



BOROUGH OF GOSPORT

BYELAWS

AS TO

THE LANDING STAGE, PUBLIC SLIPWAY

AND

CAR PARK AT HARDWAY, GOSPORT.

BOROUGH OF GOSPORT

BYELAWS

WITH RESPECT TO THE LANDING STAGE, PUBLIC SLIPWAY AND CAR PARK AT

HARDWAY, GOSPORT

BYELAWS MADE BY THE COUNCIL OF THE BOROUGH OF GOSPORT UNDER

SECTION 235 OF THE LOCAL GOVERNMENT ACT 1972 FOR THE GOOD RULE AND

GOVERNMENT OF THE BOROUGH OF GOSPORT AND THE PREVENTION OF NUISANCES

EXTENT

1. These byelaws apply to the landing stage, public slipway and car park at Hardway , Gosport, hereinafter referred to as “the area”

INTERPRETATION

2. In these byelaws:

“The Council” means Gosport Borough Council;

“The area” means the area shown edged with a thick black line on the attached plan

“The Landing Stage” means the Floating Landing Stage shown hatched black on the plan;

“The Public Slipway” means the area of land lying between the foreshore and Priory Road shown cross hatched black on the plan; and

“The Car Park” means the two areas of land to the north west and south east of the upper part of the Public Slipway shown shaded black on the plan.

VEHICLES

3. (i) No person shall, except in the exercise of any lawful right or privilege bring or cause to be brought into the area any barrow, truck, machine or vehicle other than –
 - (a) a wheeled bicycle or other similar machine;
 - (b) a wheel-chair or perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid.

Provided that where the Council set apart a space in the area for the use of any class of vehicle, this byelaw shall not be deemed to prohibit the drawing in or to that space by a direct route from the entrance to the area of any vehicle of the class for which it is set apart.

- (ii) No person shall, except in the exercise of any lawful right or privilege ride any bicycle or other similar machine in any part of the area.
4. No person shall, except in the exercise of any lawful right or privilege bring any vehicle, trailer, or similar contrivance onto any part of the Public Slipway other than for the purpose of launching any vessel or boat or for the transfer of persons or stores for private purposes only.
5. (i) A person who brings any vehicle, trailer or similar contrivance onto the Public Slipway for the purpose provided for in the immediately preceding Byelaw shall not leave or permit the same to remain on any part of the Public Slipway for a period longer than is necessary to launch or land any vessel or boat or for the transfer of persons or stores and in any case for not longer than 2 hours.
- (ii) Notice of the effect of this byelaw shall be given by signs placed in conspicuous positions on the slipway.
6. (i) No person shall leave any vehicle in the Car Park for a period exceeding two hours
- (ii) Notice of the effect of this byelaw shall be given by signs placed in conspicuous positions in the car park.

VESSELS

7. No person shall, without reasonable excuse, on the Landing Stage or Public Slipway leave any landed vessel, boat, stores, luggage or thing in manner likely to impede or obstruct the use of the Landing Stage and Public Slipway by any person.
8. (i) No person shall fasten to, moor to or lay alongside the Landing Stage any vessel or boat of any description without the prior written consent of the Council under the hand of its Town Clerk from time to time, provided that it shall not be an offence against this Byelaw for a person to so fasten, moor or lay alongside a boat or vessel not exceeding 25ft in length nor 8 tons in displacement for a period not exceeding two hours for the purpose only of the transfer of persons or stores for private purposes.
- (ii) Notice of the effect of this byelaw shall be given by signs placed in conspicuous positions on the Landing Stage.
9. No person shall fasten to , moor to or lay alongside the Public Slipway any vessel or boat of any description without the prior written consent of the Council under the hand of its Town Clerk from time to time, provided that it shall not be an offence against this Byelaw for a person to so fasten, moor or lay alongside a boat or vessel not exceeding 35ft in length nor 8 tons in displacement for a period not longer than is necessary to launch or land the said vessel or boat or for the transfer of person or stores and in any case for not longer than one hour.

TOUTING FOR PASSENGERS

10. No person shall in the area tout for custom or solicit passengers for any boat or exhibit any flag or notice or ring any bell or make a noise of any kind for the purpose of soliciting passengers.

SALES OF GOODS AND SERVICES

11. No person shall, within the area, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity, article or service.

ERECTION OF STRUCTURES

12. No person shall, within the area, erect any post, rail, fence, pole, tent, booth, stand, building or any other structure.

FISHING

13. (i) No person shall fish from the Landing Stage or from the Public Slipway

(ii) Notice of the effect of this byelaw shall be given by signs placed in conspicuous positions on the Public Slipway and the Landing Stage.

OBSTRUCTION OF OFFICERS ETC

14. No person shall in the area:
 - (a) Intentionally obstruct any officer of the Council in the proper execution of his duties;
 - (b) Intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) Intentionally obstruct any other person in the proper use of the area or behave so as to give reasonable grounds for annoyance to other persons in the area.

SAVING FOR ACTS OF OFFICERS AND CONTRACTORS

15. An act necessary to the proper execution of his duty in the area by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.

PENALTY

16. Any person who contravenes 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

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 foreshore below high water mark of any estate or interest in our right over such foreshore, 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 foreshore, or prevent the exercise thereon of any public rights or prejudice or injuriously affect any right, power or privilege legally exercisable by any person on over and in respect of the Seashore.

THE COMMON SEAL of THE COUNCIL)
was hereunto affixed this)
Fifteenth day of September 1988)
in pursuance of a resolution)
passed at a meeting of the)
Council duly convened and held)
on the Twentieth July 1988)

(Signed) H Nicolls, Mayor

(Signed) W D Hooper, Town Clerk & Chief Executive

The foregoing byelaw(s) are hereby confirmed by the Secretary of State and shall come into operation on the 13th day of February 1989.

Signed by authority of the Secretary of State
(Signed) C L Scoble
An Assistant Under-Secretary of State
Home Office London SW1
16th January 1989

I hereby certify that this is a true copy of the byelaws made by the Gosport Borough Council on the 15th September 1988 and confirmed by the Secretary of State on 16th January 1989.

(Signed) W D Hooper

Town Clerk and Chief Executive