

RUSHMOOR BOROUGH COUNCIL BYELAWS FOR THE REGULATION OF DOGS

Byelaws made by the Council of the Borough of Rushmoor under Section 164 of the Public Health Act 1875, with regard to public walks, pleasure grounds and open spaces.

EXTENT

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

INTERPRETATION

2. (1) In these byelaws, "the Council" means the Council of the Borough of Rushmoor.
- (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 in charge of a dog (other than a registered blind person in charge of a guide 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 in charge of a dog (other than a registered blind person in charge of a guide 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 a 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 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 the person in charge of a dog did not have with him any means of removal of the faeces.

REMOVAL OF OFFENDERS

- 6. Any person offending against any of these byelaws in a pleasure ground may be removed from the pleasure ground in which the offence is being committed by a constable or by any officer of the Council.

PENALTY

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

REVOCATION

- 8. Byelaw number 13 of the byelaws made by the Urban District Council of Farnborough on 10 April 1964 in respect of pleasure grounds is hereby revoked with effect from the date on which these byelaws come into operation.

SCHEDULE

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

SCHEDULE 1: DOG PROHIBITED AREAS

| name of ground | position of ground |
|--|------------------------|
| Children's play area at King George V Playing Field | Farnborough, Hampshire |

SCHEDULE 2: CANINE FAECES REMOVAL AREAS

| name of ground | position of ground |
|-----------------------------|------------------------|
| King George V Playing Field | Farnborough, Hampshire |

GIVEN under the Common Seal of the Borough of Rushmoor on the 17th day of January, 1990 pursuant to a resolution of the Council dated the 16th day of November 1989.

Brian A Oliver (Mayor)
S P Taylor (Head of Legal & Estates)

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 30th day of April, 1990.

Signed by authority of the Secretary of State

C L Scoble
An Assistant Under-Secretary of State

11 April 1990
Home Office
London SW1