

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

DERBYSHIRE DALES DISTRICT COUNCIL - DOG CONTROL PUBLIC SPACES PROTECTION ORDER 2018

Derbyshire Dales District Council ("the Council") in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") and of all other enabling powers being satisfied that the conditions set out in section 59 of the Act have been met hereby makes the following order:

1. The effect of this order is to impose the following prohibitions and/or requirements in the public places described in the Schedules to this order and where appropriate shown edged in red on the plans annexed to this order.

OFFENCES:

2. FOULING OF LAND BY DOGS

- a. If a dog defecates at any time on land to in schedule 1 of this order 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
 - i. He 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 failing to do so.
 - iii. That person is subject to the exemptions listed in article 6.

3. DOGS ON LEADS

- a. A person in charge of a dog shall be guilty of an offence if, at any time, on any land referred to in schedule 2 of this order, he does not keep the dog on a lead of not more than 1.5 metres in length unless—
 - i. he has a 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 failing to do so.

4. DOGS ON LEAD BY DIRECTION

- a. A person in charge of a dog shall be guilty of an offence if, at any time, on any land referred to in schedule 3 of this order, he does not comply with a direction given him by an authorised officer of the Council to put and keep the dog on a lead of not more than 1.5 metres in length unless—
 - i. he has a 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 failing to do so.
- b. For the purposes of this article –

- i. 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.

5. DOGS EXCLUSION

- a. 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 referred to in schedule 4 unless –
 - i. he has a 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 failing to do so.
 - iii. That person is subject to the exemptions listed in article 6

6. EXEMPTIONS

- a. Nothing in articles 2 and 5 shall apply to a person who –
 - i. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
 - ii. 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
 - iii. has a disability which affects his mobility, manual dexterity, physical coordination 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; or
 - iv. is training an assistance dog for one of the prescribed charities or such other charity/approved body as is considered appropriate by the Council.
- b. Nothing in this order shall apply to the normal activities of a working dog, whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of Her Majesty's armed forces; and farm dogs that are being used to herd or drive animals.

7. For the purpose 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 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. An “authorised officer of the authority” means an employee, partnership agency or contractor of the Council who is authorised in writing by the Council for the purpose of giving direction under the order.
- e. 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).

8. PENALTY

A person guilty of an offence under this order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or fixed penalty notice of a maximum £100.

9. IN FORCE

This Public Spaces Protection Order shall come into effect on [DATE] for a period of three years until [DATE].

Dated this day of 2018

the COMMON SEAL of DERBYSHIRE DALES DISTRICT COUNCIL was hereto affixed in the presence of:

Head of Corporate Services
No. in deeds register

SCHEDULE 1

FOULING OF LAND BY DOGS

Description of land to which Schedule 1 applies:

1. Any land within the administrative area of Derbyshire Dales District Council which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

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SCHEDULE 2

DOGS ON LEADS

Description of land to which Schedule 2 applies:

Ashbourne

Ashbourne Cemetery, Mayfield Road
Ashbourne Recreation Ground, Cokayne Avenue (11am – 4pm)
Memorial Gardens, Cokayne Avenue
Bankcroft Picnic Area, King Edward Street
Brickyard Play Area, Old Derby Road

Bakewell

Cemetery and Memorial Gardens, Burton Edge
Bakewell Recreation Ground, Haddon Road (11am – 4pm)
Bath Gardens, Bath Street
Riverside Walk, Granby Road

Bonsall

Memorial Gardens, Yeoman Street
Bandstand at the Cross, Yeoman Street
Old School Yard at the Village Hall, The Dale
Nether Green, Clatterway

Brailsford

Brailsford Cemetery, Church Lane

Brassington

Cemetery, Church Street
Recreational Field, South of Green View
Picnic Area, Wirksworth Dale
Village Pond, Middle Lane
Village Green, Meadow Rise

Cromford

Memorial Gardens, Market Place
Steeple Arch Cemetery, Oakerthorpe Road
St Marks Churchyard, Hawthorn Drive
War Memorial, Scarthin

Darley Dale

Darley Dale Cemetery, Dale Road North

Doveridge

Playing Fields, Sand Lane
Doveridge Burial Ground, Upswood Road
Meadow View Pathway, Meadow View

Foolow

Foolow Village Green, Main Road

Hulland Ward

Area of Land on Moss Lane

Kniveton

Village Recreational Ground/School Playfield, Main Street

Matlock

Play Area, Cavendish Road
Diana Memorial Gardens, Dimple Road
Wellfield Allotments, Wellfield
Megdale Community Garden, Megdale
Allen Hill Park, Allen Hill
Picnic Area, Artist Corner
Swan House Picnic Area (Pig Meadow), Dale Road
War Memorial Pic Tor, Knowleston Place
Hall Leys Park, Causeway Lane (11am – 4pm)
Sensory Garden, Old English Road
Starkholmes War Memorial, Starkholmes Road

Matlock Bath

Derwent Gardens, Derwent Avenue
Lovers Walk Park Area, Lovers Walk
Memorial Gardens, North Parade
Pavilion Park Area, South Parade
Riverside Picnic Area, Dale Road

Middleton by Wirksworth

Cemetery, Main Street
Village Green, Main Street

South Darley

The Plantation, Cross Green

Stoney Middleton

Playing Fields, The Avenue

Tansley

Village Green, Church Street
Heathy Lea Sports Field Marked Sport Pitches, Nottingham Road
Church Yard & Burial Ground, Church Street
Footpath from Gold Hill to Spout Lane

