

**ISLE OF WIGHT COUNCIL PUBLIC SPACES PROTECTION ORDER
(DOGS ON LEAD) 2020**

Isle of Wight Council (“the Council”), in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) makes the following Order:

1. This Order may be cited as the Isle of Wight Council Public Spaces Protection Order (Dogs on Lead) 2020.
2. This Order takes effect on the date of sealing and continues to have effect for a period of three years thereafter unless extended by further orders under the Council’s statutory powers.
3. This Order applies to the Restricted Area.
4. The effect of this Order is to require a dog to be kept on a lead within the Restricted Area at all times.
5. The Council makes this Order on the basis that it is satisfied on reasonable grounds that, without these controls, the activities carried on or that are likely to be carried on in the Restricted Area will have a detrimental effect on the quality of life of those in the locality. That detrimental effect or likely detrimental effect of the aforementioned activities is, or is likely to be, of a persistent or continuing nature, and is or is likely to be, such as to make it unreasonable, and justifies the restrictions imposed by this Order.

Dogs to be kept on a lead

6. This Order provides for a person in charge of a dog to keep the dog on a lead in the Restricted Area at all times, unless:
 - i. He 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 consented (generally or specifically) to his failing to do so.
7. 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.

Exemptions from Order

8. Nothing in this Order shall apply 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. A person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects and who relies upon a dog trained by a prescribed charity for assistance.

Offence

9. Failure without reasonable excuse to comply with the prohibitions or requirements imposed by this Order is an offence under Section 67 of the Act.

A person guilty of an offence under Section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale or a fixed penalty notice of a maximum of £100.00.

10. An Authorised Person may issue a fixed penalty notice to anyone he or she believes has committed an offence. The recipient of a fixed penalty notice will have 14 days to pay the fixed penalty. If payment is received within 14 days, they will not be prosecuted.

Interpretation

11. For the purpose of this Order:

- a. "An authorised Person" means a constable or police community support officer of Hampshire Constabulary or a person authorised in writing by the Council;
- b. "Council" means the Isle of Wight Council
- c. "Prescribed charity" means;
 - i. Dogs for the Disabled (Registered Charity No 700454);
 - ii. Support Dogs (Registered Charity No 1088281);
 - iii. Canine Partners for Independence (Registered Charity No 803680)
- d. "Restricted Area" means all land in the administrative area of the Council, as described in Schedules 1 and 2 and shown edged or lined red on the attached plans in Schedule 3, to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission

12. If any interested person desires to question the validity of this Order on the ground 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.

Dated:

The COMMON SEAL of the ISLE OF
WIGHT COUNCIL was hereunto affixed in
the presence of :

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Schedule 1

1. Each and every length of road including adjacent pavements and verges, within the administrative area of the Isle of Wight Council

Schedule 2

Parks and Open Space – Dogs on Lead areas

Reference No.	Location
L01	Bleak Down area
L02	Roud area
L03	Chillerton area
L04	Arreton – Lane End area
L05	Godshill – Moor Farm area
L06	St Helens REVETMENT ONLY 1 st May – 30 th SEPT
L07	Newtown Nature Reserve
L08	Ryde Seafront Zone 1
L09	Ryde Seafront Zone 2
L10	Ryde Seafront Zone 3
L11	Ryde Seafront Zone 4
L12	Ashey Cemetery, Gatehouse Lane, PO33
L13	Binstead Cemetery, Cemetery Road, PO33
L14	Carisbrooke (Mountjoy) Cemetery, Whitcombe Road, PO30 1YS
L15	East Cowes Cemetery, Kingston Road, East Cowes
L16	Newport Cemetery, Fairlee Road, PO30 2EJ
L17	Northwood Cemetery, Newport Road, Cowes PO31 7ER
L18	Ryde Cemetery, Adelaide Place, PO33 3DQ
L19	Sandown Cemetery, Cemetery Road, Lake
L20	Shanklin Cemetery
L21	St Paul's Cemetery, Halberry Lane, Newport, PO30 2ER
L22	Ventnor Cemetery, Newport Road, Ventnor, PO38
L23	Wroxall Cemetery, Wroxall