



# **BYELAWS**

**made by the**

**TEIGNBRIDGE  
DISTRICT COUNCIL**

**Prohibiting dogs  
on Shaldon Beach**

## TEIGNBRIDGE DISTRICT COUNCIL

Byelaws made by the District Council of Teignbridge 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 the promenade

### EXTENT

1(1) Byelaw 3 applies to the beach being areas of the seashore described in Schedule 1 hereafter referred to as "the dog prohibited beaches" and to any slope or staircase leading on to any of those beaches.

1(2) Byelaws 4 and 5 apply to the beaches being areas of the seashore described in Schedule 2 hereafter referred to as "the canine faeces removal beaches" and to any slope or staircase leading on to any of those beaches and to any promenade described in Schedule 3 hereafter referred to as "the promenade".

1(3) Byelaw 6 applies to the beaches in Schedule 2 and promenade described in Schedule 3 except any part which is for the time being designated under section 27 of the Road Traffic Act 1988. The promenade to which byelaw 6 applies shall be hereinafter referred to as "the promenade".

1(4) Byelaw 6 does not apply in respect of any dogs to which section 1 of the Dangerous Dogs Act 1991 applies.

1(5) Notice of the effect of these byelaws shall be given by signs placed in conspicuous positions on the approaches to each of the dog prohibited beaches, the canine faeces removal beaches and the promenade.

### INTERPRETATION

2(1) In these byelaws :-

"the Council" means Teignbridge District Council

2(2) For the purpose of these byelaws the keeper of the dog shall be deemed in charge thereof, unless the dog had been placed in or taken into the charge of some other person at the time when an offence under these byelaws had been committed.

2(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 1st May and 30th September inclusive in any year, every person (other than a registered blind person) in charge of a dog who without reasonable excuse permits the dog to enter or remain on any of the dog prohibited beaches shall be guilty of an offence.

### REMOVAL OF CANINE FAECES

4. Between 1st May and 30th September inclusive in any year, every person (other than a registered blind person) in charge of a dog which is on any of the canine faeces removal

beaches or the promenade who, without reasonable excuse, fails to remove forthwith from any such beach or such promenade any faeces deposited by the dog shall be guilty of an offence.

5. For the purposes of compliance with byelaw 4, the following provisions shall apply
- (a) it shall be a sufficient removal from any of the canine faeces removal beaches or promenade if the faeces are deposited in a receptacle which has been provided for that purpose by the Council;
  - (b) without prejudice to the generality of the foregoing it shall not be a reasonable excuse that a person in charge of a dog did not have with him any means of removal of the faeces.

#### **DOGS ON LEADS**

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

#### **PENALTY**

7. Any person offending against byelaw 3, 4 or 6 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 any part of the foreshore and 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**

9. The byelaws made by Teignbridge District Council on 22nd February 1989 are revoked insofar as they relate to the seashore at Shaldon with effect from the date on which these byelaws come into operation.

#### **SCHEDULE 1**

"The dog prohibited beach" referred to in byelaw 1(1) is :

The seashore at Shaldon between an imaginary line at 045° extending north east from the eastern side of Clipper Quay and an imaginary line at 045° extending north east from the beach opposite the western edge of Shaldon House; but excluding a strip of beach between an imaginary line extending at 045° north east from the eastern side of the Ferry Shelter to an imaginary line at 045° north east from the western end of the promenade at Marine Parade.

SCHEDULE 2

"The canine faeces removal beaches and dogs on leads beaches referred to in byelaw 1(2) and 1(3) are:

The seashore at Shaldon between an imaginary line at 045° extending north east from the eastern side of the ferry shelter and an imaginary line at 045° extending from the western end of the promenade on Marine Parade.

The seashore in Shaldon between the imaginary line at 045° extending north east from the eastern side of the Clipper Quay and an imaginary line at 045° extending north east from the western side of the slipway at Riverside.

SCHEDULE 3

"The promenade" referred to in byelaw 1(2) and 1(3) is:

Marine Parade extending from Clipper Quay eastwards to the western edge of Shaldon House

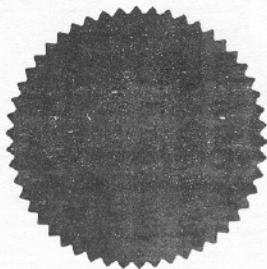
THE COMMON SEAL of TEIGNBRIDGE  
DISTRICT COUNCIL was hereto  
affixed on the ~~sixteenth~~ day of  
*June* 1997 in the presence  
of



Chairman



Authorised Officer



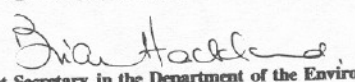
10747

DOE 1145

The foregoing Byelaws are hereby confirmed by the Secretary of State for the Environment 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  
5 November 1997

B Hackland

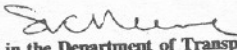
  
(An Assistant Secretary in the Department of the Environment)

Department of the Environment  
London SW1

The Secretary of State for Transport consents  
Signed by authority of the Secretary of State  
1997

22 January

S K Reeves

  
(A Grade 5 in the Department of Transport)

Department of Transport  
London SW1P