

## Appendix C

# LANCASTER CITY COUNCIL BYELAWS FOR PROMENADES

## ARRANGEMENT OF BYELAWS

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Byelaws made under section 83 of the Public Health Acts Amendment Act 1907 by the Lancaster City Council for the prevention of danger, obstruction, or annoyance to persons using the esplanades or promenades.

### **General interpretation**

1. In these byelaws:

“the Council” means the Lancaster City Council;

“designated” in relation to a route or area means set aside for a specified purpose, the route or area and the purpose to be indicated by notices placed in a conspicuous position;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

- (a) the unladen weight of which does not exceed 150 kilograms,
- (b) the width of which does not exceed 0.85 metres, and

which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person;

“promenade” means Morecambe Promenade as shown in the map to these byelaws;

“motor vehicle” means a mechanically propelled vehicle other than an invalid carriage;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more other persons pulling or pushing the vehicle.

### **Application**

2. These byelaws apply to Morecambe Promenade being the area of land between the seawall and the footway (including slipway areas) and extending from [insert name of landmark], Bailey Lane, Heysham, to [insert name of landmark] Teal Bay East and shown by a thick black/red line on the map. *(note – definitions still to be finalised with Department for Communities and Local Government)*

### **Motor vehicles**

3. No person shall without reasonable excuse drive or bring a motor vehicle or trailer onto the promenade except—
  - (a) on any part of the promenade where there is a right of way for that class of vehicle; or

(b) with the consent of the Council, for the purpose of launching or recovering any boat or vessel by accessing any slipway set aside by the Council for that purpose.

### **Trading**

4. No person shall—

- (a) sell or hawk any article or any food or drink;
- (b) advertise or solicit custom for any service; or
- (c) distribute handbills, circulars or advertisements,

in such a manner as to cause obstruction or annoyance to any person on the promenade.

### **Skateboarding, etc.**

5. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles on the promenade in such a manner as to cause danger or give reasonable ground for annoyance to other persons using the promenade.

### **Kites and kite-buggies**

6. No person shall on the promenade fly any kite or ride or drive any vehicle powered by a kite in such a manner as to cause danger, nuisance or annoyance to any other person on the promenade.

### **Fires**

- 7. (1) No person shall on the promenade light a fire, or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 7(1) shall not apply to the lighting of a fire on the promenade with the consent of the Council.

### **Camping**

8. No person shall on the promenade without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping.

### **Protection of flower beds and planting**

- 9. No person shall walk on or ride over—
  - (a) any flower bed, shrub or plant;

- (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
- (c) any area of the promenade set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

#### **Unauthorised erection of structures**

- 10. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure on the promenade.
- 11. No person shall, without reasonable excuse, remove from or displace any barrier, post or seat or any part of any structure or ornament or any notice or flag displayed by or on behalf of the Council or any other competent authority on the promenade.

#### **Interference with Life-saving Appliances**

- 12. No person shall, except in case of emergency, remove from or displace any life-saving appliance provided by or on behalf of the Council or other competent authority on the promenade.

#### **Obstruction**

- 13. No person shall on the promenade obstruct —
  - (a) any officer of the Council in the proper execution of his duties;
  - (b) any person carrying out an act which is necessary to the proper execution of a contract with the Council.

#### **Savings**

- 14. It shall not be an offence under these byelaws for an officer of the Council to do anything necessary to the proper execution of his duty or for any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of that contract.

#### **Penalty**

- 15. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

#### **Revocation**

- 16. The byelaws relating to the promenade which were made by Lancaster City Council on the 26th April 1978 and confirmed by the Secretary of State for the Home Department on 15th August 1978 are revoked.

:

GIVEN under the Common Seal of the Lancaster City Council this            day of  
Two thousand and six

**THE COMMON SEAL** of the  
**LANCASTER CITY COUNCIL**  
was hereunto affixed in the  
presence of:

Corporate Director