

Anti-social Behaviour, Crime and Policing Act 2014

The West Dorset Dog Related Public Spaces Protection Order 2017

West Dorset District Council ("the Council") hereby makes the following Order:

This Order shall be known as The West Dorset Dog Related Public Spaces Protection Order 2017 and shall come into force on the 16th October 2017 for a duration of three years.

This Order supersedes the following:

The Fouling of Land by Dogs West Dorset District Order 2007
The Dogs Exclusion Sports Pitches and Children's Play Area Order 2007
Lyme Regis Front Town Beach Dog Exclusion Order 2009
Lyme Regis Front Town Beach Dogs on Leads Order 2009
The Dogs on Leads West Bay Order 2007
The Dogs Exclusion West Bay Order 2007

This Order has 6 sections and should be read in conjunction with the related Schedules.

Contents

1. General provisions
2. Removal and disposal of dog faeces
3. Dogs to be excluded from identified areas
4. Dogs to be kept on lead in identified areas
5. Dogs to be kept on a lead when directed to do so by an authorised officer
6. Penalty

Schedule 1 – General land provision

Schedule 2 – Exclusion of dogs – land and times

Schedule 3 – Dogs to be kept on lead – land and times

Section 1 - General provisions

- 1.1 Where specified in this Order 'the Council' means the West Dorset District Council
- 1.2 A person who habitually has a dog in their possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- 1.3 Sections 2, 3 and 5 of this Order do not apply to a person who –
 - 1.3.1 is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
 - 1.3.2 has a disability which affects their mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in

respect of a dog trained by a prescribed charity and upon which they rely for assistance.

- 1.4 Section 5 of this Order does not apply to a person who –
 - 1.4.1 is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which they rely for assistance.
- 1.5 For the purposes of this Order a “prescribed charity” is;
 - 1.5.1 Dogs for the Disabled (registered charity number 700454);
 - 1.5.2 Support Dogs (registered charity number 1088281);
 - 1.5.3 Canine Partners for Independence (registered charity number 803680).
- 1.6 In this Order “an authorised person” means a person authorised for the purposes of this Order by the Council, including the purpose of giving directions under section 5 of this Order.

Section 2 - Removal and disposal of dog faeces

- 2.1 This Section applies to the land specified in Schedule 1.
- 2.2 If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless –
 - 2.2.1 they have reasonable excuse for failing to do so; or
 - 2.2.2 the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to this failing to do so.
- 2.3 For the purposes of this Section –
 - 2.3.1 Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
 - 2.3.2 Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for, or suitable means of removing it, shall not be a reasonable excuse for failing to remove the faeces.

Section 3 - Dogs to be excluded from identified areas

- 3.1 This Section applies to the land specified and at the times specified in Schedule 2.
- 3.2 A person in charge of a dog shall be guilty of an offence if, during the periods specified in Schedule 2, they take the dog onto, or permit the dog to enter or to remain on, any land to which this section applies unless –
 - 3.2.1 they have a reasonable excuse to do so; or

- 3.2.2 the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to the dog entering or remaining on such land.

Section 4 - Dogs to be kept on lead in identified areas

- 4.1 This Section applies to the land specified and at the times specified in Schedule 3.
- 4.2 A person in charge of a dog shall be guilty of an offence if, during the periods specified in Schedule 3, on any land to which this Section applies, that person does not keep the dog on a lead and under control unless –
- 4.2.1 they have a reasonable excuse for failing to do so; or
- 4.2.2 the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to this failing to do so.
- 4.3 The dog's lead shall not exceed 2 metres (6 feet, 6 inches) in length from handle to dog collar.

Section 5 - Dogs to be kept on a lead when directed to do so by an authorised person

- 5.1 This section applies to land specified in Schedule 1.
- 5.2 A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies, that person does not comply with a direction given by an authorised person to put and keep the dog on a lead of not more than 2 metres (6 feet, 6 inches) in length unless –
- 5.2.1 they have reasonable excuse for failing to do so; or
- 5.2.2 the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to this failing to do so.
- 5.3 An authorised person may give a direction to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or disturbance to any other person (on land to which this section applies) or the worrying or disturbance of any animal or bird.
- 5.4 The dog's lead shall not exceed 2 metres (6 feet, 6 inches) in length from handle to dog collar.

