

I hereby certify that this is a true copy of the Byelaws made by The Council of the Borough of Bournemouth under Section 76 of the Public Health Act 1961 for the prevention of danger obstruction or annoyance to persons in the area of using the seashore on the 01 March 2011 and confirmed by the Secretary of State on the 14 April 2011.

Authorised Signatory

BOURNEMOUTH BOROUGH COUNCIL

SEASIDE PLEASURE BOATS

Byelaws made by the Council of the Borough of Bournemouth under section 76 of the Public Health Act 1961, for the prevention of danger, obstruction or annoyance to persons in the area or using the seashore.

Interpretation

1. In these byelaws, navigator means the person who, whether as owner or otherwise, has the charge or control of a pleasure boat or, being present, is entitled to give orders to the person having charge or control of it.

Extent

2. These byelaws apply in the areas described in Parts 1 and 2 of the Schedule and shown on the maps in Part 3 of the Schedule with the exception of 3(1) which applies to Part 1 of the Schedule only and 3(2) which applies to Part 2 of the Schedule only.

Operation of Pleasure Boats

3. (1) The navigator of a pleasure boat must not during the months of May to September inclusive cause or permit it to exceed a speed faster than six nautical miles per hour through the water in the areas described in Part 1 of the Schedule;
- (2) The navigator of a pleasure boat must not at any time cause or permit it to exceed a speed of faster than six nautical miles per hour through the water in the area described in Part 2 of the Schedule;
- (3) Paragraphs (1) and (2) do not apply to any person who is:
 - (a) Taking part in any event organised either by the Council or by any other person with the consent of the Council in writing;
 - (b) Providing safety facilities at such an event and using a vessel designated for that purpose by the person organising the event; or
 - (c) Acting in a rescue operation or involved in some other emergency.

Avoidance of danger

4. The navigator of a pleasure boat must not cause or permit it to be used

- a. in a dangerous manner,
- b. without due care and attention, or
- c. without reasonable consideration for other persons.

Use of internal combustion engines

5. The navigator of a pleasure boat propelled by an internal combustion engine must not 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 gasses from the engine.

Penalty

6. Any person who contravenes any of these byelaws is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Saving of Crown and Other Rights

7. 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 any part of the foreshore and seabed below high watermark of any estate or interest in or right over any such part of the foreshore and seabed, 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 seabed, or prevent the exercise thereon of any public rights or prejudice or injuriously affect any right, power or privilege legally exercisable in, over and in respect of the foreshore and seabed.

Revocation

8. The byelaws relating to seaside pleasure boats which were made by the Mayor Aldermen and Burgesses of the Borough of Bournemouth on 6th February 1969 and were confirmed by the Secretary of State for the Home Office on 29th April 1969 are hereby revoked.

