

THE BOROUGH OF GOSPORT PUBLIC SPACES PROTECTION DOG CONTROL
ORDER 2023 (“PSPDCO”)

Gosport Borough Council (the “Authority”) hereby makes the following order for the Control of Dogs in its area pursuant to Section 59 Anti-social Behaviour, Crime and Policing Act 2014.

This Public Spaces Protection Dog Control Order 2017(the “PSPDCO”) will come into force at on 1 July 2023 and shall be in force for a period of 3 years.

General provisions

1.1 “Authorised Officer” means any officer of the Authority authorised by the Chief Executive for the purposes of this PSPDCO.

1.2 “Public Place” means any place in the administrative area of the Authority to which the public or a section of the public has access, on payment or otherwise, as of right by virtue of express or implied permission.

1.3 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.

2. Penalty

2.1 A person who fails to comply with any obligation or prohibition imposed by this order is guilty of a criminal offence by virtue of section 67(1) of the Anti-social Behaviour Crime and Policing Act 2014 and liable on summary conviction to a fine not exceeding level 3 (£1,000.00) on the standard scale.

Fouling

3.1 If a dog defecates at any time in any Public Place a person who is in charge of the dog at the time must remove the faeces forthwith 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 Public

Place has consented (generally or specifically) to his failing to do so.

- 3.2 Placing the faeces in a receptacle which is provided for purpose, or for the disposal of waste, shall be sufficient removal from the Public Place
- 3.3 Being unaware of the defecation or not having a device for or suitable means to removing the faeces shall not be a reasonable excuse for failing to remove it.

4. Means to pick up

- 4.1 A person in charge of a dog on any Public Place must have with him an appropriate means to pick up dog faeces deposited by that dog 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.
- 4.2 The obligation is complied with if, after a request from an Authorised Officer, the person in charge of the dog produces an appropriate means to pick up dog faeces.

5 Dogs on Lead by Direction

- 5.1 An Authorised Officer may in any Public Place other than those specified in Schedules 1 and 2 of this Order (which dogs are excluded from or must be kept on a lead in any event) direct a person in charge of a dog to keep the dog on a lead if such restraint is in the opinion of the Officer necessary to prevent nuisance to other persons or worry to animals.
- 5.2 A person issued with a direction under 5.1 must comply 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 Public Place has consented (generally or specifically) to his doing so.

6. Maximum of Four Dogs

- 6.1 A person shall not at any time take more than four dogs onto any Public Place (other than those specified in Schedule 2 of this Order from which dogs are excluded in any event)
- 6.2 A person must comply with the requirements in 6.1 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 public place has consented (generally or specifically) to his doing so.

7. Dogs on Leads

7.1 A person in charge of a dog in any Public Place specified in Schedule 1 to this Order must keep the dog on a lead 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 place has consented (generally or specifically) to his failing to do so

8. Exclusion of Dogs

8.1 A person in charge of a dog must not take it into or keep it in any Public Place specified in Schedule 2 to this Order 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 Public Place has consented (generally or specifically) to his failing to do so.

9. Exemptions

9.1 The requirements or prohibitions of this order shall not apply to any person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948 or has a disability affecting their mobility, manual dexterity, or ability to lift, carry or move everyday objects and who relies upon a dog trained by a prescribed charity for assistances.

SCHEDULE ONE

PARAGRAPH 7 DOGS ON LEADS

This Order applies to the following Public Places in the Borough of Gosport

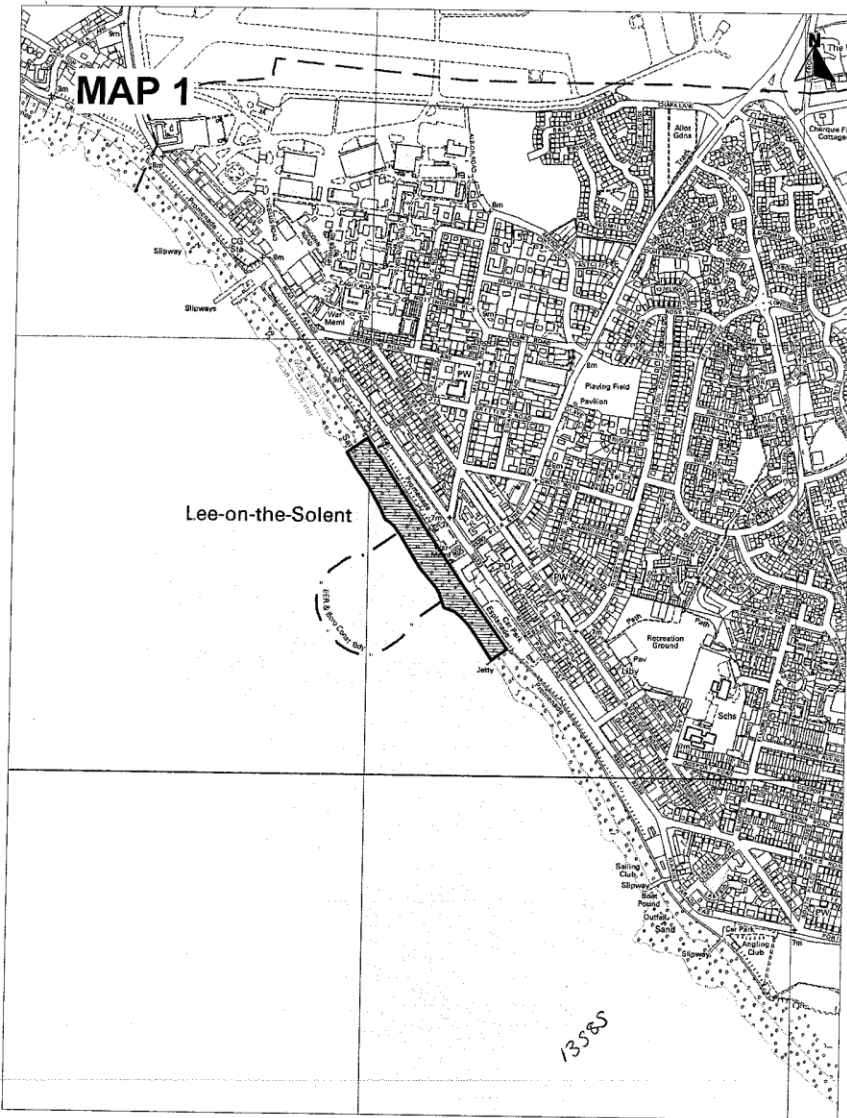
1. Any cemetery or churchyard
2. Any allotment
3. Along the perimeter of any sports pitch whilst an organised event is taking place.
4. Car Parks