Section 6 – Penalty

- 6.1 A person who fails to comply with this Order without reasonable excuse is guilty of an offence under Section 67 of the Anti-social Behaviour, Crime and Policing Act 2014 and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 6.2 In accordance with Section 68 of the Anti-social Behaviour, Crime and Policing Act 2014, an authorised person may issue a fixed penalty notice to anyone they have reason to believe has committed an offence under this Order. Such notice offers the person to whom it is issued the opportunity to discharge their liability to conviction for the offence by payment of a fixed penalty. The penalty is set at £100.00 to be paid within 28 days, but is reduced to £75.00 if paid within 14 days.

Date: 31st August 2017

THE COMMON SEAL OF WEST
DORSET DISTRICT COUNCIL
Was hereto affixed in the presence of:-

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L. A. A.

LEGAL SERVICES MANAGER



14947/17

SCHEDULE 1 – General land provision

Land to which removal and disposal of dog faeces applies (Section 2), and dogs on lead by direction by an authorised person (Section 5):

1. Subject to the exception in Paragraph 2 below, all land which is in the administrative areas of the Council and
 - (i) which is open to the air (which includes land that is covered but open to the air on at least one side) and
 - (ii) to which the public are entitled or permitted to have access (with or without payment).
2. Excepted from the description in Paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under Section 39(1) of the Forestry Act 1967.

SCHEDULE 2 - Exclusion of dogs – land and times

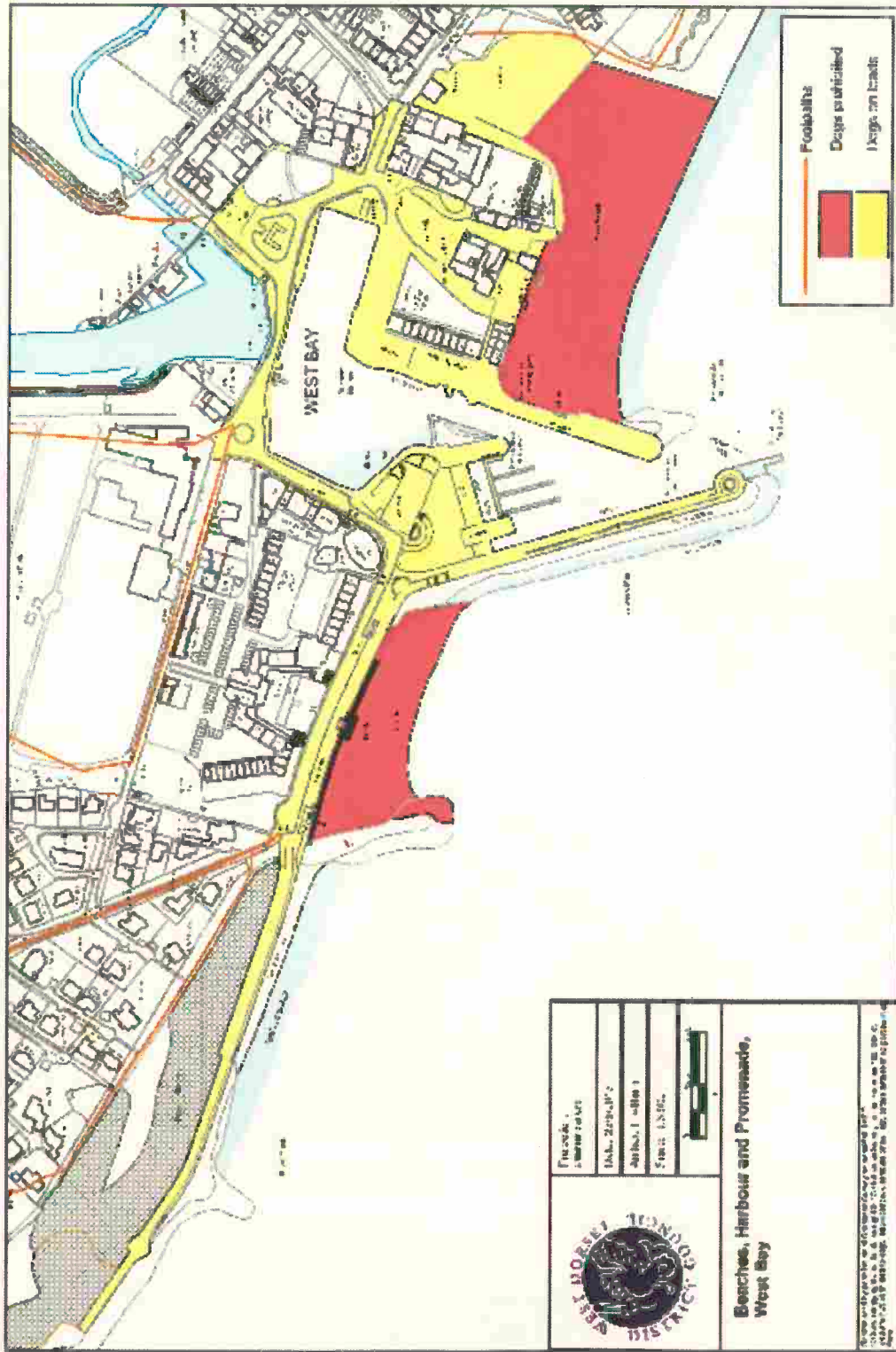
Land to which dogs are excluded at all times unless otherwise specified (Section 3);

