

**BYELAWS MADE BY THE COUNCIL OF THE BOROUGH OF POOLE  
UNDER SECTIONS 82 AND 83 OF THE PUBLIC HEALTH ACTS  
AMENDMENT ACT 1907 AND UNDER SECTION 235 OF THE LOCAL  
GOVERNMENT ACT 1972 WITH RESPECT TO THE SEASHORE,  
PROMENADES AND CLIFFS IN THE BOROUGH OF POOLE**

**INTERPRETATION**

1. In these byelaws:

“cliffs” means all those cliffs immediately adjoining the seashore or promenade including any steps, paths or zig-zags;

“the council” means the council of the Borough of Poole;

“promenade” means each of the sea-level promenades immediately adjoining the sea shore, including the raised areas on the landward side thereof, intended for the well being of beach huts and patio areas, together with any steps leading to the sea shore;

“seashore” means the beach and foreshore from time to time situate above the level of the low water mark of medium tides.

“cycle” means a bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motorcycle or motor vehicle;

“invalid carriage” means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for the use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person;

“motorcycle” means a mechanically propelled vehicle, not being an invalid carriage with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

“motor vehicle” means a mechanically propelled vehicle, not being an invalid carriage or motor cycle, not intended or adapted for use on roads.

**EXTENT**

2. These byelaws apply to the whole of the seashore and all the promenades and cliffs situated within the Borough of Poole.

### **ERECTION OF STRUCTURES, EXHIBITIONS, ETC**

3. (1) Where any part of the seashore promenade or cliffs has, by notices placed in conspicuous positions on the sea shore, promenade or cliffs, been set apart by the council for the erection or placing of such booths, tents, stands, exhibitions or other structures as may be specified in the notices, no person shall erect or place any structure so specified on any other part of the seashore, promenade or cliffs.
- (2) This byelaw shall not apply to a windbreak for personal use.

### **PERFORMANCES ETC**

4. Where any part of the seashore, promenade or cliffs has, by notices placed in conspicuous positions on the seashore, promenades or cliffs, been set apart by the council for the delivery of such lectures, sermons or speeches, or performance of music, or for the holding of such entertainments as may be indicated in the notices, no person shall:
  - (a) 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, promenades or cliffs; or
  - (b) 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 AND ACTIVITIES**

5.
  - (1) No person shall play any ball game on any part of the promenade;
  - (2) No person shall participate in any game, sport or pastime to the danger or annoyance of any other user of the seashore or promenade;
  - (3) Where any part of the seashore has, by notices placed in conspicuous positions on the seashore, been set apart by the council for playing such games (involving the exclusive use of any space by the players) as may be specified in the notices, no person shall use any such part so as to give reasonable grounds for annoyance to any person already using such part of any purpose for which it has been set apart.

## **BEGGING ETC**

6.

- (1) No person shall on the seashore promenade or cliffs, 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 distraction of handbills, circulars or advertisements.
- (2) This byelaw shall not apply to any collection of money or sale of any article in accordance with any regulation made under section 5 of the police, factories, etc (miscellaneous) Act 1916, for the time being in force in the Borough of Poole.

## **PARTIES AND BARBECUES**

7.

- (1) Where any part of the seashore has, by notices placed in conspicuous positions on the seashore or promenade, been set apart by the council for the holding of parties or barbecues, no person shall hold any party or barbecue on any other part of the seashore or promenade.
- (2) No person shall on any part of the sea shore or promenade so set apart by the council for the holding of parties or barbecues organise any party or barbecue unless:
  - (a) he has given the council seven days prior notice in writing or as soon as reasonably practicable of after that time specifying the site, date, time and duration of the party or barbecue.
  - (b) he has not been notified in writing by the council that, at the date and time specified in his notice, the use of the site has been claimed by an earlier applicant.
- (3) No person shall on any part of the seashore or promenade so set apart by the council for the holding of parties and barbecues commence to hold a party or barbecue before the time, or continue it for longer than the period of duration, specified in the notice given under sub-paragraph (a) of paragraph 2.
- (4) This byelaw shall not extend any party or barbecue attended by 12 or less people.
- (5) In proceedings against any other person for an offence under this byelaw it shall be a defence for that person to prove that he had taken all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

**CLIMBING ON WALLS, FENCES, ETC AND  
REMOVAL OF STRUCTURES**

8. No person shall, without reasonable excuse:
- (a) climb any wall or fence in or enclosing the seashore promenade or cliffs, or any tree, barrier, railing, post or seat, or any part of any structure or ornament.

