ROther District Council (in this order called “the Authority”) hereby makes the following Order:

This Order comes into force on 8th January 2018 for a period of 3 years.

Offences

1. Fouling

If within the administrative area of the Authority (as shown edged black on Plan 1) and described at paragraph 1.1, below a dog defecates at any time on land to which the public or any section of the public have access, on payment or otherwise, as of right or by virtue of express or implied permission and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless

(a) he has reasonable excuse for failing to do so; or
(b) the owner, occupier of other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

1.1 Any land within the administrative area of Rother District Council (as shown edged black on Plan 1) which is open to the air, including covered land which is open to the air on at least one side and to which the public are entitled or permitted to have access (with or without payment) of the following descriptions:

(a) Any highway, footways, footpaths, twittens, promenades, steps and towpaths within the area of Rother District Council and any adjoining verges or ornamental areas, which are maintained at the public expense. This may include some areas of access land.
(b) All pedestrianised areas within the Rother District Council.
(c) All Parks, Gardens, Recreation and Sports Grounds, Commons, Amenity Areas of other open spaces owned, occupied or maintained by...
or on behalf of any of: Rother District Council, East Sussex County Council, Hastings Borough Council, a registered social landlord/housing association, any town or parish council within Rother District, any other public authority or any charity.

(d) Any cemetery, burial ground or churchyard.
(e) Any public car park or parking space.
(f) All beaches and dunes.


2. Dogs on Leads by Direction

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority (as shown edged black on Plan 1) he/she does not comply with a direction given to him/her by an Authorised Person to put and keep the dog on a fixed lead unless:

(a) He/she has 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/her failing to do so
(c) An Authorised Person may only give a direction under this order to put and prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any person (on any land to which this order applies) or the worrying or disturbance of any animal or bird.

3. Dogs on Leads in Designated Areas

A person in charge of a dog shall be guilty of an offence if, during the times specified in Schedule 1 on any land to which this Order applies (detailed in Schedule 1) he/she does not keep the dog on a lead, unless:

(i) He/she has reasonable excuse for failing to do so: or
(ii) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.

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Schedule 1

4. Dogs on Leads in Designated Areas

Part A (all year)

Battle – High Street, Market Square, Market Road and Market Road Car Park, Mount Street from the High Street to the entrance to the Car Park, Abbey Court and the Recreation Grounds at North Trade Road and at Telham (as shown on Plan 2)

Beckley – Beckley Sports and Recreation Ground; Buddens Green (by Buddens Green Houses) and the School Field (Beckley CE School) (as shown on Plan 3)

Bexhill – Egerton Park and Manor Gardens (as shown on Plan 4)
Burwash – High Street (as shown on Plan 5)

Etchingham – Queens Gardens (as shown on Plan 6)

Iden – Burial Ground; Churchyard; Children’s Play Area; Sports Pavilion (as shown on Plan 7)

Northiam – Playing Fields and Village Green, Main Street; St Mary’s Churchyard (as shown on Plan 3)

Salehurst and Robertsbridge – The Clapper Recreation Ground (Northbridge Street)
Robertsbridge (as shown on Plan 8)

Sedlescombe – Sportsfield (as shown on Plan 9)

Udimore – Play Area adjacent to Lower Cross Cottages (as shown on Plan 10)

**Part B (1 May to 30 September)**

Bexhill – The Promenade (between Groynes 34 and 78) and the Metropole or Jubilee Lawns

**Specification of times or periods during which the offence is to apply.**
The Order applies to the land designated in Part A of Schedule 1 all year and the land designated in Part B of Schedule 1 between 1 May and 30 September.

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**Schedule 2**

**Exclusion of Dogs from Designated Areas**

Specification/description of land, or lands, to which the Order applies

**Part A (all year)**

Bowling Greens
Enclosed Children’s Play Areas
Sports and Playing Fields under the control of educational establishments
Ornamental Planted Areas of Public Walks and Pleasure Grounds

Bexhill Cemetery, Turkey Road, Bexhill-on-Sea (as shown on Plan 1)
Hastings Cemetery (part within Rother District) (as shown on Plan 2)
Northiam Cemetery (as shown on Plan 3)
Rye Cemetery, Rye Hill (as shown on Plan 4)

Walled Garden at Manor Gardens, Bexhill-on-Sea

Brede – Recreation Ground, Udimore Road, Broad Oak (as shown on Plan 5)
Camber – Jubilee Green, Lydd Road (as shown on Plan 6)
Crowhurst – George VI Recreation Ground, Hastings Road (as shown on Plan 7)
Ewhurst – Staplecross Playing Field, Northiam Road, Staplecross (as shown on Plan 8)
Ewhurst – The Herdman Bequest Playing Field, Village Street, Ewhurst Green (as shown on Plan 8)
Guestling Playing Field (as shown on Plan 2)

Public Spaces Protection Order
Sedlescombe – Red Barn Field Nature Park (as shown on Plan 9)  
Westfield – Recreation Ground, Church Lane (as shown on Plan 9)

**Part B (1 May to 30 September)**

Bexhill Beach between Brockley Road and Sea Road.

Camber beach and dunes bounded on the east by an imaginary straight line from the south west corner of 21 The Suttons and extending seawards at an angle of 90 degrees to the low water mark; bounded on the west by an imaginary straight line from the end of the footpath that leads to the shoreline from the central public car park conveniences in Western Car Park and extending seawards at an angle of 90 degrees to low water mark; and bounded on the north by an imaginary line on the boundary of the dunes (marked by location posts) and continuing to 21 The Suttons to the seaward side of the buildings.

That part of the seashore at Pett Level located between the western edge of the slipway adjacent to St Nicholas Church westwards towards Fairlight Cliffs for 150 metres. (as shown on Plan 10)

That part of the seashore at Dogs Hill, Winchelsea Beach located from the eastern edge of the access steps adjacent to the public convenience and westwards for 558 metres to the western edge of the access steps to the beach. (as shown on Plan 10)

**Specification of times or periods during which the offence is to apply.**

The Order applies to the land designated in Part A all year and the land designated in Part B between 1 May and 30 September.

5. Exclusion

A person in charge of a dog shall be guilty of an offence if, during the times specified in Schedule 2, he/she takes the dog onto, or permits the dog to enter or to remain on, any land detailed in Schedule 2 unless:

(a) He/she has reasonable excuse for failing to do so, or  
(b) The owner, occupier of other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.

6. Authorised person

For the purpose of the above prohibitions an “Authorised Person” means a constable, a police community support officer or a person so authorised by Rother District Council.

7. Exemptions

Nothing in this order shall apply 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/she relies for assistance; or
(c) Has a disability which affects his/her 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/she relies for assistance;
(d) Has an accredited assistance dog.

For the purposes of this order –

- A person who habitually has a dog in his/her possession shall be taken to be in charge of the dog at any time unless that time some other person is in charge of the dog;
- 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;
- 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.
- Each of the following is “prescribed charity” –
  - Dogs for the Disabled (registered charity number 700454)
  - Support Dogs Limited (registered charity number 1088281)
  - Canine Partners for Independence (registered charity number 803680).

8. Penalty

If any of the conditions are breached a Fixed Penalty Notice may be issued and failure to pay may lead to a prosecution.

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

THE COMMON SEAL of
ROTHER DISTRICT COUNCIL
Was hereunto affixed the

Authorised signatory

Public Spaces Protection Order
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ROther District Council
Environmental Health Service
Tel: 01424 787550
Fax: 01424 787547
Head of Environmental Health

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Schedule 1 Dogs on Leads

Drawn: Iden

Survey:

Table:

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Title: Schedule 2 Dog Exclusions

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