



EAST DEVON DISTRICT COUNCIL

The Anti Social Behaviour Crime and Policing Act 2014

Public Spaces Protection Order 2020 Control of Dogs

This Order is made by East Devon District Council ("The Council") under the Anti-Social Behaviour, Crime and Policing Act 2014 Section 59 ("the Act") and remains in force for a period of 3 years from the date of the Order.

1. This Order relates to:

- (i) All land which is in the administrative area of the Council and defined by the line edged red on the plan attached to this Order and which is open to the air (which includes land that is covered but 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), (" the restricted area"),

And

- (ii) the designated areas described in the Schedule below and defined in each of the plans attached to this Order being public spaces in the Council's administrative area to which the Act applies:
- (iii) Except land that is placed at the disposal of the Forestry Commissioner under section 39 (1) of the Forestry Act 1967

2. The Council is satisfied that the 2 conditions below have been met, in that:

- (a) Activities carried out in the restricted areas as described below, have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public places and that they will have such an effect. The said activities being dog fouling, dog(s) off lead, dogs in exclusion areas.

- (b) The effect or the likely effect of the activities described above, is, or is likely to be of a persistent or continuing nature, is, or is likely to be such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

BY THIS ORDER

3. The effect of this Order is to impose the following prohibitions and/or requirements at all times:

In the restricted areas any person who does not comply with the following requirements commits an offence:

Fouling

If within the restricted area a dog defecates at any time on land to 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, and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith and properly dispose of it, 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.

For the purposes of this Order:

- i) A person registered as blind in a register compiled under section 29 of the National Assistance Act 1948 shall not be guilty of an offence if they are alone with the dog and unable to remove the faeces;
- ii) A person with a disability which affects his mobility, manual dexterity, physical coordination or ability to lift and who relies for assistance on a dog trained by a prescribed charity shall not be guilty of an offence if they are alone with the dog and unable to remove the faeces. A "prescribed charity" is:
 - Dogs for the Good (Registered Charity no. 1092960)

- Support Dogs (Registered Charity no.1088281)
 - Canine Partners for Independence (Registered Charity no. 803680)
- iii) Taking the faeces away from the land for proper disposal elsewhere or placing the faeces in a receptacle on the land, either a litter bin or dog waste bin, shall be sufficient removal from the land.
- iv) Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

Dog(s) on lead on roads and pavements

A person in charge of a dog shall be guilty of an offence if, at any time within the restricted area, he does not keep his dog on a lead less than 1m in length whilst on a public road or on a pavement adjacent to a road, unless he has reasonable excuse for failing to do so.

- (i) Failing to have a lead in his possession at the time shall not be a reasonable excuse for failing to do so.
- (ii) In this order 'a road' is a 'highway with a right of passage for motor vehicles'.

Dog(s) on lead by direction

A person in charge of a dog shall be guilty of an offence if, at any time within the restricted area, he does not comply with a direction given to him by an authorised officer of the council or a Police Officer to put and keep the dog on a lead 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.

An authorised officer or Police Officer may only give a direction under the 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 or the worrying or disturbance of any animal or bird.

- (i) Failing to have a lead in his possession at the time shall not be a reasonable excuse for failing to do so.

No more than 6 dogs

On land to 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, the maximum number of dogs which a person may take onto the land is 6 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.

Dog(s) on lead Areas

A person in charge of a dog shall be guilty of an offence if, at any time on land designated as a Dog on Lead Area detailed in the Schedule below, he does not keep the dog on a lead 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) failing to have a lead in his/her possession at the time shall not be a reasonable excuse for failing to do so.

Dog Exclusion Areas (except Beaches)

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 designated as a Dog Exclusion Area detailed in the Schedule below 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.

4. The Order will remain in force for a period of 3 years from the date of this Order, unless extended by further Orders under the Council's statutory powers.
5. 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 or a fixed penalty notice of £80.

Liability to conviction for the offence may be discharged by the payment of a fixed penalty notice issued by an authorised officer or police officer. The amount of the fixed penalty notice shall be £80 and it shall be payable to East Devon District Council.

Where a fixed penalty notice is issued no proceedings will be taken for the offence before the end of the period of 14 days following the date of the notice. The person served may not be convicted of the offence if the fixed penalty notice is paid before the end of the 14 day period.