SCHEDULE TWO

Paragraph 8 EXCLUSION OF DOGS

This Order applies to the following Public Places in the Borough of Gosport

1. Between 1 May and 30 September inclusive in any year the following beach areas:
 - i. Any area of beach between the promenade and Low Water Mark of Medium Tides and contained between the points enclosed with notional lines extending from the easternmost part of the Pirates Cove to the easternmost end of that part of the promenade known as “The Esplanade” at Lee-on-the Solent which is shown hatched in black on the accompanying map marked “Map Number 1”.
 - ii. Any area of beach between the promenade and Low Water Mark of Medium Tides and contained between the points enclosed with notional lines extending from the westernmost part of the Sailing Club slipway to the easternmost point of the GAFIRS slipway at Stokes Bay in Hampshire which said area is hatched in black on the accompanying map marked “Map Number 2”.
2. Any Bowling Green
3. Any enclosed area designated solely for the purpose of children’s play on which there is fixed play equipment or apparatus installed.
4. Any Sports pitch whilst in use for an organised event.
5. Any area within ‘The Wild Grounds’ of the Alver Valley that is:
 - i. designated as a Site for Special Scientific Interest (“SSSI”) or;
 - ii. where Gosport Borough Council keep animals.



TOWN HALL, HIGH STREET, GOSPORT,
HANTS, PO12 1EB.

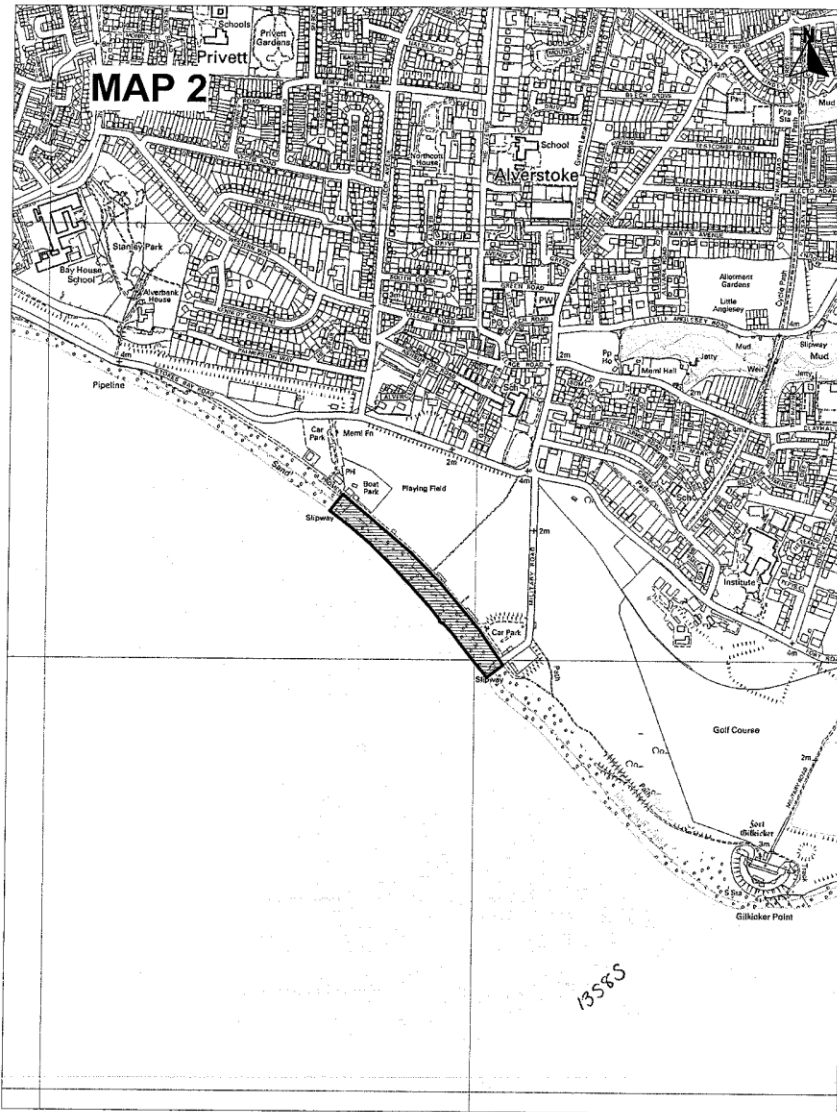
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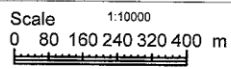


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