



Arun District Council

# Orders

Relating to the Control of Dogs

# **The Clean Neighbourhoods and Environment Act 2005**

The Dog Control Orders (Prescribed Offences and Penalties) Regulations 2006  
(S.I.2006/10059)

## **The Fouling of Land by Dogs**

(Arun District Council) Order 2009

The Arun District Council hereby makes the following Order:

1. This Order comes into force on 2nd November 2009
2. This Order applies to the land specified in the Schedule.

### **Offence**

3. (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 article 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) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.
  
- (3) For the purposes of this article -
  - (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) each of the following is a "prescribed charity" -

- (i) Dogs for the Disabled (registered charity number 700454);
- (ii) Support Dogs (registered charity number 1088281);
- (iii) Canine Partners for Independence (registered charity number 803680).

**Penalty**

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**SCHEDULE**

This Order applies to any land which is open to the air and 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 for woodlands.
- (b) Land which is predominantly marshland, moor or heath.

Given under the common seal of Arun District Council this 23rd day of September 2009

The Common Seal of the Arun District Council )  
 was hereunto fixed in the presence of:- )



Delwyn Jones  
**Authorised Signatory**

Seal Book No. 147/2009

I certify that this is a true copy of the original dated 23rd September 2009

.....

Wendy Ashenden-Bax  
**Solicitor to the Council**

# **The Clean Neighbourhoods and Environment Act 2005**

The Dog Control Orders (Prescribed Offences and Penalties) Regulations 2006  
(S.I.2006/10059)

## **The Dogs on Leads**

(Arun District Council) Order 2009

The Arun District Council hereby makes the following Order:

1. This Order comes into force on 2nd November 2009
2. This Order applies to the land specified in the Schedule.

### **Offence**

3. (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 lead 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) 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.

### **Penalty**

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**SCHEDULE**

Cemeteries and churchyards within the Arun District

And

- Steyne Gardens, Bognor Regis
- Jubilee Gardens, Arundel
- Maltravers Leisure Gardens, Littlehampton
- Norfolk Leisure Gardens, Littlehampton
- Jubilee Field, Bersted
- Top Road Playing Field, Slindon
- Felpham Beach Huts, 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:

- Park Road to Gloucester Road, Bognor Regis
- Canning Road to 370 yards east of Blakes Road, Felpham
- Arun Parade to Norfolk Road, Littlehampton

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Wendy Ashenden-Bax  
**Solicitor to the Council**

# **The Clean Neighbourhoods and Environment Act 2005**

The Dog Control Orders (Prescribed Offences and Penalties) Regulations 2006  
(S.I.2006/10059)

## **The Dogs on Leads by Direction**

(Arun District Council) Order 2009

The Arun District Council hereby makes the following Order:

1. This Order comes into force on 2nd November 2009
2. This Order applies to the land specified in the Schedule.
3. In this Order “an authorised officer of the Authority” means an employee of the Authority who is authorised in writing by the Authority for the purpose of giving directions under this Order.

### **Offence**

4. (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 comply with a direction given him by an authorised officer of the Authority to put and keep the dog on a lead 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) For the purposes of this article -
  - (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**

5. A person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**SCHEDULE**

This Order applies to any land which is open to the air and 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 for woodlands.
- b) Land which is predominantly marshland, moor or heath.

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Wendy Ashenden-Bax  
**Solicitor to the Council**

# The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Prescribed Offences and Penalties) Regulations 2006  
(S.I.2006/10059)

## The Dogs Exclusion (Arun District Council) Order 2009

The Arun District Council hereby makes the following Order:

1. This Order comes into force on 2nd November 2009
2. This Order applies to the land specified in the Schedule.

### Offence

3. (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 or other person or authority having control of the land has consented (generally or specifically) to his doing so.
  
- (2) Nothing in this article 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) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
  - (c) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity
  
- (3) For the purposes of this article -
  - (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) each of the following is a "prescribed charity" -
    - (i) Dogs for the Disabled (registered charity number 700454);
    - (ii) Support Dogs (registered charity number 1088281);
    - (iii) Canine Partners for Independence (registered charity number 803680).



**Penalty**

- 4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**SCHEDULE**

Children’s play areas, tennis courts, putting greens, pitch and putt courses, adventure golf courses, and crazy golf courses, bowls greens, BMX tracks, skate parks and games courts, together with the following sites:

- Marina Gardens, Littlehampton
- Marine Park Gardens, Aldwick
- Blakes Road Leisure Gardens, Felpham
- Hotham Park, Bognor Regis – fenced wildlife conservation area

And between 1st May and 30th September, the following beaches:

- Park Road (SZ 92799863), 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

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**Authorised Signatory**

Seal Book No. 145/2009

I certify that this is a true copy of the original dated 23rd September 2009

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Wendy Ashenden-Bax  
**Solicitor to the Council**

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