

**CANTERBURY CITY COUNCIL**

**BYELAWS**

**WITH RESPECT TO**

**PUBLIC BATHING**

**Made by the Canterbury City Council in pursuance of**

**Section 231 of the**

**Public Health Act 1936**

**at a meeting of the Council held on 8 January 2020**

## **PUBLIC BATHING**

Byelaws made by the CANTERBURY CITY COUNCIL under section 231 of the Public Health Act 1936, with respect to public bathing.

### **Interpretation**

1. In these byelaws:

“the Council” means the Canterbury City Council;

“high water mark” means the high water mark of medium tides;

“Line” means an imaginary straight line which may (but need not necessarily) be partly indicated by navigational aids (including buoys)

### **Public bathing**

2. The Council hereby allots for public bathing the area of the sea to a distance seaward of 300 metres from high water mark, between the western boundary of the Canterbury district, being a point 590 metres to the west of the Sportsman Inn, and the eastern boundary of the Canterbury district, being a point 1,720 metres to the east of Reculver Towers, with the exception of the following areas of the Whitstable Harbour approaches and limits and the lanes referred to in the byelaws made by the Council under section 76 of the Public Health Act 1961 as shown on the plans attached to these byelaws and indicated by signs on the foreshore:

(a) **the Alberta Lane at Seasalter between:**

- (i) a line extending due north from a point at high water mark at Latitude 51.34678 Longitude 0.98914; and
- (ii) a line parallel to and 100 metres west of the line described in sub-paragraph (a)(i) above.

(b) **the Whitstable Harbour approaches and limits between:**

- (i) a line commencing at a point at high water mark 65 metres south-west of Whitstable Harbour’s West Quay and extending 210 metres in a north-westerly direction and then a further 115 metres in a north-north-westerly direction to the restricted area boundary; and
- (ii) a line commencing at a point at high water mark 80 metres east of the northern end of Whitstable Harbour’s East Quay and extending for 70 metres in a north-westerly direction and then for a further 130 metres in a north-north-westerly direction to the restricted area boundary.

(c) **the lane at Beach Walk at Whitstable between:**

- (i) a line perpendicular to the sea wall from a point at high water mark at Latitude 51.36462 Longitude 1.03129 ; and

- (ii) a line parallel to and 100 metres west of the line described in sub-paragraph (c)(i) above.
  - (d) **the Bay View lane at Swalecliffe between:**
    - (i) a line extending due north from a point at high water mark at Latitude 51.36826 Longitude 1.08211 ; and
    - (ii) a line parallel to and 100 metres west of the line described in sub-paragraph (d)(i) above.
  - (e) **the lane at Studd Hill at Hampton, Herne Bay between:**
    - (i) a line extending north-west from a point at high water mark at Latitude 51.36927 Longitude 1.09711 ; and
    - (ii) a line parallel to and 200 metres west of the line described in sub-paragraph (e)(i) above.
  - (f) **the lane at Neptune Jetty, Herne Bay between:**
    - (i) a line extending due north from a point at high water mark at Latitude 51.3733 Longitude 1.1301 ; and
    - (ii) a line parallel to and 100 metres west of the line described in sub-paragraph (f)(i).
3. (1) This byelaw applies at all times to the areas allotted for public bathing by byelaw 2.
- (2) No person shall, within the area allotted for public bathing in byelaw 2, cause or permit any vessel used for pleasure purposes to be sailed or otherwise propelled to the danger of bathers or to approach nearer to a bather than 20 metres, except when necessary in order to assist a bather in an emergency.

#### **Penalty**

4. Any person offending against byelaw 3 shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

#### **Saving of Crown and other rights**

5. 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 the owner or any part of the foreshore seabed below high water mark 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 by any person in, over and in respect of the foreshore and seabed.

#### **Revocation**

6. (a) The byelaws made by the Urban District Council of Whitstable on 16 July 1896 and allowed by the Local Government Board on 4 September 1896 with respect to public bathing are hereby revoked.

(b) The byelaws made by Canterbury City Council on 30 November 1995 and confirmed by the Secretary of State on 21 December 1995 with respect to public bathing are hereby revoked.

Given under our hands and seals this ..... day of .....

(Signed) ..... (Seal)

Member of Canterbury City Council.