

Waverley Borough Council

The Anti-Social Behaviour, Crime and Policing Act 2014 - Part 4, Section 59

The Public Spaces Protection Order (Dog control) – Waverley Borough Council 2019

Waverley Borough Council ('the Council') in exercise of the power under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 ('the Act'), being satisfied that the conditions set out in section 59 of the Act have been met, makes the following Order:

This Order comes into force on [] and will remain in force for a period of three years from that date unless extended by further order under the Council's statutory powers.

1. Dog on lead by direction

1a. A person in charge of a dog shall be guilty of an offence if at any time, on any land within the administrative area of Waverley Borough Council within the Restricted Area detailed in Schedule 2), he/she does not comply with a direction given by an Authorised Officer to put and keep the dog on a lead, for such duration and in such manner as specified by the Authorised Officer unless:

- (i) he/she has a reasonable excuse for failing to do so; or
- (ii) (ii) the owner, occupier or other person or authority having control of the land has given consent (generally or specifically) to them failing to do so.

1b. For the purpose of this Article an Authorised Officer may only give a direction under this article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person or the worrying or disturbance of any other animal or bird on any land to which this Article applies.

2. Dogs on leads

2a. A person in charge of a dog shall be guilty of an offence if, at any time, on any land within the Restricted Area detailed in Schedule 1 (which includes specified cemeteries, churchyards, small parks and open spaces) he/she does not keep the dog on a lead unless:

- (i) he/she has a reasonable excuse for failing to do so; or
- (ii) (ii) the owner, occupier or other person or authority having control of the land has given consent (generally or specifically) to them failing to do so.

3. Dog exclusion areas

- 3a. A person in charge of a dog shall be guilty of an offence if, at any time, he/she takes the dog onto, or permits the dog to enter or remain on, any land in the Restricted Area detailed in Schedule 3 (which includes specified children's play areas, skate parks, ball courts and multi use games areas) unless:
- (i) he/she has a reasonable excuse for failing to do so; or
 - (ii) (ii) the owner, occupier or other person or authority having control of the land has given consent (generally or specifically) to them failing to do so; or
 - (iii) that person is subject to the exemptions listed in Article 8.

Definitions

4. Authorised Officer means an employee of the Council, Police Officer, Police Community Support Officer, or other person who is authorised in writing by the Council.
5. Person in charge means the person who has the dog in his/her possession, care or company at the time the relevant offence is committed, or the person who habitually has the dog in his/her possession, care or company.
- 6 Restricted Area means the land described in the Schedule to this Order.

Exemptions

7. Nothing in this Order shall apply to a person who is:
- a. a disabled person within the meaning of the Equality Act 2010 whose disability restricts his ability to comply with this Order and where the dog is their guide dog or assistance dog; or
 - b. training an assistance dog in an official capacity; or
 - c. in charge of a dog used by the police, emergency services, Armed Forces or other agencies permitted by the Council for official purposes.

Penalty

10. Any person who without reasonable excuse fails to comply with this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).

11. An Authorised Officer may issue a fixed penalty notice to anyone he/she has reason to believe has committed an offence under section 67 of the Act in relation to this Order.

SCHEDULE OF LAND

This order applies to land in the Borough of Waverley that 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 Schedule, land which is covered is to be treated as land which is open to the air if it is open to the air on at least one side.

Restricted Area – Schedule 1 – dog on lead by direction

All land in the administrative area of Waverley Borough Council that is open to the air and to which the public are entitled or permitted to have access (with or without payment) and edged / coloured green on the map referred to.

Restricted Area – Schedule 2 – dog on lead

All land listed in the table below under the heading ‘Schedule 2’ and edged / coloured orange and which feature the dog on lead symbol on the maps referred to.

Restricted Area – Schedule 3 – dog exclusion areas

All land listed in the table below under the heading ‘Schedule 3’ and edged / coloured red and which feature the dog exclusion symbol on the maps referred to.

| Site | Parish | <i>Schedule 2 - Dog on lead</i> | <i>Schedule 3 - Dog exclusion area</i> |
|--------------------------------------|--------------|---------------------------------|--|
| Alfold Recreation Ground, GU6 | Alfold | | Play area |
| Birtley Road Cemetery, GU5 | Bramley | Whole site | |
| Chestnut Way Recreation Ground, GU5 | Bramley | | Basketball court Play area |
| Eastwood Road Play Area, GU5 | Bramley | | Play Area |
| Coxcombe Road Recreation Ground, GU8 | Chiddingfold | | Play area Tennis courts |

