BYELAWS FOR

SEASIDE PLEASURE BOATS

At

TEIGNMOUTH AND DAWLISH

DEVON
TEIGNBRIDGE DISTRICT COUNCIL
SEASIDE PLEASURE BOATS

Byelaws made by Teignbridge District Council 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.

EXTENT

2.1 These byelaws shall apply to the three areas of the seashore shown edged red on the plans attached to these byelaws and situated within the District of Teignbridge between

(a) Langstone Rock at Dawlish and the southern end of Coryton Cove at Dawlish;
(b) a point on the coast 800 metres to the north east of the pier at Teignmouth and the Point at Teignmouth;
(c) the Ness at Shaldon and Bundlehead;

and extending seawards 200 metres from a mean high water spring tide.

2.2 The three "V" shaped channels in the sea referred to in paragraphs 3, 4 and 5 are shown coloured blue on the said plans and are formed by imaginary straight lines projected seawards

(a) from the points where the two groynes immediately to the east of the lifeboat house at Dawlish meet the mean high water mark spring tides; and

(b) in between the two groynes directly in front of the refreshment kiosk at Eastcliff, Teignmouth; and

(c) from the two points on the mean high water spring tides at Ness, Shaldon, the first being 200 metres north of Bundlehead and the second being 40 metres north east of the first point
in each case in (a), (b) and (c) the northern most of the imaginary straight lines being projected at an angle of 60 degrees from the shore and the southern most at an angle of 120 degrees from the shore.

OPERATION OF PLEASURE BOATS

3. No person being the navigator of a pleasure boat shall during the months of May to September inclusive cause or permit such vessel to enter the water as mentioned in paragraph 2.1. This byelaw shall not extend to any of the “V” shaped channels in the sea.

4. No person, being the navigator of a pleasure boat, shall cause or permit such vessel to be driven or sailed in a dangerous manner or without due care and attention or without reasonable consideration for other persons, in any of the “V” shaped channels in the sea.

5. No person, being the navigator of a pleasure boat propelled by an internal combustion engine, shall 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, in any of the “V” shaped channels in the sea.

PENALTY

6. Any person offending against any of these byelaws shall be 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 these byelaws shall be deemed to be or shall operate as a grant by or on behalf of the Crown, or the possessor for the time being of the Duchy of Cornwall, as a case may be, as owner of the foreshore and seabed below high water mark of any estates or interest in or right over such foreshore and seabed, or any part thereof, nor shall anything contained in or done under any of the provisions of these byelaws in any respect prejudice or injuriously affect the rights and interests of the Crown, or such possessor, as the case may be, 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

8. The byelaws relating to seaside pleasure boats which were made by Teignbridge District Council on the 14th day of April 1987 and were confirmed by the Secretary of State on 3 June 1987 are hereby revoked.

The Common Seal of Teignbridge District Council Was here unto affixed the 26th day of April 2004 in the presence of

Chairman

[Signature]

Authorised Officer

130607

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 11th day of October 2004.

Signed by the authority of the Secretary of State

[Signature]

Alan Fairney
Head of Operations
10 September 2004

Maritime & Coastguard Agency
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