

LONDON BOROUGH OF SOUTHWARK
THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
DOG FOULING AND DOG CONTROL
PUBLIC SPACES PROTECTION ORDER

The London Borough of Southwark ("the Council") in exercise of their powers under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 ("The Act") hereby makes the following Order: -

This Order is made on 23 March 2018 and shall have effect for a period of 3 years thereafter, unless extended, varied or discharged by further order(s) under the Council's statutory powers.

OFFENCES

Prohibitions

Part 1 – Dog Fouling

1. If a dog defecates at any time on land to which this part of the Order applies and the person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:
 - i. They have 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 their failing to do so.

2. This part of the Order applies to all public places in the Authority (identified in Schedule 1).

For these purposes, a "public place" means any place 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.

3. For the purpose of this part of the Order:
 - i. placing the faeces in a receptacle on the land which is provided for this purpose, or for the disposal of waste, shall be a sufficient removal from the land;
 - ii. being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces, shall not be a reasonable excuse for failing to remove the faeces.

Part 2 – Dogs on Leads

1. A person shall be guilty of an offence if they are in charge of a dog who is not on a lead in specific land unless:
 - i. They have 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 their failing to do so.
2. For these purposes, a "lead" means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person's close control.

This part of the Order applies to amber zones identified in Schedule 2A, Schedule 2B and Schedule 2C.

Part 3 – Dog exclusion areas

1. A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land detailed in Schedule 3 unless:
 - i. They have 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 their failing to do so.
2. This part of the Order applies to land identified as children's play areas within parks and open spaces (identified in Schedule 3A) and Housing Estates (identified in Schedule 3B) where the play area must be gated and contain children's play equipment.

Part 4 - Dog Handlers - Maximum 6-Dogs, 3-Off Leads

1. A person in charge of more than one dog shall be guilty of an offence if at any time, he takes onto any land in respect of which this Order applies, more than 6-dogs or exceeds the maximum of 3-dogs being off their lead at any one time unless:
 - i. They have 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 their failing to do so.

For the purposes of this article a person who has a dog in his possession shall be taken to be in charge of the dog.

2. This part of the Order applies to all public places in the Authority (see Schedule 1) with the exception of land identified as One Tree Hill, which has its own provision. For these purposes, a "public place" means any place 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.

Requirements

Part 5 - Dogs on leads by Direction

1. A person in charge of a dog will be guilty of an offence if at any time, on land to which this part of the Order applies, they fail to comply with a direction given to them by an authorised person to put and keep the dog on a lead for such period and/or in such circumstances as directed by that person, unless he can show that:-
 - i. They have 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 their failing to do so.
2. For these purposes, a "lead" means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person's close control.
3. This part of the Order applies to all public places in the Authority (Schedule 1), including the green zone area within Camberwell New Cemetery and Honour Oak Crematorium (Schedule 2A), the green zone area within Camberwell Old Cemetery (Schedule 2B) and the green zone area within Nunhead Cemetery (Schedule 2C).

For these purposes, a "public place" means any place 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.
4. For the purposes of this part of the Order, an authorised person of the Council may only direct a person to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance, or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or the worrying or disturbance of any animal or bird.

Exemptions

Nothing in this Order shall apply to a person who:-

- i. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- ii. 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 and upon which he relies for assistance and are in charge of a dog trained by members of Assistance Dogs UK and are accredited by Assistance Dogs International or the International Guide Dog Federation.

For the purpose of this Order –

- A person who has a dog in his possession shall be taken to be in charge of the dog;
- Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
- Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
- “An authorised person of the Authority” means an officer of the council with delegated authority to enforce the Anti-social Behaviour Crime and Policing Act 2014, police officer or PCSO.
- An “authorised person” means an employee, partnership agency or contractor of the Council who is authorised in writing by the Council for the purposes of giving directions under the Order.

Penalty

A person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or a fixed penalty notice in the sum of £100. If the fixed penalty notice is paid within 10-days there will be an alternative discounted payable in the sum of £80.