An authorised officer means an employee of the Council, or other person who is authorised in writing by the Council, or a Police Officer for the purpose of giving directions or carrying out enforcement under this order

THE SCHEDULE

The following designated areas are Dog exclusion areas and Dog on lead areas (other than on the Seashores and Promenades):

Axminster

Dog exclusion areas	Dog on lead areas
Land at First Avenue (to rear of Millwey Rise shops)	Axminster cemetery
Millwey Rise play park and football field	St Mary's churchyard
Banners Glen play area	The Old Court House Gardens (Church Street)
Foxhill play park, field and triangle	Loretto Road/ Cridlake recreation ground
North Street/ Willhays play park and field	
Lynch Close play area	
Axe Valley Community College (entire grounds)	
Axminster County Primary Academy (entire grounds)	

St Mary's Catholic Primary School	
Land at Woodbury Park	

Axmouth

Dog exclusion Areas	Dog on lead Areas
Jubilee Playground	From the junction with B3172 to 'The Old Harbour House'

Beer

Dog exclusion areas	Dog on lead areas
Jubilee Memorial Garden play area	Jubilee Memorial Gardens (Sea Hill)
Ash Hill play area	Charlie's Yard
Underleys play park	

Branscombe

Dog exclusion areas	Dog on lead areas
Branscombe play park	Branscombe playing field

Broadclyst

Dog exclusion areas	Dog on lead areas
Holly Close playground	Holly Close recreation field

Broadhembury

Dog exclusion areas	
Broadhembury Primary School site and field	
Broadhembury Play Park	

Budleigh Salterton

Dog exclusion areas	Dog on lead areas
Greenway Lane play area	Greenway Lane playing field
Lime Kiln skate park	
Lime Kiln play area	
Norman Crescent play area	

Chardstock

Dog exclusion areas	Dog on lead areas
Chardstock play area	Chardstock Community Hall car park

Clyst Honiton

Dog exclusion areas
Play area adjacent Old Church Hall

Clyst St Lawrence

Dog exclusion areas
Foretown Estate play area

Clyst St Mary

Dog exclusion areas
Clyst St Mary playground (adjacent to village hall)

Collaton Raleigh

Dog exclusion area
Play park, Church Road

Colyford

Dog exclusion areas
Whitwell Lane play park

Colyton

Dog exclusion areas
Peace Memorial playing field
Road Green playground
Colyton Picnic site (Hillhead)

Cranbrook

Dog exclusion areas
Hayes Square play park
St Martins play park
Londinium Way play park, Rockbeare
Cranbrook Nature Reserve south of old A30
Ingrams Sports Pitches
Phase 3 Country Park play area
Crannaford Allotments play area
Northwood Acres play area
Southbrook Meadow play area

Dunkeswell

Dog exclusion areas
Dunkeswell New Century Park, Highfield Road
Dunkeswell sports field, BMX track and allotments, Liberator Way
Churchill playground (Old Dunkeswell)

Exmouth

Dog exclusion areas	Dog on lead areas
Carter Avenue play area and MUGA (King George's Field)	The Pavilion Grounds
Children's Play Area -The Maer Exmouth (Maer play trail)	Manor Gardens
Imperial Recreation Ground play area	The Strand
Phear Park skate park and BMX area	Warren View playing fields
Phear Park play park	
Withycombe Raleigh football field	Truro Drive land surrounding children's play area
Cheriswood Avenue play area	Carter Avenue playing field (King George's Field)
Ashfield Close play area (Liverton Copse)	
Brixington Lane play ground	
Ivydale play area	
The Crescent play area (Littleham) and MUGA	
West Down Lane play area (Littleham Village Hall)	
Durham Close play area	

Truro Drive play area	
Keats Close play area	
Brittany Road play area (Lady Byron)	
Byron Way play area	
Betjeman Drive play area	
St Sevan Way/ St Malo playground	
Redgates' play area at Hadrians Way	
Thomas Close play area (Poets Corner)	
Whitman Close play area	
Queens Drive Space play area	

Exton

Dog exclusion areas
Exton play area (opposite The Puffing Billy)
Goosefield

Feniton

Dog exclusion areas
The Signals play area
Coventry Close play area and allotments
Ely Close play area

