

## BOROUGH OF HAVANT

### BYELAWS FOR THE REGULATION OF DOGS

Byelaws made by the Council of the Borough of Havant under Section 164 of the Public Health Act 1875, Sections 12 and 15 of the Open Spaces Act 1906, Section 15 of the Open Spaces Act 1906 and under Section 1 of the Commons Act 1899 with regard to public walks, pleasure grounds and open spaces.

#### EXTENT

1 (1) Byelaw 3 applies to the children's' play areas described in the First Schedule hereafter referred to as the "dog prohibited areas".

1 (2) Byelaws 4 and 5 apply to the grounds named in the Second Schedule to these byelaws hereafter referred to as the "canine faeces removal area".

1 (3) Byelaw 6 applies to the footpath forming part of the Emsworth Mill Pond from Emsworth Quay to Bath Road, Emsworth, named in the Third Schedule.

1 (4) Notice of the effect of these byelaws shall be given by signs placed in conspicuous positions at the entrances to the dog prohibited areas, and at the entrances or on the approaches to the canine faeces removal areas and dogs on leads area.

#### INTERPRETATION

2 (1) In these byelaws:

"the Council" means the Council of the Borough of Havant

2 (2) For the purpose of these byelaws, the keeper of the dog shall be deemed in charge thereof, unless the Court is satisfied that the dog had been placed in or taken into the charge of some other person at the time when the offence had been committed.

2 (3) In paragraph (2) above "the keeper" shall include the owner of the dog or any person who habitually has it in his possession.

#### DOGS PROHIBITED FROM THE GROUND

3 (1) No person in charge of a dog (other than a registered blind person in charge of a dog) shall without reasonable excuse, permit the dog to enter or remain in the dog prohibited area.

3 (2) An officer of the Council, or any constable may require a person in charge of a dog which has entered the dog prohibited area to remove the dog therefrom.

## REMOVAL OF CANINE FAECES

4 Every person in charge of a dog (other than a registered blind person in charge of a dog) which is in the canine faeces removal area who, without reasonable excuse, fails to remove forthwith from any such area any faeces deposited by the dog shall be guilty of an offence.

5 For the purposes of compliance with Byelaw 4, the following provisions shall apply:

(a) it shall be sufficient removal from the canine faeces removal area if the faeces are deposited in a receptacle in any such area which has been provided for that purpose by the Council;

(b) without prejudice to the generality of the foregoing, it shall not be a reasonable excuse that a person in charge of a dog did not have with him any means of removal of the faeces.

## DOGS ON LEADS

6 No person shall, without reasonable excuse, permit a dog to enter or remain in the ground unless the dog is held on a lead and is restrained from behaviour giving reasonable grounds for annoyance.

## REMOVAL OF OFFENDERS

7 Any person offending against any of these byelaws may be removed from the ground by a constable or by an officer of the Council.

## PENALTY

8 Any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

## FIRST SCHEDULE

### Dog Prohibited Areas

#### PART 1

Under Section 164 of the Public Health Act 1875

Specified Part of Ground

Position of Ground

- |   |                              |
|---|------------------------------|
| 1. The children's playground (enclosed by chain link fencing) at Front Lawn Recreation Ground | Somborne Drive, Leigh Park   |
| 2. The children's playground (enclosed by metal rail fence and hedge) at Bartons Green        | Wakefords Way, West Leigh    |
| 3. The children's playground (enclosed by chain link fencing) at Hayling Park                 | Station Road, Hayling Island |
| 4. The children's playground (enclosed by fencing) at St. Alban's Open Space                  | St. Albans Road, Havant      |

PART 2

Under Sections 12 and 15 of the Open Spaces Act 1906

Specified Part of Ground

Position of Ground

- |  |                        |
|--|------------------------|
| 1. The children's playground (enclosed by chain link fencing and hedge) at Fielders Park | Alsford Road, Purbrook |
|--|------------------------|

SECOND SCHEDULE

Canine Faeces Removal Area

PART 1

Under Section 164 of the Public Health Act 1875

Name of Ground

Position of Ground

- |                                    |                                 |
|------------------------------------|---------------------------------|
| 1. Wcock Open Space                | Kite Close, Cowplain            |
| 2. Longwood Park                   | Keats Close, Cowplain           |
| 3. Cowplain Recreation Ground      | Padnell Road, Cowplain          |
| 4. Waterlooville Recreation Ground | Rowlands Avenue, Waterlooville  |
| 5. Purbrook Heath                  | Purbrook Heath Road, Purbrook   |
| 6. Thicket Dell                    | The Thicket, Purbrook           |
| 7. Gauntlett Park                  | The Thicket, Purbrook           |
| 8. Plaitford Grove Open Space      | Plaitford Grove, Leigh Park     |
| 9. Kingsclere Open Space           | Kingsclere Avenue, Leigh Park   |
| 10. Riders Lane Open Space         | Riders Lane, Leigh Park         |
| 11. St. Christophers Open Space    | St. Christophers Rd, Leigh Park |
| 12. Holybourne Open Space          | Holybourne Road, Leigh Park     |