Appeals

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this Order on two grounds, (i) that the Council does not have the power to make the Order or to include particular prohibitions or requirements; or (ii) that one of the requirements of the legislation has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Date: 23 March 2018

The Common Seal of the LONDON
BOROUGH OF SOUTHWARK was

hereto affixed in the presence of:

Authorised Signatory

Schedule 1

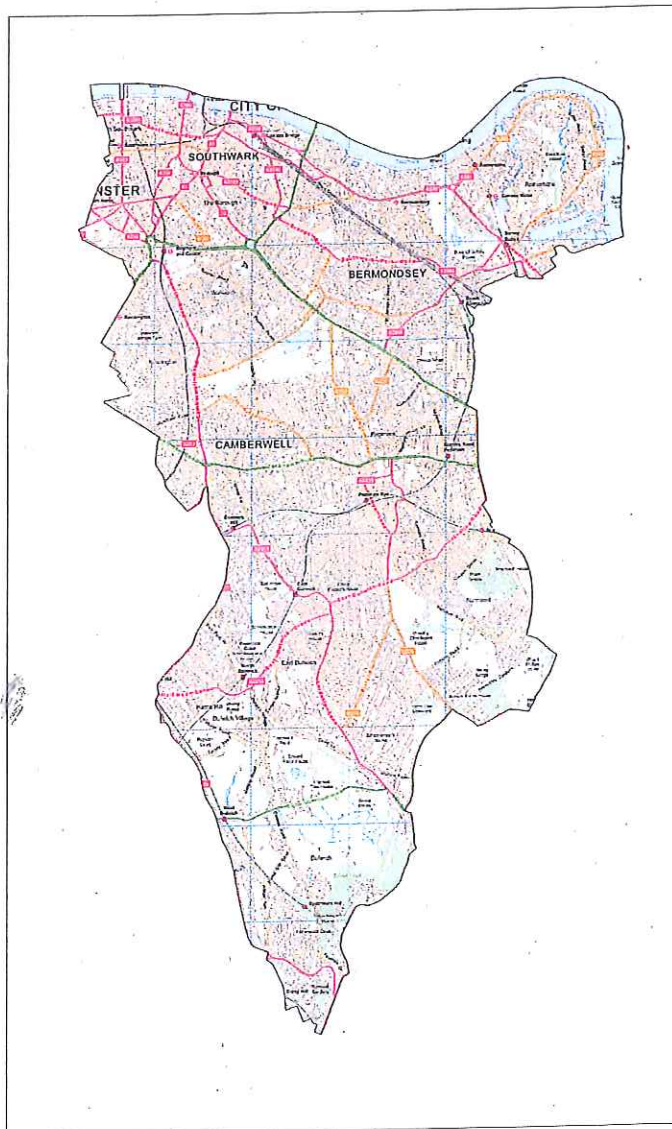
Part 1 - Dog Fouling

Part 4 - Dog Handlers - Maximum 6 Dogs, 3-off Lead

Part 5 - Leads on Direction

This part of the Order applies to all public places in the Authority.

For these purposes, a "public place" means any place 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.



Schedule 2

Schedule 2A

Camberwell New Cemetery and Honor Oak Crematorium



Amber zone indicates PSPO provision for:

- Dogs on leads at all times.
- Picking up dog mess after your dog.
- Maximum of six dogs with one handler.