Honiton

Dog exclusion areas	Dog on lead areas
Upland Chase Play Area	The Glen

Willow Walk play area	The following footpaths:
Biddington Way play area	The permissive path from Battishorne Way to Roundball Wood
Heron Road playground	Farway Common Road via golf course to Wad Moor Lane
St Leonard's play area	
Langford Avenue play area	Footpath 1. From opposite Hawthorn Close to the rear of Millhead Road to Ernsborough Gardens
Jerrard Close play area	Footpath 3. Vine Inn Yard/ Greyhound Plot/ Northcote Lane
Millers Way play area (Davey playing field)	Footpath 4. High Street to Chapel Street and St Michael's Day Centre
Mountbatten playing field	Footpath 6. From Church Hill to Pine Park Road
Allhallows play area (Northcote Lane)	Footpath 7. Pine Park Road Railway Bridge through Westcott Way and Orchard Way to the roundabout on Kings Road
Allhallows skate park (School Lane)	Footpath 8. Through the Glen into Parsonage Lane
Charles Road play area	Footpath 9. Top of Church Hill through Lych Gate past St Michael and All Angels Church into Lower Marlpits Hill
Pale Gate Close play area	Footpath 10. From St Michael and All Angels Church through cemetery and into Gardiners Lane
Glen Farm play area	Footpath 11. From Church Hill through part of Avenue Mezidon-Canon to Haydons Park
Dove Close play area	Footpath 12. From Beech Grove past Hale Farm and into Axminster Road
Whitebridges play area (Honiton Bottom Road)	Footpath 13. From Hale Farm to Northcote Hill past Perrie Hale Nursery

Cherry Close play area (Old Elm Road)	Footpath 14. From Hale Farm to Hutgate Lane and onto Northcote Hill Farm
Butts Close play area	Footpath 15. From footpath 12 east of Hale Farm to and across Axminster Road to Springfield Road (both paths).
St Marks play area	Footpath 17. Lower Marl pits Hill through golf course and into Farway Common Road
Woodmans Park (Crosscut Way)	Footpath 19. From Langford Road near Langford Bridge to Monkton Road
Brand Lane play area	Footpath 23. Higher Brand Lane at Gardiners Cross to Weatherill Road opposite Buttery Road
Phillips Square play area	Footpath 24. From Rosemount Lane to Millers Way
	Footpath 25. Church Street between High Street and Silver Street

Luppitt

Dog exclusion areas
Luppitt sports field
Play area, Millrise

Lympstone

Dog exclusion areas	Dog on lead areas
Candy's field play area	Candy's playing field

Membury

Dog exclusion areas
Playing fields

Newton Poppleford

Dog exclusion areas
Back Lane play park and playing field

Otterton

Dog exclusion areas
Behind Hayes playground

Ottery St Mary

Dog exclusion areas	Dog on lead areas
Land of Canaan play area	Land of Canaan
Winters Lane play area and MUGA	
Elliot Close MUGA	

Rockbeare

Dog exclusion areas
Rockbeare playing field and play area
Rockbeare Primary School playing field
Rockbeare Village Hall grounds
Grass verges opposite school entrance (Stoneylands)

Seaton

Dog exclusions areas	Dog on lead areas
Cliff Field Gardens	Tower Hill picnic site

Seafield and Festival Gardens and play area	
Underfleet play area and skate park	
Meadway play area	
Elizabeth Road play park	

Sidbury

Dog exclusion areas
Furzehill play area

Sidford

Dog exclusion areas	Dog on lead areas
Byes Lane play park (Sidford recreation field)	Sidford playing field (Byes Lane) - pitches 1 and 2
Stowford Rise play area (Andrew Close)	
Bakers Close play area	
Lindemann Close play area	

Sidmouth

Dog exclusion areas	Dog on lead areas
Manstone Lane play area	Coburg Lawns
Manstone Lane skate park	
Long Park play area (Arcot Road)	Putting Green and Three Cornered Plot (The Triangle)
The Ham play area (Rosedale)	Blackmore Gardens
	Connaught Gardens including the pathways down from Peak Hill to Jacobs Ladder beach

	Glen Goyle (Glen Road)
	Long Park recreation ground
	The Ham recreation ground

Stoke Canon

Dog exclusion areas
River Close playing field
River Close play area

Uplyme

Dog exclusion areas	Dog on lead areas
King George V play area and playing field (adjacent to Hall)	King George V playing field footpath

Woodbury

Dog exclusion areas	Dog on lead areas
Woodbury Village Green play area	Woodbury Village Green
Woodbury recreation ground	
Woodbury Cricket field (seasonal ban from 1 May-30 Sept)	

Woodbury Salterton

Dog exclusion areas
New Way/ Stony Lane play area - grassed area only

By resolution of East Devon District Council dated 8th April 2020

The Common Seal of the
East Devon District Council
Hereunto affixed this 1st day
of May 2020 in the presence of

A handwritten signature in black ink, appearing to read 'Anita Williams', is written over a light blue rectangular background.

Anita Williams
Principal Solicitor

