Waverley Borough Council

The Anti-Social Behaviour, Crime and Policing Act 2014

Part 4, Section 59

The Public Spaces Protection Order (No 2) - Dog Control - Waverley Borough Council 2023

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:

The 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 leads by direction

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

(i) he/she has a reasonable excuse for failing to do so: or
(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 in a public place shall be shall be guilty of an offence if 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;
(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 7.

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 designated in the Schedule to this Order.

Exemptions

7. Nothing in this Order shall apply to a person who –

a. is a disabled person within the meaning of the Equality Act 2010 whose disability restricts his/her ability to comply with this Order and where the dog is their guide dog or assistance dog;
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

8. 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).

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

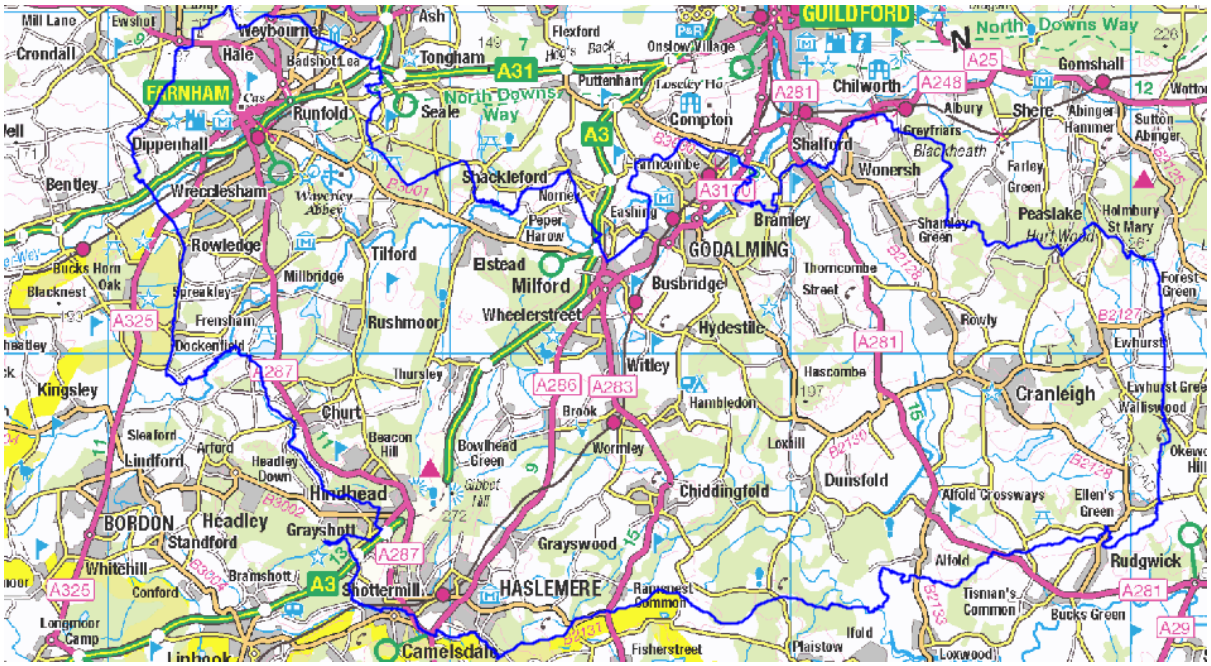
SCHEDULE OF LAND

This order applies to all 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 – dogs 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 blue on the map referred to.

Schedule 1 – plan of Waverley Borough Council administrative area



Restricted Area – Schedule 2 – dog on lead

All land listed in the table below and referred to 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 area

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

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion area***
Alfold Recreation Ground, GU6	Alfold	Whole site	Play area

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion 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
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
King George V Playing Fields, GU8	Dunsfold		Whole site
Abbotts Cottages Open Space, GU10	Dockenfield		Play area
Bealeswood Common, GU10	Dockenfield		Ponds x 3
Burford Lodge Recreation Ground, GU8	Elstead		Whole site
Springfield Way (The Quillets), GU8	Elstead		Play area

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion 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
Downhurst Road Recreation Ground, GU6	Ewhurst		Play area
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
Bourne Recreation Ground, GU10	Farnham		Cricket Practice Cage Cricket Square Play area Tennis Courts
Evelyn Borelli Garden Of Rest, GU9	Farnham	Whole site	

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion area***
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 Trim Trail
Forty Degreez, 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		Play area
Middlefield Recreation Ground, GU9	Farnham		Play area
Morley Road Allotments, GU9	Farnham		Whole site
Morley Road Recreation Ground, GU9	Farnham		Play area

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion 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
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

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion area***
Wrecclesham Allotments, GU9	Farnham		Whole site
Wrecclesham Recreation Ground, GU9	Farnham		Cricket square Play area Tennis Courts
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		Bowling Green Cricket Practice Cage Cricket Squares x 2 Play Area Tennis Court
Peakfield Recreation Ground, GU10	Frensham		Play area
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	Whole Site	Basketball court Play area
Combe Road Recreation Ground, GU7	Godalming		Play area
Crown Pits Recreation Ground, GU7	Godalming		Play area
Eashing Cemetery, GU7	Godalming	Whole site	

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion area***
Holloway Hill Recreation Ground, GU7	Godalming		Bowls Club Cricket squares x 2 Play Area Tennis courts MUGA Trim Trail
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 Wildlife and ornamental ponds
Hascombe Recreation Ground, GU8	Hascombe		Play area
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	

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion area***
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
High Lane Recreation Ground, GU27	Haslemere		Basketball court Play area
Lion Green, Haslemere GU27	Haslemere		Play Area Astro Turf football pitch
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	

Site	Parish	***Schedule 2 – Dog on lead***	***Schedule 3 – Dog exclusion area***
Woolmer Hill Estate - Hatchetts Drive, GU27	Haslemere		Play area
Woolmer Hill Estate - Lower Hanger, GU27	Haslemere		Play area
Shackleford Common	Peper Harow	Car Park	
Thursley Recreation Ground, GU8	Thursley	Recreation Ground	Cricket square Play Area
Shepherds Way, GU10	Tilford		Play area
Tilford Green	Tilford		Cricket Square
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
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

Restricted Area – Schedule 2 (dog on lead) and Schedule 3 (dog exclusion areas) – maps

[Maps to reflect the above table to be inserted here]

Dated this First day of August 2023

GIVEN under the Common Seal of

Waverley Borough Council

THE COMMON SEAL of the

WAVERLEY BOROUGH COUNCIL

Was hereunto affixed in the presence of

……..

Authorised Officer