

WINCHESTER CITY COUNCIL



BYELAWS FOR THE REGULATION OF DOGS

BYELAWS FOR THE REMOVAL OF CANINE FAECES FROM PEDESTRIANISED AREAS

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BYELAWS FOR THE REGULATION OF DOGS

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

EXTENT

1. (1) Byelaw 3 applies to the public walks and pleasure grounds and open spaces or parts thereof described in Schedule 1, hereafter referred to as the "dog prohibited areas".
- (2) Byelaws 4 and 5 apply to the public walks, pleasure grounds, and open spaces or parts thereof described in Schedule 2, hereafter referred to as the "canine faeces removal areas".
- (3) Byelaw 6 applies to the public walks and pleasure grounds and open spaces or parts thereof described in Schedule 3, hereafter referred to as the "dogs on leads areas".
- (4) Notice of the effect of these byelaws shall be given by signs placed in conspicuous positions at the entrance to each of the dog prohibited areas, and at the entrance or on the approaches to the canine faeces removal areas and the dogs on leads areas.

INTERPRETATION

2. (1) In these byelaws:-

"the Council" means the Council of the City of Winchester

"the pleasure ground" means those grounds, or parts thereof, described in Schedules 1, 2 and 3 of these byelaws.

(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 an offence under these byelaws had been committed

(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 GROUNDS

3. (1) No person (other than a registered blind person) in charge of a dog shall, without reasonable excuse, permit the dog to enter or remain in any of the dog prohibited areas.
- (2) An officer of the Council, or any constable, may require a person in charge of a dog which has entered any of the dog prohibited areas to remove the dog therefrom.

REMOVAL OF CANINE FAECES

4. Every person (other than a registered blind person) in charge of a dog which is in any of the canine faeces removal areas 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 purpose of compliance with Byelaw 4 the following provisions shall apply:
- (a) it shall be a sufficient removal from the canine faeces removal areas 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 in charge of a dog shall, without reasonable excuse, permit the dog to enter or remain in the dogs on leads areas 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 Byelaw 3(i), 4 or 6 in a pleasure ground may be removed from the pleasure ground in which the offence is being committed by a constable or by an officer of the Council.

PENALTY

8. Any person offending against Byelaw 3(i), 4 or 6 shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

REVOCACTION

9. Byelaw No 5 of the Byelaws made by the Council of the City of Winchester on 17 January 1986 and confirmed by the Secretary of State on 30 April 1986 is hereby revoked.

SCHEDULE

The grounds referred to in the above byelaws are as follows:

<u>Position of Ground</u>	<u>Name of Ground</u>
St Giles Recreation Ground (not including the enclosed Children's Play Area)	The Soke, Winchester
St Mathews Field	St Mathews Road, Winchester
The Recreation Ground (excluding the enclosed Children's Play Area)	Tappings Road, Winchester

SCHEDULE 1

DOG PROHIBITED AREAS

Under Section 164 of the Public Health Act 1875

<u>Name of Ground</u>	<u>Position of Ground</u>
Abbey Grounds (Enclosed Children's Play area to South and East of river)	Broadway, Winchester
Children's Play Area	Firmstone Road, Winchester
The part of King George V Playing Fields that is wholly enclosed by fencing	Milland Road, Winchester
The enclosed Children's Play Area at North Walls Playing Fields	Gordon Road, Winchester
The Children's Play Area	St Martin's Close, Winchester

The enclosed Children's Play Area, at the Recreation Ground	Taplings Road, Winchester
The Children's Play Area	Teg Down Meads
The Children's Play Area	Walpole Road, Winchester

Under Sections 12 and 15 of the Open Spaces Act 1906:

<u>Name of Ground</u>	<u>Position of Ground</u>
Friary Gardens	Culver Road, Winchester

DOGS ON LEADS

5. No person in charge of a dog shall, without reasonable excuse, permit the dog to enter or remain in the dogs on leads areas unless the dog is held on a lead and is restrained from behaving in any manner likely to cause annoyance.

SCHEDULE 2

CANINE FAECES REMOVAL AREAS

Under Section 164 of the Public Health Act 1875:

<u>Name of Ground</u>	<u>Position of Ground</u>
Abbey Grounds (Ornamental Gardens and Lawn to North and West of River)	Broadway, Winchester
Abbotts Barton (Open Space/Play Area).	Chandler Road, Winchester
Recreation Ground/Play Area	Gordon Avenue, Winchester
Recreation Ground/Play Area	Imber Road, Winchester
The part of King George V Playing Fields that is not wholly enclosed by fencing	Milland Road, Winchester
North Walls Playing Fields (excluding enclosed Children's Play Area)	Gordon Road, Winchester
Rack Hill Open Space	Between Bar End Road and Domum Road, Winchester
Recreation Ground	Somers Close, Winchester
Stanmore Recreation Ground	Stuart Crescent, Winchester
St Giles Hill Recreation Ground (Top Field Recreation Area and the grassed area off Quarry Road on the lower slope).	The Soke, Winchester
St Mathews Field	St Mathews Road, Winchester
The Recreation Ground (Excluding the enclosed Children's Play Area)	Taplings Road, Winchester