1. All land within the administrative areas of the Council which comprises any fenced (and/or hedged and /or walled) children's play area, children's pool and/or sandpit, skateboard park, tennis court, basketball court, bowling green or putting green or any other fenced (and/or hedged and /or walled) park, sporting or recreational facility signed at its entrance(s) as a 'dog exclusion area' (where the sign uses those particular words or uses words and/or symbols having a like effect); and
2. All marked sports pitch playing surfaces or athletics tracks within the administrative area of the Council. – see also Schedule 3 for perimeter control; and
3. King's Road Playing Field, Dorchester; and
4. Open space at Anning Road, Lyme Regis; and
5. Cowleaze Road Playing Field, Broadmayne; and
6. Memorial Playing Field, Beaminster; and
7. Sherborne Abbey Close and grounds; and
8. Between 00.01 hrs 1st May and 23.59 hrs 30th Sept:
 - a. East Beach, West Bay, Bridport (Map 1, highlighted in red)
 - b. West Beach, West Bay, Bridport (Map 1, highlighted in red)
 - c. Front Beach, Lyme Regis (Map 2, highlighted in red) and
 - d. Seatown beach, Chideock (Map 3, highlighted in red)

SCHEDULE 3 – Dogs to be kept on lead – land.

Land to which dogs shall be kept on a lead at all times (Section 4);

