



Arun District Council

# **Public Space Protection Orders**

Relating to the Control of Dogs

# THE ANTI-SOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014

## ARUN DISTRICT COUNCIL PUBLIC SPACE PROTECTION ORDER 2020

### The Fouling of Land by Dogs

Arun District Council hereby makes the following Order:

This Order comes into force on 06 November 2020 for a period of up to 3 years and may be extended, varied or discharged during this 3 year period

#### THE FOULING OF LAND BY DOGS

This Order applies to the land specified in Schedule 1.

#### **Offence**

- 1) 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 -
  - a) he has a reasonable excuse for failing to do so; or
  - b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- 2) Nothing in this Order applies to a person who -
  - a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
  - b) who has a disability and is in charge of an Assistance dog.
- 3) For the purposes of this Order -
  - a) a person who habitually has a dog in his 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;
  - b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
  - c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
  - d) the expression 'disability' shall have the meaning prescribed in

section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation

- e) 70The term 'Assistance Dog' shall mean a dog which has been trained to assist a person with a disability.

## **Penalty**

- 4) A person who is guilty of an offence under section 67(1) of the Act shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 5) An authorized person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67(1) of the Act in relation to the Order

THE COMMON SEAL OF THE ARUN DISTRICT COUNCIL

Hereunto affixed in the presence of:

Authorised signature:

Seal Book No:

Dated

## **SCHEDULE 1**

This Order applies to any land which is:-

- (i) 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) within the Arun District

The following land is exempted from the Order:

- a) Land used for agriculture or land used for forestry.

# THE ANTISOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014

## ARUN DISTRICT COUNCIL PUBLIC SPACE PROTECTION ORDER 2020

### The Dogs on Leads by Direction

Arun District Council hereby makes the following Order:

This Order comes into force on 06 November 2020 for a period of up to 3 years and may be extended, varied or discharged during this 3 year period.

#### 1. DOGS ON LEAD BY DIRECTION

This Order applies to the land specified in Schedule 2.

In this Order “an authorised officer of the Authority” means a person who is authorised in writing by the Authority for the purpose of giving directions under this Order.

#### **Offence**

- 1) 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 a person does not when asked by an authorized Officer, does not put and keep his or her dog on a lead.
- 2) For the purposes of this Order;
  - a) a person who habitually has a dog in his 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;
  - b) an authorised officer of the Authority may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which this Order applies or the worrying or disturbance of any animal or bird.

## **Penalty**

- 3) A person who is guilty of an offence under section 67(1) of the Act shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 4) An authorized person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67(1) of the Act in relation to the Order

THE COMMON SEAL OF THE ARUN DISTRICT COUNCIL

Hereunto affixed in the presence of:

Authorised signature:

Seal Book No:

Dated

## **SCHEDULE 2**

This Order applies to any land which is:-

- (i) 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) within the Arun District

The following land is exempted from the Order:

- (a) Land used for agriculture or land used for forestry.

# THE ANTISOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014

## ARUN DISTRICT COUNCIL PUBLIC SPACE PROTECTION ORDER 2020

### The Dogs Exclusion

Arun District Council hereby makes the following Order:

This Order comes into force on 06 November 2020 for a period of up to 3 years and may be extended, varied or discharged during this 3 year period

#### 1. DOGS EXCLUSION

This Order applies to the land specified in Schedule 3.

#### **Offence**

- 1) A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies unless -
  - a) He has a reasonable excuse for doing so; or
  - b) The owner, occupier of other person or authority having control of the land has consented (generally or specifically) to his doing so.
- 2) Nothing in this Order applies to a person who –
  - a) Is registered as blind person in a register compiled under section 29 of the National Assistance Act 1948; or
  - b) who has a disability and is in charge of an Assistance dog..
- 3) For the purposes of this Order –
  - a) A person who habitually has a dog in his 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; and
  - b) the expression 'disability' shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that
  - c) The term 'Assistance Dog' shall mean a dog which has been trained to assist a person with a disability.

## **Penalty**

- 4) A person who is guilty of an offence under section 67(1) of the Act shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 5) An authorized person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67(1) of the Act in relation to the Order

## **THE COMMON SEAL OF THE ARUN DISTRICT COUNCIL**

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## **SCHEDULE 3**

Children's play areas (fenced and unfenced), designated picnic areas, water bodies within parks and open spaces (fenced and unfenced), tennis courts, putting greens, pitch and putt courses, adventure/crazy golf courses, bowls greens, BMX tracks, skate parks and games courts, together with the following sites:

Hotham Park, Bognor Regis – fenced wildlife conservation area  
Littlehampton Miniature Railway between Norfolk Gardens and Mewsbrook Park, Littlehampton

**And between 1<sup>st</sup> May and 30<sup>th</sup> September, the following beaches;**

Bognor Regis Sailing Club Ramp (SZ 92869866), to Gloucester Road (SZ 94149900), Bognor Regis  
Canning Road (SZ 94979930) to Felpham Sailing Club (SZ 95129400), Felpham  
East Pier to Norfolk Road (TQ 03530135), Littlehampton

# THE ANTISOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014

## ARUN DISTRICT COUNCIL PUBLIC SPACE PROTECTION ORDER 2020

### The Dogs on Leads

Arun District Council hereby makes the following Order:

This Order comes into force on 06 November 2020 for a period of up to 3 years and may be extended, varied or discharged during this 3 year period

#### 1. DOGS ON LEADS

This Order applies to the land specified in Schedule 4.

#### **Offence**

- 1) 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 he does not keep the dog on a short lead on land specified in Part I of Schedule 4 and does not keep the dog on a lead on land specified in Part II of Schedule 4 unless –
  - a) He has a reasonable excuse for failing to do so; or
  - b) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- 2)
  - a) For the purposes of this article, a person who habitually has a dog in his 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
  - b) a short lead shall be taken to be a lead no longer than two metres in length and enables the person in charge of the dog to maintain control of the dog.

#### **Penalty**

- 3) A person who is guilty of an offence under section 67(1) of the Act shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 4) An authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67(1) of the Act in relation to the Order



## THE COMMON SEAL OF THE ARUN DISTRICT COUNCIL

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### **SCHEDULE 4**

#### **Part I**

Cemeteries and churchyards within the Arun District

#### **Part II**

Steyne Gardens, Bognor Regis  
Jubilee Gardens, Arundel  
Maltravers Leisure Gardens, Littlehampton  
Marina Gardens, Littlehampton  
Marine Park Gardens, Bognor Regis  
Norfolk Leisure Gardens, Littlehampton  
Jubilee Field, Bersted  
Top Road Playing Field, Slindon  
Felpham Beach Hut Greenswards (East and West), Felpham  
The Boardwalk, West Beach, Climping  
The Spinney, North Bersted  
Hotham Park, Bognor Regis - fenced boating lake area

**And between 1st May and 30th September each year, the following promenades:**

Bognor Regis Sailing Club Ramp (SZ 92869866) to Gloucester Road (SZ 94149900), Bognor Regis  
Canning Road to barrier 370 yards east of Blakes Road, Felpham  
Arun Parade to Norfolk Road, Littlehampton.