Winster

Winster Churchyard, Elton Road
Winster Cemetery, Elton Road

Wirksworth

Fanny Shaw Cemetery, Cromford Road
Memorial Gardens, St John Street
St Marys Church Yard, Church Walk
Play Area, Wash Green

INSERT MAPS

SCHEDULE 3

DOGS ON LEADS BY DIRECTION

Description of land to which Schedule 3 applies:

Ashbourne

Play Area, Cavendish Drive
Recreation Ground, Cokayne Avenue (4pm – 11am)
Play Area, Old Derby Road
Fishpond Meadow, Park Road
Play Area, Highfield Road
Play Area, Thorpe View

Bakewell

Bakewell Recreation Ground, Haddon Road (4pm – 11am)

Bonsall

Play Area, Clatterway

Darley Dale

Recreation Area, Broadwalk
Play Area, Park Avenue
Recreation Area, The Avenue, Northwood
Play Area, Willow Way
Whitworth Park, Station Road
Recreation Area, Morledge

Matlock

Orchard Play Area, Hazel Grove
Dimple Recreation Ground, Megdale
Hall Leys Park, Causeway Lane (4pm – 11am)
Starkholmes Playing Field, Starkholmes
Denefields, Steep Turnpike
Hurst Rise Playing Fields, Hurst Rise

Middleton By Wirksworth

Playing Fields, Chapel Lane

Wirksworth

Bolehill Playing Fields, Old Lane
Fanny Shaws Playing Fields, Cromford Road
Gorsey Bank Playing Area, Gorsey Bank
Yokecliffe Play Area, Yokecliffe Drive

INSERT MAPS

SCHEDULE 4

DOGS EXCLUSION

Description of land to which Schedule 4 applies:

Ashbourne

Play Equipment, Cavendish Drive
Ashbourne Recreation Ground Enclosed Play Area, Cokayne Avenue
Ashbourne Recreation Area Tennis Courts, Cokayne Avenue
Ashbourne Recreation Bowls Ground, Cokayne Avenue
Enclosed Play Area, Old Derby Road
Play Equipment, Highfield Road
Multi Games Area, Highfield Road
Enclosed Play Area, Thorpe View

Ashford in the Water

Hall Orchard Playing Field, Court Lane

Bakewell

Bakewell Recreation Ground Enclosed Play Area, Haddon Road
Bakewell Recreation Ground Tennis Courts, Haddon Road

Ballidon & Bradbourne

Enclosed Play Area, Mill Lane

Bonsall

Enclosed Play Area, Clatterway

Bradwell

Recreation Ground, Gore Lane
Recreation Ground, Brookside
Peace Gardens, Church Street

Brailsford

Enclosed Play Area, The Plain

Brassington

Enclosed Play Area, Meadow Rise

Chelmorton

Enclosed Play Area, Main Street

Cromford

Enclosed Play Area, North Street
School Playing Fields, North Street

Darley Dale

Play Equipment, Broadwalk
Play Equipment, Park Avenue

Play Equipment, Northwood Recreation Area
Play Equipment & Enclosed Play Area, Willow Way
Enclosed Play Area, Station Road

Hathersage

King George Playing Fields, Back Lane

Hognaston

Play Area, Old Bakery Close

Hulland Ward

Play Area, Ashes Avenue

Kniveton

Village Recreational Ground/School Playing Field Enclosed Play Areas, Main Street

Matlock

Play Equipment, Cavendish Road
Play Equipment at Orchard Play Area, Hazel Grove
Play Equipment at Dimple Recreation Ground, Megdale
Enclosed Play Area, Hall Leys Park, Causeway Lane
Bowls Area, Hall Leys Park, Causeway Lane
Tennis Courts, Hall Leys Park, Causeway Lane
Skate Park, Hall Leys Park, Causeway Lane
Enclosed Play Area, Smedley Street
Enclosed Play Area, Starkholmes
Play Equipment, Hurst Rise Playing Fields, Hurst Rise
Multi Games Area, Hurst Rise Playing Fields, Hurst Rise

Matlock Bath

Enclosed Play Area, Derwent Gardens
Enclosed Play Area, Lovers Walk

Middleton by Youlgrave

Enclosed Play Area, Weadow Lane

Middleton by Wirksworth

Enclosed Play Area and Play Equipment, Chapel Lane
Millennium Gardens, Stile Croft

Rowsley

Play Area, Chatsworth Road
Enclosed Play Area, Woodhouse Road

Stanton in the Peak

The Green & Play Area, The Green

Stoney Middleton

Enclosed Play Area, The Avenue

Sudbury

Sudbury Sports Field, Main Street

Tansley

Enclosed Play Area, Tansley Village Green, Church Street

Winster

Enclosed Play Area, Woodhouse Lane

Wirksworth

Play Equipment, Bolehill Playing Field, Old Lane

Play Equipment, Fanny Shaws Playing Field, Cromford Road

Enclosed Play Area, The Dale

Play Equipment, Multi Games Area & Enclosed Play Area, Gorsey Bank

Play Equipment, Yokecliffe Park

Enclosed Play Area, Millers Green

Youlgrave

QE11 Playing Fields, Alport Lane

Play Area, Coldwell End

Allotments, Coldwell End

INSERT MAPS

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