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| Cranleigh Common And High Street, GU6 | Cranleigh | Fountain Square War Memorial and Gardens | Cricket practice cage Cricket square Ponds x 3 |
| Cranleigh Leisure Centre, GU6 | Cranleigh | | Basketball Court Skate Park |
| Lashmere Recreation Ground, GU6 | Cranleigh | | Play area |
| Queensway Recreation Ground, GU6 | Cranleigh | | Play Area |
| Summerlands Estate, GU6 | Cranleigh | | Pond |

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| King George V Playing Fields, GU8 | Dunsfold | | Play Area |
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| Abbots Cottages Open Space, GU10 | Dockenfield | | Play area |
| Bealeswood Common, GU10 | Dockenfield | | Ponds x 3 |

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| Burford Lodge Recreation Ground, GU8 | Elstead | | Whole site |
| Springfield Way (The Quillets), GU8 | Elstead | | Play area |
| The Croft Play Area, GU8 | Elstead | | Whole site |
| Thursley Road Cemetery, GU8 | Elstead | Whole site | |
| Thursley Road Recreation Ground (Pot Common), GU8 | Elstead | | Whole site |

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| Downhurst Road Recreation Ground, GU6 | Ewhurst | | Play area |
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| Alderley Farm Allotments, GU9 | Farnham | | Whole site |
| Badshot Lea Cemetery, GU9 | Farnham | Whole site | |
| Badshot Lea Green, GU9 | Farnham | | Play area |
| Badshot Lea Pond, GU9 | Farnham | | Pond |
| Badshot Lea Recreation Ground, GU9 | Farnham | | Cricket practice cage Cricket square Tennis courts |
| Baldreys Recreation Ground, GU9 | Farnham | | Basketball court Play area |
| Batting Memorial Garden, GU9 | Farnham | Whole site | |
| Beldham Road Recreation Ground, GU9 | Farnham | | Basketball court Play area |
| Boundstone Recreation Ground, GU10 | Farnham | | Play Area |

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| Bourne Recreation Ground, GU10 | Farnham | | Cricket Practice Cage Cricket Square Play area Tennis Courts |
| Evelyn Borelli Garden Of Rest, GU9 | Farnham | Whole site | |
| Farnborough Road Allotments, GU9 | Farnham | | Whole site |
| Farnham Leisure Centre Skate Park (Narm), GU9 | Farnham | | Whole site |
| Farnham Park, GU9 | Farnham | | Adventure play area Cricket practice cage Cricket square Play Area Ponds x 2 |
| Forty Degreeez, GU9 | Farnham | | Basketball court |
| Gostrey Meadow, GU9 | Farnham | | Play area |
| Green Lane Cemetery, GU9 | Farnham | Whole site | |
| Hale Cemetery, GU9 | Farnham | Whole site | |
| Hale Recreation Ground, GU9 | Farnham | | Cricket Square MUGA Play area Tennis Courts |
| Hallifax Garden, GU10 | Farnham | Whole site | |
| Heath End Recreation Ground, GU9 | Farnham | | Play area |
| Langham Recreation Ground, GU9 | Farnham | | Play area |
| Mardens Recreation Ground, GU9 | Farnham | Whole site | |
| Middlefield Recreation Ground, GU9 | Farnham | | Play area |
| Morley Road Allotments, GU9 | Farnham | | Whole site |
| Morley Road Recreation Ground, GU9 | Farnham | | Play area |
| Oast House Crescent, GU9 | Farnham | | Play area |
| Old Park Close, GU9 | Farnham | | Play area |
| Roman Way, GU9 | Farnham | | Whole site |
| Rowledge Recreation Ground, GU10 | Farnham | | Bowls Club Cricket square Play area Tennis Courts |
| Runfold Recreation Ground, GU10 | Farnham | | Play area |
| Sandy Hill Top Field, GU9 | Farnham | | Play area MUGA |
| Shepherd And Flock Allotment, GU9 | Farnham | | Whole site |

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| Six Bells Allotments, GU9 | Farnham | | Whole site |
| St Andrew's Cemetery, GU9 | Farnham | Whole site | |
| The Chantrys, GU9 | Farnham | | Play Area MUGA |
| The Haren Garden, GU9 | Farnham | Whole site | |
| Wentworth Close, GU9 | Farnham | | Play area |
| West Street And Extension Allotments, GU9 | Farnham | | Whole site |
| West Street Cemetery, GU9 | Farnham | Whole site | |
| Weybourne Nature Reserve, GU9 | Farnham | | Pond |
| Weybourne Road Allotments, GU9 | Farnham | | Whole site |
| White Cottage Close, GU9 | Farnham | | Play area |
| Wrecclesham Allotments, GU9 | Farnham | | Whole site |
| Wrecclesham Recreation Ground, GU9 | Farnham | | Cricket square Play area Tennis Courts |