Green zone indicate areas covered by the borough wide provisions of:

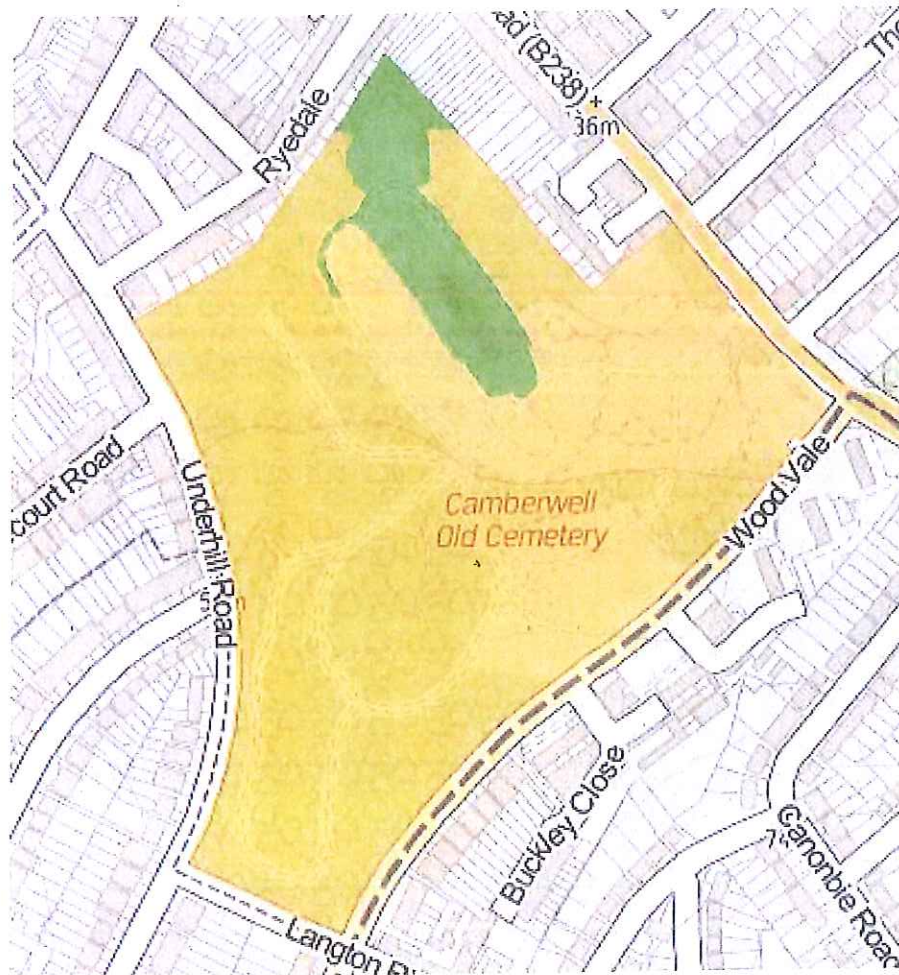
- Picking up dog mess after your dog
- Put your dog on a lead when instructed to do so by an authorised person.
- Maximum of six dogs per owner/walker with up to three dogs off a lead at any one time.

Schedule 2

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Schedule 2B

Camberwell Old Cemetery



Amber zone indicates PSPO provision for:

- Dogs on leads at all times.
- Picking up dog mess after your dog.
- Maximum of six dogs with one handler.

Green zone indicate areas covered by the borough wide provisions of:

- Picking up dog mess after your dog.
- Put your dog on a lead when instructed to do so by an authorised person.
- Maximum of six dogs per owner/walker with up to three dogs off a lead at any one time.

Schedule 2

Schedule 2C

Nunhead Cemetery



Amber zone indicates PSPO provision for:

- Dogs on leads at all times.
- Picking up dog mess after your dog.
- Maximum of six dogs with one handler.

Green zone indicate areas covered by the borough wide provisions of:

- Picking up dog mess after your dog.
- Put your dog on a lead when instructed to do so by an authorised person.
- Maximum of six dogs per owner/walker with up to three dogs off a lead at any one time.

Schedule 3 - Exclusions

Schedule 3A - Children's play areas within Parks and Open Spaces

(The play area must be gated and contain children's play equipment).

