

Eastbourne Borough Council

Anti-social Behaviour, Crime and Policing Act 2014, Part 4: Community Protection

Eastbourne Public Spaces Protection Order (Dog Ban) 2017

Eastbourne Borough Council ("the Council"), in exercise of its power under section 59(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"), being satisfied that the conditions set out in sections 59(2) and 59(3) of the Act have been met, and having complied with the requirements of section 72 of the Act, makes the following public spaces protection order (the "Order"):

1. This Order shall be known as the Eastbourne Public Spaces Protection Order (Dog Ban) 2017.
 2. The Order shall come into force on 27 November 2017 and shall have effect for a period of 3 years unless extended pursuant to section 60 of the Act.
 3. This Order applies from 1st May to 30th September every year in the areas detailed in Schedule 1 to this Order and applies at all times in the areas detailed in Schedule 2 to this Order (together "the Restricted Areas").
- BY THIS ORDER:
4. A person in charge of a dog shall be guilty of an offence if he takes the dog onto, or permits the dog to enter or to remain on, any part of the Restricted Areas unless:
 - a) he 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 failing to do so.
 5. This Order shall not apply to a person who:-
 - a) is registered as a blind person in a register compiled under section 29 of 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 coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity upon which he relies for assistance.

6. For the purpose of this Order:-

- 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;
- each of the following is a "prescribed charity":
 - Dogs for Good (registered charity number 700454)
 - Support Dogs Limited (registered charity number 1088281)
 - Canine Partners (registered charity number 803680)

7. A person guilty of an offence under paragraph 4 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

8. If any person who lives in or regularly works or visits the Restricted Area wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

GIVEN under the COMMON SEAL of EASTBOURNE BOROUGH COUNCIL
this 7th day of November 2017.

THE COMMON SEAL OF
EASTBOURNE BOROUGH COUNCIL
was hereunto affixed in the presence
of:-

Authorised signatory...



Print Name... CATHERINE KNIGHT

Job Title... ASSISTANT DIRECTOR - LEGAL &
DEMOCRATIC SERVICES



174/17

Schedule 1

The "Restricted Areas" applying between 1st May and 30th September every year

Location	Town
The Beach between the Pier and Wish Tower	Eastbourne

For a map of this Restricted Area, see:

<http://www.lewes-eastbourne.gov.uk/pspo>

Schedule 2

The "Restricted Areas" applying all year every year

Location	Town
Devonshire Park	Eastbourne
The picnic area in Sovereign Park	Eastbourne
Playgrounds located in the following locations: <ul style="list-style-type: none">• Archery Rec• Avarde Crescent• Bodiam Crescent• Canute Close• Chiltern Close• Devonshire Park• Edmund Close• Egbert Close• Gardner Close• Gildredge Park• Hadlow Avenue• Hampden Park• Hartfield Square• Helen Gardens• Holly Place• Jerome Close• Macmillan Drive• Mulberry Close• Oak Tree Lane• Old Town Rec• Palsgate Way• Princess Park• Priory Road• Roselands Rec• Seaside Rec	Eastbourne

<ul style="list-style-type: none">• Sevenoaks Rec• Shinewater Park• Samoa Way• Sovereign Park Picnic Area• Sovereign Skate Park• Tugwell Park• Victoria Gardens• Wartling Road	
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For a map of this Restricted Area, see:

<http://www.lewes-eastbourne.gov.uk/pspo>