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| Frensham Common, GU10 | Frensham | | Archaeological mounds x 2 |
| Frensham Flashes, GU10 | Frensham | | Ponds x 5 |
| Frensham Great Pond, GU10 | Frensham | | Beach |
| Frensham Green, GU10 | Frensham | Whole site | |
| Hollowdene Recreation Ground, GU10 | Frensham | Recreation Ground | Bowling Green Cricket Practice Cage Cricket Squares x 2 Play Area Tennis Court |
| Peakfield Recreation Ground, GU10 | Frensham | | Play area |

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| Aarons Hill Recreation Ground, GU7 | Godalming | | Play area Skate park |
| Broadwater Park, GU7 | Godalming | | Cricket Practice Cages Cricket Squares x 2 MUGA Play Area |
| Canon Bowrings Recreation Ground, GU7 | Godalming | | Basketball court Play area |
| Combe Road Recreation Ground, GU7 | Godalming | | Play area |

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| Crown Pits Recreation Ground, GU7 | Godalming | | Play area |
| Eashing Cemetery, GU7 | Godalming | Whole site | |
| Holloway Hill Recreation Ground, GU7 | Godalming | | Bowls Club Cricket squares x 2 Play Area Tennis courts |
| Lammas Lands (East Of Bridge Road), GU7 | Godalming | | Pond |
| Lammas Lands (West Of Bridge Road) And Hells Ditch, GU7 | Godalming | | Pond |
| Longbourne Green, GU7 | Godalming | | Play area |
| Nightingale Cemetery, GU7 | Godalming | Whole site | |
| Ockford Ridge, GU7 | Godalming | | MUGA Play area |
| St John's Cemetery, GU7 | Godalming | Whole site | |
| St Peter And St Paul's Cemetery, GU7 | Godalming | Whole site | |
| The Burys Field, GU7 | Godalming | | Skate Park |
| The Phillips Memorial Park, GU7 | Godalming | The Cloisters | Bowls Club Play Area |

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| Hascombe Recreation Ground, GU8 | Hascombe | | Play area |
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| Beacon Hill Recreation Ground, GU26 | Haslemere | | Basketball court Play area |
| Border Road Play Area, GU27 | Haslemere | | Play area |
| Derby Road Cemetery, GU27 | Haslemere | Whole site | |
| Eight Acres Recreation Ground, GU26 | Haslemere | | Play area |
| Grayswood Recreation Ground, GU27 | Haslemere | | Cricket square Play area |
| Haslemere Leisure Centre MUGA And Skate Park, GU27 | Haslemere | | MUGA Skate Park |
| Haslemere War Memorial Recreation Ground, GU27 | Haslemere | | Bowls club Cricket Practice Cage Cricket square Play area Tennis courts |
| Haste Hill, GU27 | Haslemere | | Pond |

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| High Lane Recreation Ground, GU27 | Haslemere | | Basketball court Play area |
| Oak Cottages, GU27 | Haslemere | | Play area |
| Shottermill Cemetery, GU27 | Haslemere | Whole site | |
| Sicklemill Recreation Ground, GU27 | Haslemere | | Play area |
| St Bartholomew's Cemetery, GU27 | Haslemere | Whole site | |
| St Stephen's Cemetery, GU27 | Haslemere | Whole site | |
| Tilford Road Play Area Only, GU26 | Haslemere | | Play area |
| Town Meadow Recreation Ground, GU27 | Haslemere | | Play area |
| Weycombe Road Cemetery, GU27 | Haslemere | Whole site | |
| Woolmer Hill Estate - Hatchetts Drive, GU27 | Haslemere | | Play area |
| Woolmer Hill Estate - Lower Hanger, GU27 | Haslemere | | Play area |

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| Thursley Recreation Ground, GU8 | Thursley | Recreation Ground | Cricket square Play Area |
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| Shepherds Way, GU10 | Tilford | | Play area |
| Tilford Green | Tilford | | Cricket Square |

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| Amberley Road Recreation Ground, GU8 | Witley | | Play area |
| Jubilee Field | Witley | | Enclosed play area |
| Middlemarch, GU8 | Witley | | Play area |
| Milford Cemetery | Witley | Whole site | |
| Sunny Hill Recreation Ground, GU8 | Witley | | Enclosed play area |
| Witley Recreation Ground, GU8 | Witley | | Enclosed play area |

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| Blackheath Cricket Pitch, GU4 | Wonersh | | Whole site |
| Lords Hill Common Play Area, GU5 | Wonersh | | Play Area |
| Shamley Green Common And Village Green | Wonersh | | Cricket square Pond |
| Wonersh Recreation Ground, GU5 | Wonersh | | Play area Cricket square |