Burgess Park, Children's Playground, Chumleigh Street, SE5
Burgess Park, Children's Playground, Chumleigh Street, SE5
Burgess Park, Adventure Playground, Chumleigh Street, SE5
Burgess Park, Children's Playground, Burgess Park West
Burgess Park, Astro pitch
Burgess Park, Cricket/rugby pitch
Dulwich Park, Children's Playground, College Road, SE21
Dulwich Park, Tennis Courts, College Road, SE22
Dulwich Park, Tennis Courts, College Road, SE23
Dulwich Park, MUGA, College Road, SE24
Geraldine Mary Harmsworth Park, Children's Playground, St George's Road, SE1
Geraldine Mary Harmsworth Park, MUGA, St George's Road, SE1
Geraldine Mary Harmsworth Park, Sports area, St George's Road, SE1
Peckham Rye Park, Children's Playground, Strakers Road, SE15
Peckham Rye Park, Adventure Playground, Strakers Road, SE15
Peckham Rye Park, Skate Park, Strakers Road, SE15
Peckham Rye Park, Arboretum Picnic Area, Strakers Road, SE15
Peckham Rye Common, Children's Playground, Strakers Road, SE15
Southwark Park, Children's Playground, Gomm Road, SE16
Southwark Park, Tennis Courts, Gomm Road, SE16
Belair Park, Children's Playground, Gallery Road, SE21
Belair Park, Tennis Courts, Gallery Road, SE21
Belair Park, Skate Park, Gallery Road, SE21
Bermondsey Spa Park, Children's Playground, Spa Road, SE16
Bermondsey Spa Park, Adventure Playground, Spa Road, SE16
Bird-in-Bush Park, Children's Playground, Bird in Bush Road, SE15
Bird-in-Bush Park, BMX Track, Bird in Bush Road, SE15
Brimmington Park, Children's Playground, Culmore Road, SE15
Brimmington Park, Sports area, Culmore Road, SE15
Brunswick Park, Children's Playground, St Giles Road, SE15
Brunswick Park, Tennis Courts, MUGA, St Giles Road, SE15
Brunswick Park, MUGA, St Giles Road, SE15
Camberwell Green, Children's Playground, Camberwell Road SE5
Christchurch Gardens, Children's Playground, Blackfriars Road, SE1
Cossall Park, Children's Playground, Cossal Walk SE15
Cossall Park, MUGA, Cossal Walk SE15
Dr Harold Moody Park, Children's Playground, Consort Road, SE15
Dr Harold Moody Park, MUGA, Consort Road, SE15
Falmouth Road, Children's Playground, Falmouth Road, SE1
Faraday Gardens, Children's Playground, Portland Street, SE17
Faraday Gardens, MUGA, Portland Street, SE17

