
BOROUGH OF DARLINGTON

BYELAWS

DOGS IN PLEASURE GROUNDS AND OPEN SPACES

Byelaws made by the Council of the Borough of Darlington under Section 164 of the Public Health Act 1875, Section 12 and 15 of the Open Spaces Act 1906 and Section 15 of the Open Spaces Act 1906 with regard to the public walks, pleasure grounds or open spaces in the Borough of Darlington

EXTENT

1.
 - (i) Byelaws 3 and 4 apply to the public walks and pleasure grounds described in Schedule 1, hereafter referred to as the “Canine Faeces Removal Areas”.
 - (ii) Byelaw 5 applies to the public walks and pleasure grounds, or parts thereof, described in Schedule 2, hereafter referred to as the “Dog Prohibited Area”.
 - (iii) Byelaw 6 applies to the public walks and pleasure grounds, or parts thereof described in Schedule 3, hereinafter referred to as the “Dogs on Leads Areas”.
 - (iv) Notice of the effect of those Byelaws shall be given by signs placed in conspicuous positions at the entrance to each of the dog prohibited area and at the entrances or on the approaches to the canine faeces removal areas and dogs on leads areas.

INTERPRETATION

2. (i) In these Byelaws, “the Council” means the Council of the Borough of Darlington;
- (ii) for the purpose of these Byelaws, the keeper of the dog shall be deemed in charge thereof unless the Court is satisfied that the dog had been placed in or taken into the charge of some other person at the time when an offence under these Byelaws had been committed;
- (iii) in Paragraph (ii) above, “the keeper” shall include the owner of the dog or any person who habitually has it in his possession.

REMOVAL OF CANINE FAECES

3. Every person (other than a registered blind person) in charge of a dog which is in the canine faeces removal areas who, without reasonable excuse, fails to remove forthwith from such area any faeces deposited by the dog shall be guilty of an offence.

4. For the purposes of compliance with Byelaw 3, the following provisions shall apply:-
- (a) it shall be sufficient removal from the canine faeces removal areas if the faeces are deposited in a receptacle in such area which has been provided for that purpose by the Council;
 - (b) without prejudice to the generality of the foregoing, it shall not be a reasonable excuse that a person in charge of a dog did not have with him any means of removal of the faeces.

DOGS PROHIBITED FROM THE GROUNDS

5. (i) No person (other than a registered blind person) in charge of a dog shall, without reasonable excuse, permit the dog to enter or remain in any of the dog prohibited areas;
- (ii) an Officer of the Council or any Constable may require a person in charge of a dog which has entered any of the dog prohibited areas to remove the dog therefrom.

DOGS ON LEADS

6. No person (other than a registered blind person) in charge of a dog shall without reasonable excuse permit a dog to be in the dogs on leads area unless the dog is held on a lead and is restrained from behaviour giving reasonable grounds for annoyance.

REMOVAL OF OFFENDERS

7. Any person offending against Byelaw 3, 5(i) or 6 in a pleasure ground may be removed from the pleasure ground in which the offence is being committed by a Constable or Officer of the Council.

PENALTY

8. Any person offending against Byelaw 3, 5 (i) or 6 shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale.

REVOCATIONS

9. Byelaw No. 13 of the Byelaws made by the Council on the 22nd day of April, 1976 in respect of pleasure grounds and the Byelaw made by the Council on the 25th day of August, 1977 with respect to the Sadberge Play Area are revoked with effect from the date on which these Byelaws shall come into operation.

SCHEDULE 1

CANINE FAECES REMOVAL AREAS

South Park	North Park
North Lodge Park	Sugar Hill Recreation Ground
Branksome Park	Green Park
Fryer's Recreation Ground	Alderman Crook's Recreation Ground
Stanhope Green	Eastbourne Park
Hundens Park	Brinkburn Dene
Devonshire Road Open Space	Mowden Park
11 Acres Salters Lane North	West Cemetery Lane
McMullen Road Open Space	Rockwell Pastures
Mayfair Road Recreation Ground	Albert Hill Recreation Ground
Lascelles Park	Salters Lane Open Space
Red Hall Park	Pierremont Tower
Southend Avenue	West Auckland Road Open Space
Broken Scar Picnic Area	Eastmount
Sparrowhall Drive Open Space	Whinbush Park
Pensbury Street Play Area	Grass Street Play Area
Heighington (St Michael's Crescent)	Haughton Road Open Space

SCHEDULE 2

THE DOG PROHIBITED AREAS

Bushel Hill Play Area	Sadberge Play Area
South Park Enclosed Children's Play Area	Eastbourne Park Enclose Sandpit Area
North Park Enclosed Children's Play Area	Brinkburn Dene Enclose Children's Play Areas – Drury Street and area between Salisbury Terrace/Hollyhurst Road

SCHEDULE 3

DOGS ON LEADS AREAS

<u>South Park</u> – ornamental, gardens, bowling green, pitch & putt areas	<u>North Lodge Park</u> – ornamental garden
<u>Southend Avenue</u> – ornamental garden and bowling green	<u>Hundens Park</u> – bowling green
<u>Eastbourne Park</u> – ornamental garden and bowling green	<u>Brinkburn Dene</u> – bowling greens and ornamental gardens
<u>Pierremont Tower</u> – ornamental garden	

Given under the Common Seal of the Council of the Borough of Darlington this 8th day of August 1991.

THE COMMON SEAL of THE)
COUNCIL OF THE BOROUGH)
OF DARLINGTON was hereunto)
affixed in the presence of :-)

Borough Solicitor and
Head of Administrative Services

The foregoing Byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 27th day of April 1992.

Signed by the Authority of
the Secretary of State

Home Office
London SW1
31st March 1992