



Local Government (Miscellaneous Provisions) Act 1976

1976 CHAPTER 57

PART I

GENERAL

Bathing and boating

17 Byelaws about bathing and boating.

- (1) Where any part of the area of a local authority having power to make byelaws under both section 231 of the ^{M1}Public Health Act 1936 and section 76 of the ^{M2}Public Health Act 1961 (which authorise the making of byelaws about public bathing and pleasure boats) is bounded by or is to seaward of the low water mark, the authority may exercise that power as respects any area of the sea which is outside the area of the authority and within 1,000 metres to seaward of any place where that mark is within or on the boundary of the area of the authority.
- (2) The Secretary of State may, before he confirms any byelaws made by virtue of this section, amend the byelaws so as to reduce the area in which the byelaws have effect if it appears to him appropriate to do so with a view to ensuring that the byelaws do not have effect in an area for which another local authority has made or may make byelaws by virtue of this section.
- (3) An offence against byelaws made by an authority by virtue of the preceding provisions of this section may be inquired into and dealt with as if committed within the area of the authority.
- ^{X1}(4) In subsection (1) of the said section 231 (which specifies the matters which may be regulated by byelaws under that section about public bathing), after paragraph (a) there shall be inserted the following paragraph—

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- (aa) prohibit or restrict public bathing at times when and places as respects which warning is given, by the display of flags or by other means specified in the byelaws, that bathing is dangerous.
- (5) Subsection (3) of the said section 76 (which among other things provides that byelaws about pleasure boats may be made by an authority so as to have effect outside the area of the authority but within 1,000 yards of low water mark of ordinary spring tides) shall cease to have effect; but any byelaws which are in force by virtue of that subsection immediately before it ceases to have effect shall continue in force and may be revoked or varied by byelaws made in pursuance of that section.

Editorial Information

- X1** The text of ss. 17(4), 18(1)-(4), 19(6), 22(1)(3), 27(1)(3)(5) and Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
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Marginal Citations

- M1** 1936 c. 49.
M2 1961 c. 64.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2024/414 art. 5Sch. 1 para. 4](#)