

## 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 Kingsclere Parish Order 2007

The Kingsclere Parish Council hereby makes the following Order:

1. This Order comes into force on 1<sup>st</sup> December 2007
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.

7<sup>th</sup> November 2007



Clerk to Kingsclere Parish Council

## SCHEDULE

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

The Dell Recreation Ground  
The Fieldgate Centre non playing areas  
The Malt House Open Space  
St Mary's Churchyard  
Long Meadow Open Space

**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 Kingsclere Parish Order 2007**

The Kingsclere Parish Council hereby makes the following Order:

1. This Order comes into force on 1<sup>st</sup> December 2007.
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.

7<sup>th</sup> November 2007



Clerk to Kingsclere Parish Council

**SCHEDULE**

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

The Fieldgate Centre non playing areas

St Mary's Churchyard

The Malt House Open Space

**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 by Direction Kingsclere Parish Order 2007**

The Kingsclere Parish Council (in this Order called "the Authority") hereby makes the following Order:

1. This Order comes into force on 1<sup>st</sup> December 2007.
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.

7<sup>th</sup> November 2007



Clerk to Kingsclere Parish Council

## SCHEDULE

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

The Dell Recreation Ground

Ecchinswell Rd Burial Grounds

The Fieldgate Centre

The Holding Field

Longcroft Allotments

The Malt House Open Space

**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 Kingsclere Parish Order 2007**

The Kingsclere Parish Council hereby makes the following Order:

1. This Order comes into force on 1<sup>st</sup> December 2007.
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 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.

7<sup>th</sup> November 2007



Clerk to Kingsclere Parish Council

## SCHEDULE

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

The fenced children's play area of the Dell Recreation Ground

The Strokins Rd children's play area

The Longcroft children's play area

The Long Meadow children's play area

Kingsclere Primary School

The Holding Field

The Fieldgate Centre playing fields

The Ecchinswell Rd Burial Grounds

The Longcroft Allotments

**The Clean Neighbourhoods and Environment Act 2005**

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

**The Dogs (Specified Maximum) Kingsclere Parish Order 2007**

The Kingsclere Parish Council hereby makes the following Order:

1. This Order comes into force on 1<sup>st</sup> December 2007.
2. This Order applies to the land specified in the Schedule
3. On land to which this Order applies, the maximum number of dogs which a person may take onto that land is 3.

**Offence**

4.—(1) A person in charge of more than one dog shall be guilty of an offence if, at any time, he takes onto any land in respect of which this Order applies more than the maximum number of dogs specified in article 3 of this Order, 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) 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**

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.

7<sup>th</sup> November 2007



Clerk to Kingsclere Parish Council

**SCHEDULE**

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

- The Dell Recreation Ground
- The Fieldgate Centre non playing areas
- St Mary's Churchyard
- The Malthouse Open Space