**INTERFERING WITH LIFE-SAVING EQUIPMENT**

No person shall, except in the case of emergency, remove from or displace on the seashore, promenade or cliffs any lifeboat, safety apparatus or life-saving appliance, or any device for giving warning of danger provided by or on behalf of the council or other competent authority.

**ANIMALS**

10. No person shall on the seashore 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 other person using the seashore.

**SKATEBOARDING AND ROLLERSKATING**

11. No person shall on the seashore, promenade or cliffs skate on rollers, skateboards, wheels or other mechanical contrivances in such a manner to cause a danger or nuisance or give reasonable grounds for annoyance to other persons lawfully using the seashore, promenades or cliffs.

**MOTORCYCLES AND MOTOR VEHICLES**

- 12.
- (1) No person shall ride or drive a motorcycle or motor vehicle on the seashore, promenades or cliffs, or bring or cause to be brought on to the seashore, promenade or cliffs a motor cycle or motor vehicle.
- (2) This byelaw shall not extend to invalid carriages.
- (3) This byelaw shall not apply to a motor cycle or motor vehicle belonging to the police, fire or ambulance service, or where entry to the seashore, promenade or cliffs is required for the purpose of any emergency in connection with saving life.

## **CYCLES**

13.

- (1) No person shall ride on the promenade between the hours of 8.30am and 10.30pm daily.
- (2) This byelaw applies only to the promenade described in the schedule to these byelaws.

## **OBSTRUCTION**

14. No person shall on the promenade, seashore or cliffs:

- (a) intentionally obstruct any officer of the council in the proper execution of his duties.
- (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the council; or
- (c) intentionally obstruct any other person in the proper use of the seashore, promenade or cliffs, or behave so as to give reasonable grounds for annoyance to other persons on the seashore, promenade or cliffs.

## **PLACING OF BOATS, VESSELS/DEPOSIT OF OBJECTS, FISHING GEAR ETC**

15.

- (1) Where any part of the shore has been set apart from by notices conspicuously posted on the seashore for the placing of boats, vessels and related objects no person shall place or permit to be placed any boat or vessel or object connected therewith on any other part of the seashore.
- (2) No person shall erect, fix or deposit or leave upon the beach, promenade or cliffs or on any seat or other structure belonging to the council thereon:
  - (a) any boat or vessel
  - (b) any nets, fishing lines, pots or other fishing gear, or any ropes, sails, cordage, spars, chains, anchors or ships or boats gear; or
  - (c) any boards, timber, stone, iron or lumber;

to the danger, obstruction or annoyance of any other person using the seashore, promenade or cliffs.

- (3) This byelaw shall not prohibit the depositing or leaving on the seashore, promenade or cliffs of any boat or fishing gear at any time, when owing to the stress of weather or high tides, such a course may be necessary or expedient for the safety thereof; but a sufficient space or thoroughfare shall at all times be left clear along the seashore, promenade or cliffs for the use of pedestrians or wheelchairs.

## **PENALTY**

16. 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.

## **SAVING FOR OFFICERS**

An act necessary to the proper execution of his duty on the seashore. Promenade or cliffs by an officer of the council, or any act which is necessary to the proper execution of any contract with the council, shall not be an offence under these byelaws.

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

Nothing contained in any of these byelaws shall be deemed to be or shall operate as a grant by or on behalf of the crown as an 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 these 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 one person in over and in respect of the seashore.