<u>Name of Ground</u>	<u>Position of Ground</u>
13. Scratchface Lane Recreation Ground	Scratchface Lane, Bedhampton
14. Hooks Lane Recreation Ground	Hooks Lane, Bedhampton
15. Havant Park	Elm Lane, Havant
16. Bitterne Recreation Ground	Bitterne Close, Leigh Park
17. Front Lawn Recreation Ground	Somborne Drive, Leigh Park
18. Prospect Lane Open Space	Prospect Lane, West Leigh
19. Sharpes Copse	Sharpes Road, West Leigh
20. Bartons Green	Wakefords Way, West Leigh
21. Bartons Triangle	Bartons Road, West Leigh
22. Spencers Field	Spencer Road, Emsworth
23. Emsworth Mill Pond (save for that area covered by seawater)	South Street, Quay, Emsworth
24. Northney Open Space	Northney Road, Hayling Island
25. Legion Field	Legion Road, Hayling Island
26. Ferry Road Picnic Site	Ferry Road, Hayling Island
27. Hayling Park	Station Road, Hayling Island
28. Southwood Road Picnic Site	Southwood Road, Hayling Island
29. The Bog	Ladybridge Road, Purbrook
30. Woodberry Open Space	Barncroft Way, Leigh Park
31. Blendworth Open Space	Blendworth Crescent, Leigh Park
32. Bidbury Mead Recreation Ground	Bidbury Lane, Bedhampton
33. Broadmarsh	Harts Farm Way, Bedhampton
34. Hayling Billy Leisure Trail	From the old Town Hall, Havant to Langstone Road
35. Hayling Beachlands	To the rear of the beach between Central Beachlands (the fair) and the Golf Course, Hayling Island
36. Hayling Beachlands	To the rear of the beach between the Nab Car Park and Bosmere Rd
37. Waterlooville Recreation Ground	Rowlands Avenue, Waterlooville
38. Emsworth Recreation Ground	Horndean Road, Emsworth
39. Tempest Avenue Open Space	Tempest Avenue, Waterlooville

## PART 2

Under Sections 12 and 15 of the Open Spaces Act 1906

<u>Name of Ground</u>	<u>Position of Ground</u>
1. Waterlooville Recreation Ground	Rowlands Avenue, Waterlooville
2. Fielders Park	Alsford Road, Purbrook
3. Holybank Recreation Ground	Southleigh Road, Emsworth
4. Mengham Park	Harold Road, Hayling Island
5. Elizabeth Road Open Space	Elizabeth Road, Purbrook
6. Emsworth Recreation Ground	Horndean Road, Emsworth
7. The Bog	Ladybridge Road, Purbrook
8. Tempest Avenue Open Space	Tempest Avenue, Waterlooville

PART 3

Under Section 15 of the Open Spaces Act 1906

<u>Name of Ground</u>	<u>Position of Ground</u>
1. Nore Barn Open Space to the seaward side of notices displayed	Warblington Road, Emsworth

PART 4

Under Section 1 of the Commons Act 1899  
Under a Scheme of Management made under the above Act  
Stockheath Common

THIRD SCHEDULE

PART 1

Under Section 164 of the Public Health Act 1875

<u>Name of Ground</u>	<u>Position of Ground</u>
The footpath forming part of Emsworth Mill Pond	From Emsworth Quay to Bath Road, Emsworth

Given under the Common Seal of the Council of the Borough of Havant this Twenty First Day of July One Thousand Nine Hundred and Eighty Nine.

THE COMMON SEAL of THE COUNCIL OF )  
THE BOROUGH OF HAVANT was hereunto )  
Affixed in the presence of: )

WP9/DOGS.LR  
28.6.89

Signed by the Borough Secretary

The foregoing byelaw(s) is/are hereby confirmed by the Secretary of State and shall come into operation on the 27<sup>th</sup> day of December 1989.

Signed by authority of the Secretary of State

C.L. SCOBLE  
An Assistant Under-Secretary of State

(Stamped by the Home Office 27 Nov 1989)