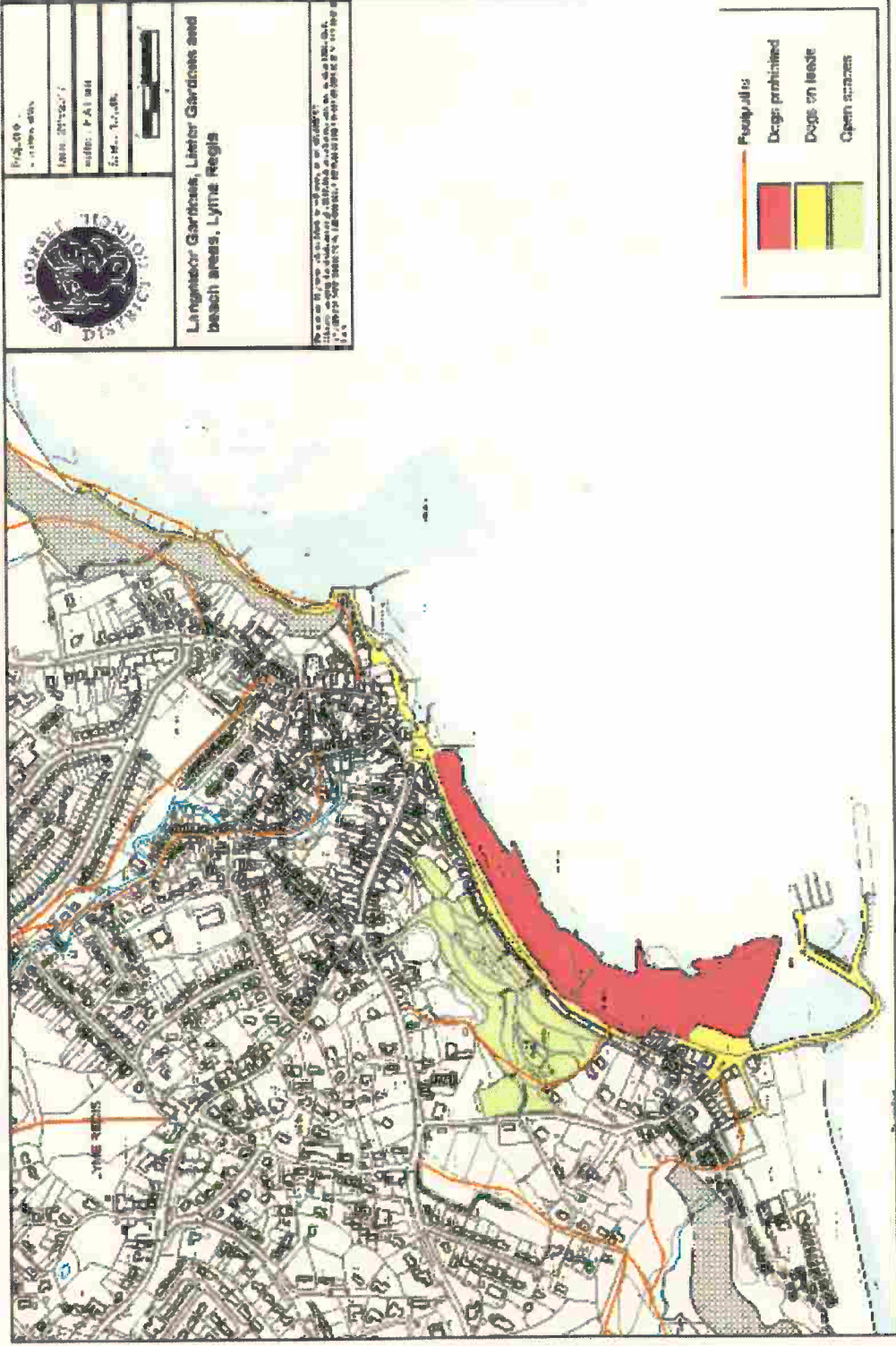
1. Cemeteries and church yards/graveyards; and
2. Allotments in the ownership of Parish or Town Councils; and
3. Within 5 metres of the marked perimeter of sports pitch playing surfaces and athletics tracks; and
4. The formal gardens and open space at:
 - a. Pageant Gardens, Sherborne;
 - b. Paddock Gardens. Sherborne;
 - c. Newlands Gardens and grounds, Sherborne;
 - d. Maumbury Rings, Dorchester;
 - e. Borough Gardens, Dorchester;
 - f. Langmoor Gardens, Lyme Regis;
 - g. Lister Gardens, Lyme Regis;
 - h. Millennium Gardens, Bridport;
 - i. Borough Gardens, Bridport;
 - j. Bridport Community Orchard, Bridport; and
5. At West Bay on the Esplanade, Quay, Quayside, road, pavements, grassed area and paved island in front of the George Hotel, slipway piers, the car parks and main Pier (Map 1, highlighted in yellow); and
6. At Lyme Regis on the Marine Parade, Cart Road, Bell Cliff, the harbour, slipway and sea walls, the entrance to Cobb Road, Ozone Terrace, the entrance to the public car park and boat park, and the harbour wall, Cobb Gate car park and the esplanade extending from it eastwards up to its junction with Long Entry and known as Gunn Cliff Walk, to extend along the sea wall above Church Beach, and up to the Charmouth Road car park via the provided steps (Map 2, highlighted in yellow).



