

## **The Clean Neighbourhoods and Environment Act 2005**

### **The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (S.I.2006/1059)**

#### **The Dogs Exclusion (Brighton and Hove) Order 2011**

Brighton & Hove City Council hereby makes the following Order:

1. This Order comes into force on 1<sup>st</sup> January 2011.
2. This Order applies to the land specified in Schedule 1.
3. This Order repeals the Dog Exclusion (Brighton and Hove) Order 2009.

#### **Offence**

3. (1) A person in charge of a dog shall be guilty of an offence if, during the periods specified in Schedule 1, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies unless—
  - (a) he has a reasonable excuse for doing so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.
- (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) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
  - (c) 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) 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; and
  - (b) 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 BRIGHTON & HOVE** )  
**CITY COUNCIL** was affixed hereto this )  
in the presence of:- )

Authorised Officer

**SCHEDULE 1**

**Description of land, or lands, to which the Order applies**

All those areas situated within the City of Brighton & Hove as described for the purposes of identification below, being land which is open to the air and to which the public are entitled or permitted to have access (with or without payment). For the purposes of this Order, land which is covered is to be treated as “open to the air” if it is open on at least one side.

**1. Children’s Play Areas**

All children’s play areas in the City of Brighton and Hove enclosed by fencing and containing play equipment.

**2. Cemeteries**

- a. The following cemeteries subject to the exception set out in paragraph 2.b below:-

- Borough Cemetery (Woodvale), Lewes Road;
- Extra Mural Cemetery, Lewes Road;
- Borough Cemetery, Bear Road;
- Jewish Cemetery, Bear Road
- Meadowview and Lawn Memorial Cemetery, Warren Road
- Hove Cemetery, North and South, Old Shoreham Road
- Portslade Cemetery, Victoria Road

- b. The Order does not apply to persons attending a funeral or remembrance service or visiting a grave or to persons residing in the premises of the cemeteries specified at 2.a above. In these circumstances dogs must be kept on a lead at all times.

### **3. Gardens and Parks**

The enclosed gardens of the following city centre squares:-

- Brunswick Square
- Norfolk Square
- Russell Square
- Bedford Square
- Clarence Square
- Powis Square
- Pelham Square
- Regency Square (North End)
- New Steine Square

The following parks and gardens:-

- Steine Memorial Gardens
- Kipling Gardens, Rottingdean
- The Rockery Gardens, Preston Road
- William Clarke Park, Picton Street
- Saunders Park (excluding the fenced dog area to the South West corner of the park), Lewes Road

### **4. Beaches**

The beaches (including the foreshore) between the months of May to September inclusive with the exception of the following beaches (showing a "dog friendly" sign):-

- the beach between Longridge Avenue and the border,
- beaches between Chailey Avenue and Arundel Drive West, Rottingdean
- beaches between West Marina Wall to Rottingdean slope
- beaches between the west wall of Brighton Marina and up to the Volks railway station opposite New Steine
- the beach in front and to the East of the Meeting Place Cafe, up to the large groyne with the lifering on.
- the beach to the east of the Lawns Cafe, at the bottom of St John's Road, Hove promenade.
- the beach in front of the King Alfred car park.
- the beach to the east of Hove Lagoon.

### **5. Areas of Queens Park**

The Southern Lawns of Queens Park (containing the lake), the tennis courts, the Quiet Garden, the Wild Garden, the cascade area and bowling green.