

The Public Spaces Protection Order (Mid Sussex District Council) 2017

Mid Sussex District Council (“the Authority”) has made the following Public Spaces Protection Order under Chapter 2 section 59-75 of the Anti-Social Behaviour, Crime and Policy Act 2014 (“the Act”).

Mid Sussex District Council being satisfied that dog faeces which is not immediately removed from land has a detrimental effect on the quality of life of the general public and the public health implications of dog faeces is well documented hereby makes the following Dog Fouling Order:

The Order comes into force on 2017 for a period of 3 years.

In this Order an “Authorised Officer” means an employee of the Authority or a Town or Parish Council Officer who is authorised in writing by the Authority for the purposes of giving directions under this Order, together with any Police Constable or PCSO (Police Community Support Officer).

Offences

1. Dog Fouling.

- 1.1 This clause applies to land specified in Schedule of Land – Schedule 1 attached to this Order.
- 1.2 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
- 1.3 If a person who is in charge of a dog does not have or produce when requested by an Authorised Officer a receptacle for picking up dog faeces, that person shall be guilty of an offence.
- 1.4 A Receptacle is defined as any object capable of holding faeces for disposal.
- 1.5 Placing the receptacle containing the faeces in a bin on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land.
- 1.6 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.
- 1.7 Nothing in clause 1 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 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.

- 1.8 For the purposes of clause 1 –
- (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)
 - (iv) Dog A.I.D (Registered Charity Number 1098619)
 - (v) Medical Detection Dogs (Registered Charity Number 1124533)

Penalty

- 1.7 A person who is guilty of an offence under clause 1 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

EXECUTED AS A DEED by affixing
THE COMMON SEAL of
MID SUSSEX DISTRICT COUNCIL

This day of 2017

In the presence of

Authorised Officer:

SCHEDULE OF LAND – SCHEDULE 1

This Order applies to all land in the administrative area of Mid Sussex District Council that is open to the air to which the public are entitled or permitted to have access (with or without payment). MSDC land which is covered can be seen in the plans attached to this Schedule.

For the purposes of this Schedule, land which is covered is to be treated as land which is ‘open to air’ if it is open to the air on at least one side

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Mid Sussex District Council (“the Authority”) has made the following Public Spaces Protection Order under Chapter 2 section 59-75 of the Anti-Social Behaviour, Crime and Policy Act 2014 (“the Act”).

Mid Sussex District Council being satisfied that dogs in the land designated in the Schedule of Land – schedule 2 attached to this Order may cause danger to themselves danger nuisance annoyance or disturbance to persons damage property the worrying or disturbance of other animals or birds or harm to public health which has or which is likely to have a detrimental effect on the quality of life of those in the locality hereby makes the following Dog Exclusion Order:

The Order comes into force on 2017 for a period of 3 years.

In this Order an “Authorised Officer” means an employee of the Authority or a Town or Parish Council Officer who is authorised in writing by the Authority for the purposes of giving directions under this Order, together with any Police Constable or PCSO (Police Community Support Officer).

2. Dog Exclusion

- 2.1 This Order applies to the land specified in the Schedule of Land – Schedule 2 attached to this Order
- 2.2. 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 specially) to his doing so.
- 2.3 Nothing in clause 2 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 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.
- 2.4 For the purposes of clause 2 –
- (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)
- (iv) Dog A.I.D (Registered Charity Number 1098619)
- (v) Medical Detection Dogs (Registered Charity Number 1124533)

Penalty.

- 2.5 A person who is guilty of an offence under clause 2 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

EXECUTED AS A DEED by affixing
THE COMMON SEAL of
MID SUSSEX DISTRICT COUNCIL

This day of 2017

In the presence of: -

Authorised Officer:

SCHEDULE OF LAND – SCHEDULE 2

This Order applies to all designated MSDC land. This includes fenced areas such as:

1. Childrens play areas
2. Tennis courts
3. Skate parks

The Public Spaces Protection Order (Mid Sussex District Council) 2017

Mid Sussex District Council (“the Authority”) has made the following Public Spaces Protection Order under Chapter 2 section 59-75 of the Anti-Social Behaviour, Crime and Policy Act 2014 (“the Act”).

Mid Sussex District Council being satisfied that although dogs should be permitted to have access to land where they can exercise off the lead, dogs may cause damage to property, nuisance and annoyance or disturbance to persons, or worrying or disturbance of other dogs, other animals or birds, which is likely to have a detrimental effect on the quality of life of those in the locality, hereby makes the following Dogs on Lead by Direction Order:

The Order comes into force on 2017 for a period of 3 years.

In this Order an “Authorised Officer” means an employee of the Authority or a Town or Parish Council Officer who is authorised in writing by the Authority for the purposes of giving directions under this Order, together with any Police Constable or PCSO (Police Community Support Officer).

3. Dogs on Lead by Direction.

3.1 This Order applies to the land specified in the Schedule of Land - Schedule 3 of this order.

3.2 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 to put and keep the dog on a lead of not more than five (5) metres in length, 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.

3.3 For the purposes of this clause –

- (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 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.

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

EXECUTED AS A DEED by affixing

**THE COMMON SEAL of
MID SUSSEX DISTRICT COUNCIL**

This day of 2017

In the presence of: -

Authorised Officer:

SCHEDULE OF LAND – SCHEDULE 3

This Order applies to all designated MSDC land.

The Public Spaces Protection Order (Mid Sussex District Council) 2017

Mid Sussex District Council (“the Authority”) has made the following Public Spaces Protection Order under Chapter 2 section 59-75 of the Anti-Social Behaviour, Crime and Policy Act 2014 (“the Act”).

The Authority being satisfied that a person cannot take more than 6 dogs onto the land described in Schedule of Land - Schedule 4 and the Authority seeks to protect the Land and public using the Land from damage and annoyance hereby makes the following Dogs Specified Maximum Amount Order:

The Order comes into force on 2017 for a period of 3 years.

In this Order an “Authorised Officer” means an employee of the Authority or a Town or Parish Council Officer who is authorised in writing by the Authority for the purposes of giving directions under this Order, together with any Police Constable or PCSO (Police Community Support Officer).

4. Dogs Specified Maximum Amount

- 4.1 This Order applies to the land specified in the Schedule of Land - Schedule 4 of this order
- 4.2 On land to which this Order applies, the maximum number of dogs which a person may take onto that land is six (6)
- 4.3 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 clause 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.
- 4.4 For the purposes of this clause 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 persons is in charge of the dog.

Penalty

- 4.5 A person who is guilty of an offence under clause 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

EXECUTED AS A DEED by affixing
THE COMMON SEAL of
MID SUSSEX DISTRICT COUNCIL

This day of 2017

In the presence of: -

Authorised Officer:

SCHEDULE OF LAND – Schedule 4

See Schedule of land
Plans attached to Schedule 4

The following sites are included in this schedule:

Bedelands Farm Local Nature Reserve
Leylands Tip Site & Leylands Recreation Ground
Grasmere Open Space
Hammonds Ridge Meadows
Nightingale Lane Meadows & Open Space
Maltings Farm Open Space
Eastlands Farm
Malthouse Lane Meadows
Pangdean Lane Meadows
Ashplats & Holteye Track
Farm Close Meadows
Ashenground Wood Local Nature Reserve
Blunts Wood & Paiges Meadow
Catts Wood & Bolnore Wood Local Nature Reserve
Four Acre Wood
Hurst Farm
Scrase Valley Local Nature Reserve
Eastern Road Local Nature Reserve
The Wilderness Field
East Court
Whitemans Green
Scaynes Hill