

The Clean Neighbourhoods and Environment Act 2005
The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006
(S.I.2006/1059)

The Fouling of Land by Dogs (District Of Easington) Order 2008

The Easington District Council hereby makes the following Order:

1. This Order comes into force on 1/4/2008
2. This Order applies to the land specified in the Schedule.

Offence

- 3.1 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.
- 3.2 Nothing in this article 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 co-ordination 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.
- 3.3 For the purposes of this article—
 - (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) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
 - (c) being unaware of the defecation (whether 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 the faeces;
 - (d) 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).

Penalty

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

The common seal of the council was affixed hereto on the 3rd March 2008

SCHEDULE

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Specification/description of land, or lands, to which the Order applies

This order relates to any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment) within areas outlined in red on the attached maps.

Map 1: Fouling prohibition Hawthorne Area

Map 2: Fouling prohibition Murton Area

Map 3: Fouling prohibition South Hetton Area

Map 4: Fouling prohibition Easington Village Area

Map 5: Fouling prohibition Easington Colliery Area

Map 6: Fouling prohibition Peterlee Area

Map 7: Fouling prohibition Thornley Area

Map 8: Fouling prohibition Wheatley Hill Area

Map 9: Fouling prohibition Wingate Area

Map 10: Fouling prohibition Station Town Area

Map 11: Fouling prohibition Hutton Henry Area

Map 12: Fouling prohibition Deaf Hill/Trimdon Colliery Area

Map 13: Fouling prohibition Castle Eden Area

Map 14: Fouling prohibition Hesleden/High Hesleden Area

Map 15: Fouling prohibition Blackhall and Crimdon Area

Map 16: Fouling prohibition Haswell and Haswell Plouge Area

Map 17: Fouling prohibition Shotton Area

Map 18: Fouling prohibition Horden Area

Map 19: Fouling prohibition Seaham Area