Goose Green Playground, Children's Playground, East Dulwich Road SE15
Guy Street Park, Children's Playground, Guy Street, SE1
Guy Street Park, MUGA, Guy Street, SE1
Honor Oak Sports Ground, Children's Playground, Honor Oak Park SE23
Honor Oak Sports Ground, Tennis Courts, Honor Oak Park SE23
Honor Oak Sports Ground, MUGA, Honor Oak Park SE23
Honor Oak Sports Ground, Picnic Area, Honor Oak Park SE23
Jowett Street Park, Children's Playground, Jowett St/Surrey Canal, SE15
King George's Field, Children's Playground, Lower Road, SE16
King George's Field, MUGA, Lower Road, SE16
King's Stairs Gardens, Children's Playground, Jamaica Road, SE16
Leathermarket Gardens, Children's Playground, Leathermarket Street, SE1
Leyton Square, Children's Playground, Peckham Park Road, SE15
Leyton Square, Adventure Playground, Peckham Park Road, SE15
Leyton Square, Playroom Grounds, Peckham Park Road, SE15
Little Dorrit Park, Children's Playground, Borough High Street, SE1
Long Lane Park, Children's Playground, Long Lane SE1
Long Meadow, Children's Playground, Gipsy Hill SE19
Lucas Gardens, Children's Playground, Peckham Road, SE5
Marlborough Playground, Children's Playground, Union Street SE1
Mint Street Park, Children's Playground, Mint Street, SE1
Mint Street Park, Adventure Playground, Mint Street, SE1
Mint Street Park, Football Pitch, Mint Street, SE1
Nelson Square, Children's Playground, Nelson Square SE1
Newington Gardens, Children's Playground, Harper Road, SE1
Nunhead Green, Children's Playground, Nunhead Lane, SE15
Nursery Row Park, Children's Playground, East Street, SE17
Oakley Place, Children's Playground, Nile Terrace, SE1
Pasley Park, Children's Playground, Chapter Road, SE17
Paterson Park, Children's Playground, Lynton Road, SE16
Paterson Park, MUGA, Lynton Road, SE16
Pearson's Park, Children's Playground, Rotherhithe Street, SE16
Pelier Park, Children's Playground, Pelier Street, SE17
Pullens Open space, Children's Playground, Amelia Street SE17
Salisbury Row Park, Chatham Street, SE16
Shuttleworth Park, Children's Playground, Southwark Park Road, SE16
St James's Churchyard, Children's Playground, Thurland Road, SE16
St John's Churchyard, Children's Playground, Tower Bridge Road, SE1
St Mary's Churchyard, Newington, Children's Playground, Newington Butts, SE17
St Mary's Churchyard, Rotherhithe, Children's Playground, St Marychurch Street, SE16
St Mary's Frobisher, Children's Playground, St Mary's Road, SE15
Sumner Park, Children's Playground, Sumner Road, SE15
Sunray Gardens, Children's Playground, Sunray Avenue, SE14
Sunray Gardens, MUGA, Sunray Avenue, SE14
Surrey Square, Children's Playground, Surrey Square SE1
Tabard Gardens, Children's Playground x2, Tabard Street, SE1
Tabard Gardens, MUGA, Tabard Street, SE1

Tabard Gardens, Football Pitch, Tabard Street, SE1
Tanner Street Park, Children's Playground, Tanner Street, SE1
Tanner Street Park, Tennis courts, Tanner Street, SE1
Victory Community Park, Children's Playground, Victory Place, SE17
Warwick Gardens, Children's Playground, Lyndhurst Way, SE15
Warwick Gardens, Sports area, Lyndhurst Way, SE15
Whites Grounds Skate Park, Skate Park, Druid Street, SE1
Surrey Docks Adventure Playground, Adventure Playground, Trident St, SE16
Central Venture Park, Entire site (play, skate, MUGA), Kelly Avenue SE15
Fredericks Adventure Playground, Adventure Playground.

Schedule 3

Schedule 3B – Children's Play Areas within Housing Estates.

(The play area must be gated and contain children's play equipment).

Estate	Post Code
Abbeyfield Estate	SE16
Acorn Estate	SE15
Adams Gardens Estate	SE16
Ainsty Estate	SE16
Alberta Estate	SE17
Albion Estate	SE16
Alvey Estate	SE17
Arnold Estate	SE1
Astley Estate	SE1
Atwell Estate	SE15
Aylesbury Estate	SE17
Aylton Estate	SE16
Aylwin Estate	SE1
Barlow Estate	SE17
Barset Estate	SE15
Bells Gardens Estate	SE15
Bonamy Estate	SE16
Borough Road Estate	SE1
Brandon Estate	SE1
Brayards Estate	SE15
Brimmington Estate	SE15
Brunel Estate	SE16
Cadiz Street Estate	SE17
Camberwell Grove Estate	SE5
Canada Estate	SE16
Champion Hill Estate	SE5
Champion Park Estate	SE5
Cherry Garden Estate	SE16
Cleve Hall Estate	SE5
Clifton Estate	SE15
Cluny Estate	SE1
Colegrove/Radnor Estate	SE15
College Road Estate	SE19
Comber Estate	SE5
Congreve Estate	SE17
Consort Estate	SE15
Coopers Road Estate	SE1
Cossall Estate	SE15
Crawford Estate	SE5
Creasy Estate	SE1
Croxted Road Estate	SE21
Denmark Hill Estate	SE5
Dickens Estate	SE16
Doddington Grove Estate	SE17