The Weirs Promenade	Off Bridge Street, Winchester
Open Space/Play Area	Thurmond Crescent, Winchester
Open Space	Water Lane, Winchester
Recreation Ground	Westman Road, Winchester
Orams Arbour (Open Space)	Clifton Terrace, Winchester

Under Sections 12 and 15 of the Open Spaces Act 1906:

<u>Name of Ground</u>	<u>Position of Ground</u>
Joyce Gardens	Blue Ball Hill, Winchester

SCHEDULE 3

DOGS ON LEADS AREAS

Under Section 164 of the Public Health Act 1875

<u>Name of Ground</u>	<u>Position of Ground</u>
Abbey Grounds (Ornamental Gardens and Lawns to North and West of River)	Broadway, Winchester
Children's Play Area	Gordon Avenue, Winchester
The Weirs Promenade	Off Bridge Street, Winchester
Open Space by River	Water Lane, Winchester

CITY OF WINCHESTER

The common seal of)
WINCHESTER CITY COUNCIL)
has hereunto affixed)
in the presence of:-)

S. Whelan
Chief solicitor/
~~City Secretary~~
on 21st October 1991.



EMBTR002

EXTENT

(1) These byelaws apply to

(the foregoing byelaws) is/are hereby confirmed by the Secretary of State
and shall come into operation on the 27th day of JULY 1992.

Signed by authority of the Secretary of State

(2) Notice of the effect of these byelaws shall be given
by signs placed in *M. E. Head* as the Council may
consider adequate *M. E. Head* areas using the
pedestrianised areas.

INTERPRETATION

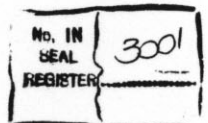
M. E. HEAD
An Assistant Under-Secretary of State

26 JUN 1992

Home Office
LONDON, SW1

(2) For the purpose of these byelaws, the keeper of the
dog shall be deemed in charge thereof, unless at the
time when the dog fouled the pedestrianised area, it
had been placed in or taken into the charge of some
other person.

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



CITY OF WINCHESTER

BYELAWS FOR THE REMOVAL OF CANINE FAECES FROM PEDESTRIANISED AREAS

Byelaws made by the Council of the City of Winchester under Section 235 of the Local Government Act 1972 for the good rule and government of the District of Winchester and for the prevention and suppression of nuisance.

EXTENT

1. (1) These byelaws apply to:

the pedestrianised areas designated in the Schedule hereto and hereinafter referred to as "the pedestrianised areas".
- (2) Notice of the effect of these byelaws shall be given by signs placed in such positions as the Council may consider adequate to inform persons using the pedestrianised areas.

INTERPRETATION

2. (1) In these byelaws:

"The Council" means the Council of the City of Winchester;
- (2) For the purpose of these byelaws, the keeper of the dog shall be deemed in charge thereof, unless at the time when the dog fouled the pedestrianised area, it had been placed in or taken into the charge of some other person.
- (3) In paragraph (2) above, "the keeper" shall include the owner of the dog or any person who habitually has it in his possession.

REMOVAL OF CANINE FAECES

3. Every person (other than a registered blind person) in charge of a dog which is in the pedestrianised areas who, without reasonable excuse, fails to remove forthwith from the pedestrianised areas any faeces deposited by the dog shall be guilty of an offence.
4. For the purposes of compliance with Byelaw 3, 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.

PENALTY

5. Any person offending against Byelaw 3 shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

REVOCATION

6. The byelaws made by the Council of the City of Winchester on 3 November 1980 and confirmed by the Secretary of State on 15 January 1981 in respect of dogs fouling footways are hereby revoked in so far as they apply to the areas listed in the schedule.

SCHEDULE

- Pedestrian Precinct - High Street, Winchester, Hampshire; between the Broadway and Jewry Street
- Pedestrian Precinct - Middle Brook Street, Winchester, Hampshire; between High Street and Friarsgate
- Pedestrian Precinct - St Georges Street, Winchester, Hampshire; between Upper Brook Street and Middle Brook Street
- Pedestrian Precinct - St Peters Street, Winchester, Hampshire; between High Street and St Georges Street
- Pedestrian Precinct - Parchment Street, Winchester, Hampshire; between High Street and St Georges Street
- Pedestrian Precinct - Upper Brook Street, Winchester, Hampshire; between High Street and St Georges Street
- Pedestrian Precinct - Silver Hill, Winchester Hampshire; between Middle Brook Street and Tanner Street
- Pedestrian Precinct - St Maurices Covert, Winchester, Hampshire

REMOVAL OF THE SEALS

The common seal of)
WINCHESTER CITY COUNCIL)
was hereunto affixed in)
the presence of:-)

S. Whetnam

Chief Solicitor/
City Secretary

on 21st October 1991



(The foregoing bye-law(s) are hereby confirmed by the Secretary of State
and shall come into operation on the 27th day of JULY 1991

SFSAC001

Signed by authority of the Secretary of State

M. E. Head

M. E. HEAD
An Assistant Under-Secretary of State

26 JUN 1992

Home Office
LONDON, SW1