The Schedule Part 1

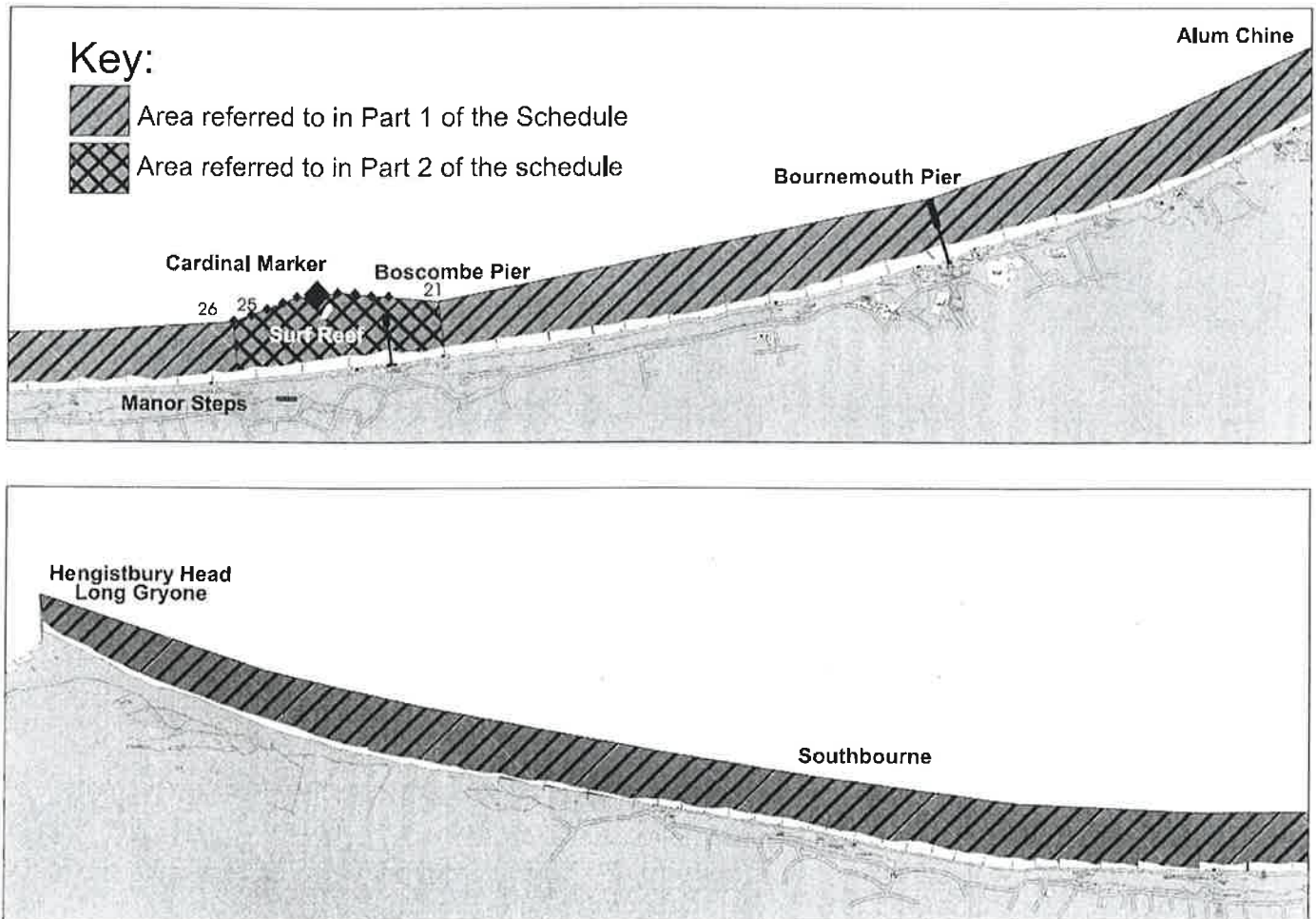
- (a) the area of the sea which is landward of an imaginary line running 200 metres out and parallel to the coast from the mean low-water mark from the Borough border at Alum Chine to a point 160 metres west of Boscombe Pier opposite groyne 21; and

- (b) the area of sea which is landward of an imaginary straight line extending 200 metres out and parallel to the coast from the mean low-water mark from a point 800 metres east of Boscombe Pier between groynes 25 and 26 at Manor Steps to a point due south of the Hengistbury Head long groyne; as shown diagonally hatched on the attached map.

Part 2

An imaginary line commencing from the mean low-water line at groyne 21, 160 metres west of Boscombe Pier, running in a straight line 200 metres perpendicular to the beach then in a straight line to the Cardinal Marker located 450 metres out from the mean low-water mark 240 metres east of Boscombe Pier then running in a straight line to a point 200 metres out from the shoreline half way between groynes 25 and 26, 800 metres east of Boscombe Pier; as shown cross-hatched on the attached map.

Part 3



GIVEN under the Common Seal of the Council of the Borough of Bournemouth on the First day of March 2011

THE COMMON SEAL of THE COUNCIL
OF THE BOROUGH OF BOURNEMOUTH
was hereunto affixed in the presence of:

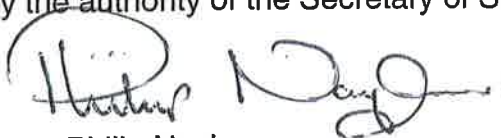


Authorised Officer



The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 14th day of May 2011.

Signed by the authority of the Secretary of State



Philip Naylor
Director of Maritime Services
14 April 2011

Maritime & Coastguard Agency
Directorate of Maritime Services
Spring Place
Southampton
SO15 1EG