

## THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

### THE DOG CONTROL ORDERS (PROCEDURES) REGULATIONS 2006

#### Removal of Dog Faeces

Notice is hereby given that Rother District Council intends to introduce the following Order pursuant to its powers under the Clean Neighbourhoods and Environment Act 2005

This Order will apply to any land within the administrative area of Rother District which is open to the air, including covered land which is open to the air on at least one side and to which the public are entitled or permitted to have access (with or without payment) of the following descriptions:

- (a) Any highway, footways, footpaths, twittens, promenades, steps and towpaths within the area of Rother District Council and any adjoining verges or ornamental areas, which are maintained at the public expense.
- (b) All pedestrianised areas within the Rother District Council.
- (c) All Parks, Gardens, Recreation and Sports Grounds, Commons, Amenity Areas of other open spaces owned, occupied or maintained by or on behalf of any of: Rother District Council, East Sussex County Council, Hastings Borough Council, a registered social landlord/housing association, any town or parish council within Rother District, any other public authority or any charity.
- (d) Any cemetery, burial ground or churchyard.
- (e) Any public car park or parking space.
- (f) All beaches and dunes.

This Order will require that, if a dog defecates at any time on the land to which the Order applies, the person who is in charge of the dog must remove the faeces from the land forthwith.

There will be exemptions for blind people with guide dogs and disabled people using trained assistance dogs. The Order will not apply to any woodland, marsh or agricultural land and any Access Land as defined in Part I of the Countryside and Rights of Way Act 2000.

#### Fixed penalty notices

The Council intends to issue fixed penalty notices to enforce the proposed Order under Section 59 of the Act. The payment would be £75. Failure to pay the fixed penalty notices may result in prosecution.

### **Consultation**

Any representations regarding this Order must be received by 14 December 2007 for consideration before a final decision is taken. Please write for the attention of David Edwards, Legal Services Manager, at the address below or e-mail [david.edwards@rother.gov.uk](mailto:david.edwards@rother.gov.uk) with "Dog Control Order" in the heading. **Please note that this notice is only about an Order requiring the Removal of Dog Faeces.** The order would replace various Byelaws and Orders which already require the removal of faeces from many areas within the District. The Council may in future consider making Orders prohibiting dogs from certain areas, requiring dogs to be on leads, limiting the numbers of dogs under one person's control etc., but any such proposals would be subject to further consultation and a further notice inviting representations on them would be published in due course.

Dated 9 November 2007

Head of Corporate Resources  
Town Hall, Bexhill-on-Sea  
East Sussex TN39 3JX