

Appendix 1

Lewes District Council

Anti-social Behaviour, Crime and Policing Act 2014 Part 4: Community Protection

Lewes District Public Spaces Protection Order (Dog Control on Telscombe Tye) 2018

Lewes District Council (“the Council”), in exercise of its power under section 59(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied that the conditions set out in sections 59(2) and 59(3) of the Act have been met, and having complied with the requirements of section 72 of the Act, makes the following public spaces protection order (the “Order”):

1. This Order shall be known as the Lewes District Public Spaces Protection Order (Dog Control on Telscombe Tye) 2018.
2. The Order shall come into force on [date] and shall have effect for a period of 3 years unless extended pursuant to section 60 of the Act.
3. This Order applies to the whole of Telscombe Tye as shown edged in black on the plan in the Schedule to this Order.

BY THIS ORDER:

Option 1

- 4.1 A person is guilty of an offence if at any time and without lawful excuse he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog which is not on a short lead and which is in the vicinity of sheep.
- 4.2 For the purposes of this Order, “short lead” means a lead of fixed length and of not more than two metres.

Option 2

- 4.1 Subject to paragraph 4.2, a person is guilty of an offence if at any time and without lawful excuse he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog and fails to keep the dog on a short lead.
- 4.2 A person is not guilty of the offence in paragraph 4.1 so long as he or she keeps the dog in sight at all times AND prevents it from approaching sheep.
- 4.3 The defence provided by paragraph 4.2 does not apply where an authorised officer reasonably requests the person to place the dog on a lead.

- 4.4 For the purpose of this Order –
- i. “short lead” means a lead of fixed length and of not more than two metres;
 - ii. “authorised officer” means an officer authorised by Lewes District Council

Option 3

- 4.1 *As per Option 1 or Option 2 but replacing “on a short lead” with “on a lead or otherwise under close control”.*

5. This Order shall not apply to a person who:-
- a) is registered as a blind person in a register compiled under section 29 of 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 coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity upon which he relies for assistance.

6. For the purpose of this Order–
- each of the following is a “prescribed charity”:
 - Dogs for Good (registered charity number 700454)
 - Support Dogs Limited (registered charity number 1088281)
 - Canine Partners (registered charity number 803680)

7. A person guilty of an offence under paragraph 4 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

8. If any person who lives near or regularly works near or visits Telscombe Tye wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

GIVEN under the COMMON SEAL of LEWES DISTRICT COUNCIL

this day of 2018.

THE COMMON SEAL OF
LEWES DISTRICT COUNCIL
was hereunto affixed in the presence
of:-

Authorised signatory.....

Print Name.....

Job
Title.....

DRAFT

Schedule