Dodson Estate	SE1
Dowlas Estate	SE5
Downtown Estate	SE16
Draper Estate	SE1
East Dulwich Estate	SE22
Elim Estate	SE1
Elizabeth Estate	SE17
Elmington Estate	SE5
Elmington Estate - New Build	SE5
Eveline Lowe Estate	SE16
Fair Street Estate	SE1
Frankland Close Estate	SE16
Friary Estate	SE15
Friern Estate	SE22
Gateway Estate	SE17
Gaywood Estate	SE1
Glebe Estate	SE5
Goschen Estate	SE5
Haddonfield Estate	SE8
Harold Estate	SE1
Havil Street Estat	SE5
Hawkstone Estate	SE16
Herne Hill Estate	SE24
Howlands Estate	SE16
Inville Estate	SE17
Irwell Estate	SE16
Keetons Estate	SE16
Kinglake Estate	SE17
Kingston Estate	SE17
Kingswood Estate	SE21
Kipling Estate	SE1
Kirby Estate	SE16
Lancaster Estate	SE1
Lant Estate	SE1
Lawson Estate	SE1
Ledbury Estate	SE15
Lettsom Estate	SE5
Linden Grove Estate	SE15
Lindley Estate	SE15
Lockyer Estate	SE1
Longfield Estate	SE1
Lordship Lane Estate	SE22
Lynton Estate	SE1
Lytcott Grove Estate	SE22
Manor Estate	SE16
Mardyke Estate	SE17
Marshalsea Estate	SE1
Mawbey Estate	SE1
Meakin Estate	SE1
Millpond Estate	SE16
Minnow Street Estate	SE17
Moncrieff Estate	SE15
Neckinger Estate	SE16

Nelson Estate	SE17
Neptune Street Estate	SE16
New James Street Estate	SE15
New Place Estate	SE16
Newington Estate	SE17
Newlands Estate	SE15
Newlands Estate II	SE15
North Peckham Estate	SE15
Nunhead Estate	SE15
Oakley Place Estate	SE1
Oliver Goldsmith Estate	SE15
Osprey Estate	SE16
Park Street Estate	SE1
Pasley Estate	SE17
Pedworth Estate	SE16
Pelican Estate	SE15
Pelier Estate	SE5
Pennack Road Estate	SE15
Penrose Estate	SE17
Plough Estate	SE8
Pomeroy Estate	SE15
Portland Estate	SE17
Pullens Estate	SE17
Purbrook Estate	SE1
Pynfolds Estate	SE16
Queens Road Estate	SE1
Rennie Estate	SE16
Rochester Estate	SE1
Rockingham Estate	SE1
Rodney Estate	SE17
Rouel Road Estate	SE16
Rye Hill Estate	SE15
Salisbury Estate	SE17
Sceaux Gardens Estate	SE5
Scovell Estate	SE1
Setchell Estate	SE1
Silverlock Estate	SE16
Silwood Estate	SE16
Slippers Place Estate	SE16
Southampton Way Estate	SE5
Southwark Park Estate	SE16
St Crispins Estate	SE16
St Johns Estate	SE1
St Marys Estate	SE16
St Olaves Estate	SE1
St Saviours Estate	SE1
Sturdy Road Estate	SE15
Sunray Estate	SE24
Swan Mead Estate	SE1
Swan Road Estate	SE16
Sydenham Hill Estate	SE23
Tabard Gardens Estate	SE1
Tappesfield Estate	SE15

Tustin Estate	SE15
Tyers Estate	SE1
Unwin Estate	SE15
Vauban Estate	SE16
Webber Row Estate	SE1
Whites Grounds Estate	SE1
Woodland Road Estate	SE19
Wyndham Estate	SE5

Date: 23 March 2018

The Common Seal of the LONDON
BOROUGH OF SOUTHWARK was

hereto affixed in the presence of:

K. Enore

KATE ENORE



Authorised Signatory