



ROTHER DISTRICT COUNCIL

THE ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE PUBLIC SPACES PROTECTION ORDER (No.1A) ROTHER DISTRICT COUNCIL 2020

Rother District Council (in this order called “the Authority”) hereby makes the following Order

This Order comes into force on 11 January 2021

for a period of three years.

The Council is satisfied that the conditions set out in Section 59 of the Act have been met, being that:

- (a) activities carried out in the restricted areas have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- (b) and the effect, or likely effect, of the activities - is, or is likely to be, of a persistent or continuing nature, or is likely to be, such as to make the activities unreasonable, and
- (c) justifies the restrictions imposed by the Order.

Offences

1. Dog Fouling

If within the administrative area of the authority (shown in the map of Rother District within the marked boundary) and land described at paragraph 1.1 below, a dog defecates at any time on land to which the public or any section of the public have access, on payment or otherwise, as of right or by virtue of express or implied permission and person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless

- a). he/she has a reasonable excuse for failing to do so;
- 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.

1.1 Any land within the administrative area of Rother District Council which is open to the air, including covered land which is open to the air on at least one side and to which the public have access (with or without payment) of the following descriptions:

- a). Any highway, footways, footpaths, twittens, promenades, steps and towpaths within the area of Rother District Council and adjoining verges or ornamental areas, which are maintained at the public expense. This may include some areas of access land.
- b). All pedestrianised areas within the Rother District Council.
- c). All parks, gardens, recreation and sports grounds, commons, amenity areas or other open spaces owned, occupied or maintained by or behalf of Rother District Council, East Sussex County Council, Hastings Borough Council, a registered social landlord or housing association, any town or parish council within Rother District Council, any other public authority or any charity.
- d). Any cemetery, burial ground or churchyard.
- e). Any other public car park or parking space.
- f). All beaches and dunes.

Exempted land: Any woodland, marsh or agricultural land and any Access Land as defined in Part I of the Countryside and Rights of Way Act 2000.

2. Dogs on Leads by Direction

A person in charge of a dog shall be guilty of an offence, if at any time within the administrative area of the Authority (shown in the map of Rother District within the marked boundary) he or she does not comply with the direction given to him/her by an authorised person to put and keep the dog on a fixed lead unless

- a). He or she has a reasonable excuse 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/her failing to do so

An authorised person may only give a direction under this Order to stop or prevent a nuisance or behaviour by the dog, likely to cause annoyance or disturbance to any person (on any land to which this Order applies) or the worrying or disturbance of any animal or bird.

3. Dogs on Leads in Designated Areas

A person in charge of a dog shall be guilty of an offence, if within the administrative area of the Authority (shown in the map of Rother District within the marked boundary) and if during the time specified in schedule one on any

land to which the Order applies (also detailed in schedule one) he/she does not keep the dog on a lead, unless:

- a). He/she 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/her failing to do so.

4. Exclusion of Dogs

A person in charge for dog shall be guilty of an offence if, within the administrative area of the Authority (shown in the map of Rother District within the marked boundary), during the time specified in schedule two, he/she takes a dog onto, or permits the dog to enter or remain on any land as detailed in schedule two unless:

- a). He/she 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/her failing to do so.

5. Exemptions

Nothing in this Order shall apply to a person who is:

- registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948 or
- is deaf, in respect of a dog, trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he or she relies for assistance or
- has a disability or which affects his or her 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 or she or relies for assistance
- has an accredited assistant dog

6. Definitions -For the purposes of this Order

A person who habitually has a dog in his/her possession shall be taken to be in charge of the dog at any time, unless at that time, some other person in charge of the dog.

Placing the faeces in a receptacle on the land, which is provided for that purpose, or for the disposal of waste, shall be sufficient removal from the land.

Being unaware of the defecation (by reason of not being in the vicinity or otherwise) or not having a device for, or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove faeces.

Each of the following is a “prescribed charity”:

- Dogs for the Disabled (registered charity number 70045)

- Support Dogs Limited (registered charity number 1088281)
- Canine Partners for Independence (registered charity number 803680)

Authorised Person means a constable, a police community support officer (PCSO) or a person so authorised by Rother District Council.

7. Penalty

If any of the conditions are breached, a fixed penalty notice may be issued and failure to pay may lead to prosecution. 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.

THE COMMON SEAL of
ROTHER DISTRICT COUNCIL

Was hereunto affixed the



Authorised signatory



SCHEDULE ONE

DOGS ON LEADS IN DESIGNATED AREAS

Part A (all year)

Battle – High Street, Market Square, Market Road and Market Road Car Park, Mount Street from the High Street to the entrance to the Car Park, Abbey Court and the Recreation Grounds at North Trade Road and at Telham

Beckley – Beckley Sports and Recreation Ground; Buddens Green (by Buddens Green Houses) and the School Field (Beckley CE School)

Bexhill – Egerton Park and Manor Gardens

Burwash – High Street

Etchingam – Queens Gardens

Iden- Graveyard and Burial Ground

Northiam – Playing Fields and Village Green, Main Street and Cemetery

Salehurst and Robertsbridge – The Clapper Recreation Ground (Northbridge Street) Robertsbridge

Sedlescombe – Sportsfield

Udimore – Play Area adjacent to Lower Cross Cottages

Part B (1 May to 30 September)

Bexhill – The Promenade (between Groynes 34 and 78) and the Jubilee (Metropole) Lawns

SCHEDULE TWO

EXCLUSION OF DOGS FROM DESIGNATED AREAS

Part A (all year)

Bowling Greens

Enclosed Children's Play Areas

Sports and Playing Fields under the control of educational establishments

Ornamental Planted Areas of Public Walks and Pleasure Grounds

Barrack Road Cemetery, Bexhill-on-Sea

Bexhill Cemetery, Turkey Road, Bexhill-on-Sea

Hastings Cemetery (part within Rother District)

Northiam Cemetery

Rye Cemetery, Rye Hill

Walled Garden at Manor Gardens, Bexhill-on-Sea

Brede – Recreation Ground, Udimore Road, Broad Oak

Camber – Jubilee Green, Lydd Road

Crowhurst – George VI Recreation Ground, Hastings Road

Ewhurst- Staplecross Playing Field, Northiam Road; The Herdsman Bequest Playing Field, Village Street, Ewhurst Green and Staplecross Village Hall lawns, Northiam Road, Staplecross

Guestling Playing Field

Iden play area at Iden playing fields, Church Lane TN31 7XD

Iden War Memorial and surrounding garden, Grove Lane TN31 7PX

Sedlescombe – Red Barn Field Nature Park

Rye – The Gun Garden

Westfield – Recreation Ground, Church Lane

SCHEDULE TWO (continued)

Part B (1 May to 30 September)

Bexhill Beach between Brockley Road and Sea Road.

Camber beach and dunes bounded on the east by an imaginary straight line from the south west corner of 21 The Suttons and extending seawards at an angle of 90 degrees to the low water mark; bounded on the west by an imaginary straight line from the end of the footpath that leads to the shoreline from the central public car park conveniences in Western Car Park and extending seawards at an angle of 90 degrees to low water mark; and bounded on the north by an imaginary line on the boundary of the dunes (marked by location posts) and continuing to 21 The Suttons to the seaward side of the buildings.

That part of the seashore at Pett Level located between the western edge of the slipway adjacent to St Nicholas Church westwards towards Fairlight Cliffs for 150 metres.

That part of the seashore at Dogs Hill, Winchelsea Beach located from the eastern edge of the access steps adjacent to the public convenience and westwards for 558 metres to the western edge of the access steps to the beach.