

BOROUGH OF HAVANT

DOGS ON THE SEASHORE AND PROMENADE

BYELAWS made by the Council of the Borough of Havant under Sections 82 and 83 of the Public Health Acts (Amendment Act) 1907 and Section 235 of the Local Government Act 1972 in respect of the seashore and promenades.

EXTENT

- 1 (1) Byelaws 3 and 4 apply to the beaches being areas of the seashore described in Schedule 1 hereafter referred to as “the dog prohibited beaches” and to any slope or staircase leading onto that beach.
- (2) Byelaw 5 applies to the promenade described in Schedule 2 hereafter referred to as “the promenade”.
- (3) Notice of the effect of these byelaws shall be given by signs placed in conspicuous positions on the approaches to the dog prohibited beaches and the promenade.

INTERPRETATION

- 2 (1) In these byelaws:

“The Council” means the Council of the Borough of Havant.
- (2) For the purpose of these byelaws the keeper of the dog shall be deemed in charge thereof, unless the Court is satisfied that the dog had been placed in or taken into the charge of some other person at the time when an offence under these byelaws has been committed.
- (3) In paragraph (2) above “the keeper” shall include the owner of the dog or any person who habitually has it in his possession.

DOGS ON THE BEACH

- 3 Between 1 May and 30 September inclusive in any year, every person in charge of a dog (other than a registered blind person in charge of a dog) who, without reasonable excuse, permits the dog to enter or remain on the beach shall be guilty of an offence.
- 4 Any officer of the Council or any constable may require a person in charge of a dog which has entered the beach to remove the dog from the beach.

DOGS ON LEADS

- 5 Between 1 May and 30 September inclusive in any year, no person in charge of a dog shall, without reasonable excuse, permit the dog to enter or remain on the promenade unless the dog is held on a lead and is restrained from behaviour giving reasonable grounds for annoyance.

PENALTY

- 6 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 OF CROWN AND OTHER RIGHTS

- 8 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 the sea bed below low water mark or any estate or interest in or right over such sea bed, 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 seabed, or prevent the exercise thereon of any public rights or prejudice or injuriously affect right, power or privilege legally exercisable by an person in, over and in respect of the seashore.

SCHEDULE ONE

“The dog prohibited” beaches referred to in byelaw 1(1) are:

- 1 That part of Hayling Beach between the western boundary of the Beachlands Car Park at Central Beachlands (the fair) and the eastern boundary of the Hayling Island Golf Club and south of the roadway running from Central Beachlands to the south east corner of the Hayling Island Golf Club.
- 2 That part of Hayling Beach between the eastern edge of the car park opposite Creek Road (NAB Car Park) and a line running from the eastern end of the promenade (opposite Bosmere Road) south to the mean low water mark of the sea.

SCHEDULE TWO

- 1 The promenade to the rear of Hayling Beach from Eastoke Corner to Bosmere Road.

Given under the Common Seal of the Council of the Borough of Havant this Twenty First day of July One Thousand Nine Hundred and Eighty Nine

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

Signed by the Borough Secretary

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.

Signed by authority of the Secretary of State

Stamped by the
Home Office 27
Nov 1989

C.L. SCOBLE
(An Assistant Under-Secretary of State)

The Secretary of State for Transport consents

(Signed by an Assistant Secretary in the Department of Transport)

Department of Transport
London WC1
1 December 1989