Map 1 West Bay

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 Figure 1
 Dog Control Zones
 Date: 2017
 Author: P. Allen
 Date: 11/11/17

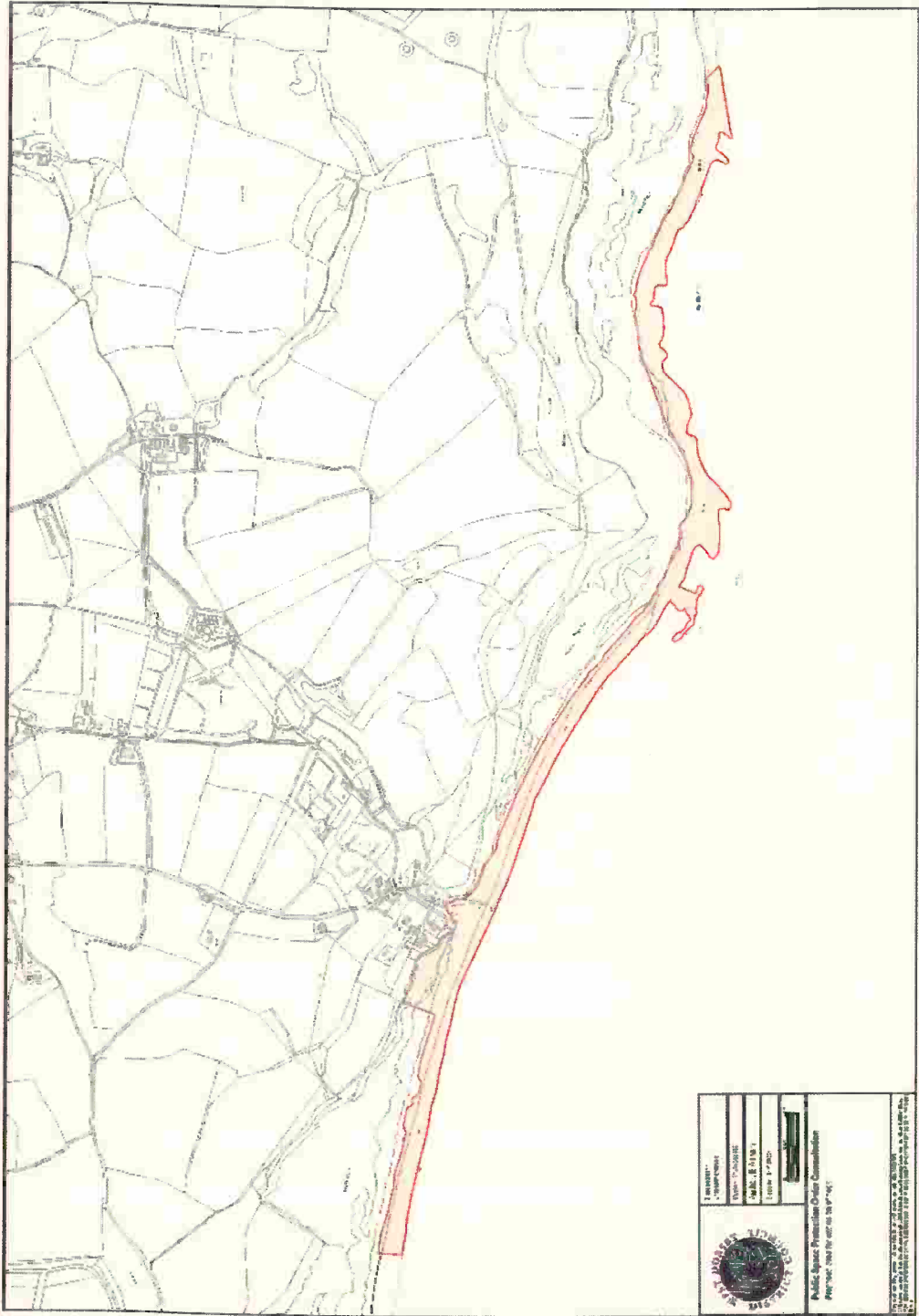
Lyme Regis, Lister Gardens and beach areas, Lyme Regis

This map is a representation of the information available to the Council at the time of its publication. It is not intended to be a legal document and should not be relied upon for legal purposes. The Council is not responsible for any loss or damage arising from the use of this map.

Legend

- Dogs prohibited
- Dogs on leads
- Open areas

Map 2 Lyme Regis



Map 3 Chideock