

The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.)
Regulations 2006 (S.I.2006/1059)

The Fouling of Land by Dogs (Borough of Bournemouth) Order 2011

The Council of the Borough of Bournemouth (in this Order called “the Council”) hereby makes the following Order:

1. This Order comes into force on 12th April 2011
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.

THE SCHEDULE

1. All carriageways with a speed limit of 40 mph or less and adjoining footpaths and verges;
2. All adopted roads, bridleways, footpaths and byways to which, and over which, members of the public have access;
3. All Council owned car parks;
4. All open spaces maintained by the Council, including Countryside areas and Local Nature Reserves;
5. All pleasure grounds, public gardens and parks;
6. All wooded areas other than commercial woodland;
7. All sports grounds and recreation grounds;
8. All school playing fields;
9. All housing amenity areas, external communal areas and adjoining footpaths;
10. All churchyards, cemeteries and crematoria;
11. All land (not otherwise herein designated) which is maintained by the Council.

The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.)
Regulations 2006 (S.I.2006/1059)

The Dogs on Leads (Borough of Bournemouth) Order 2011

The Council of the Borough of Bournemouth hereby makes the following Order:

1. This Order comes into force on 12th April 2011
2. This Order applies to the land specified in Schedule A

Offence

3. (1) A person in charge of a dog shall be guilty of an offence if, at anytime, 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.

The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc)
Regulations 2006 (SI 2006/1059)

Dogs on Leads by Direction (Borough of Bournemouth) Order 2011

The Council of the Borough of Bournemouth (in this order called “the Council”) hereby makes the following Order:

1. This Order comes into force on 12th April 2011
2. This Order applies to all land in the Borough which is open to the air and to which the public are entitled or permitted to have access (with or without payment) including (but not restricted to) commons, footpaths, verges, car parks, pedestrianised areas, sports fields and pitches, village or town greens, parks, gardens and other community amenity open spaces including Local Nature Reserves.
3. In this Order “an authorised officer of the Council” means an employee of the Council who is authorised in writing by the Council 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 to him by an authorised officer of the Council 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 Council 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.

The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.)
Regulations 2006 (S.I.2006/1059)

The Dogs Exclusion (Borough of Bournemouth) Order 2011

The Council of the Borough of Bournemouth hereby makes the following Order:

1. This Order comes into force on 12th April 2011
2. This Order applies to the land specified in Schedule B

Offence

3. (1) A person in charge of a dog shall be guilty of an offence if, at anytime, 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 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; 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.

Dated the day of 2011

THE COMMON SEAL of THE COUNCIL

OF THE BOROUGH OF BOURNEMOUTH

was hereunto affixed in the presence of:

Authorised Signatory

The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2006 (S.I.2006/1059)

Schedule A - Dogs to be kept on a lead in the following areas:

1. All public highways in the Borough of Bournemouth, including all classes of road whether made or unmade, capable of carrying motorized vehicle traffic, excluding footpaths and rights of way not normally intended for public vehicular access.
2. All pedestrian footways and verges adjacent to bowls greens;
3. Sports grounds, fields, greens and pitches, when in use;
4. All allotment sites;
5. Grazing land, when in use;
6. The Bournemouth Town Centre and Boscombe Town Centre pedestrian precinct areas;
7. The following parks and gardens:

Alum Chine Tropical Gardens, Boscombe Cliff Gardens, Boscombe Gardens formal garden (Christchurch Road to the bridge) and the Edwardian Gardens at the seaward end; Central Gardens; Fisherman's Walk pond and formal garden; Knyveton Gardens and Sensory Gardens; Lower Gardens (including Westover Gardens); Tuckton Tea Gardens.

Schedule B - Dogs to be prohibited from the following areas:

1. All play areas;
2. All enclosed sports facilities, including tennis courts, multi-use games areas (enclosed kick about areas), enclosed cycling facilities, skate parks, bowls greens, athletic facilities, golf facilities, including putting greens, mini golf and driving ranges;
3. All paddling pools (including enclosed areas surrounding paddling pools), ponds and lakes;
4. Areas of special conservation and sensitive grazing areas, as indicated by signs on site;
5. All churchyards, cemeteries and crematoria.
6. Flower Beds, Shrub borders and areas of planting.
7. School playing fields unless otherwise indicated by signage.