has fixed the date on which they are to come into operation as one calendar month after the date on which the consent of the Secretary of State for Trade is given to the bye laws.**

**Signed by authority of the Secretary of State**

**R F D SHUFFREY An Assistant Under Secretary of State The Secretary of State for Trade hereby consents to the foregoing bye laws**

**E R Hargreaves An Assistant Secretary of the Department of Trade.**

**Home Office – Whitehall 20 July 1976.**