

## LONDON BOROUGH OF RICHMOND UPON THAMES

### ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

#### LONDON BOROUGH OF RICHMOND UPON THAMES PUBLIC SPACES PROTECTION ORDER 2023 (DOG CONTROL)

The Council of the London Borough of Richmond upon Thames (in this Order called “the Council”) hereby makes the following Order pursuant to Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).

This Order may be cited as the “London Borough of Richmond upon Thames Public Spaces Protection Order 2023 (Dog Control)”.

This Order came into force on 16 October 2017 and lasted for a period of 3 years, was then extended from 22 September 2020 for a further 3 years and was further extended pursuant to section 60 of the Act from 22 September 2023 for a further 3 years. This Order can be extended pursuant to section 60 of the Act.

In this Order the following definitions apply:

“Person in charge” means the person who has the dog in his possession, care or company at the time the offence is committed or, if none, the owner or person who habitually has the dog in his possession.

“Restricted area” means the land described and/or shown in the maps in the Schedule to this Order.

“Authorised officer” means a police officer, PCSO, Council officer, and persons authorised by the Council to enforce this Order.

"Assistance dog" means a dog that is trained to aid or assist a disabled person.

The masculine includes the feminine.

### **The Offences**

#### **Article 1 - Dog Fouling**

If within the restricted area, a dog defecates, at any time, and the person who is in charge of the dog fails to remove the faeces from the restricted area forthwith, that person shall be guilty of an offence unless –

- a. he has a reasonable excuse for failing to do so; or
- b. the owner, occupier or other person or authority having control of the restricted area has consented (generally or specifically) to his failing to do so.

For the purposes of this Article -

- a. placing the faeces in a receptacle in the restricted area which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- b. being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

## **Article 2 – Dog Exclusion from Barn Elms (playing fields) and Petersham Meadows**

A person in charge of a dog shall be guilty of an offence if he takes a dog onto, or permits the dog to enter or remain on, Barn Elms playing fields at any time and Petersham Meadows from 1st April to 31st October in each year unless -

- a. he has a reasonable excuse for doing so; or
- b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically).

## **Article 3 – Dog Exclusion from play or sports areas**

A person in charge of a dog shall be guilty of an offence if, at any time, he takes a dog onto, or permits the dog to enter or remain on play or sports areas enclosed by fences or hedges, including playgrounds, Multi Use Games Areas, basketball and tennis courts, outdoor gyms, bowling greens and skate parks unless -

- a. he has a reasonable excuse for doing so; or
- b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically).

## **Article 4 – Dogs on leads**

A person in charge of a dog shall be guilty of an offence if, at any time, his dog is not on a lead in the restricted area unless -

- a. he has a reasonable excuse for failing to do so; or
- b. the owner, occupier or other person or authority having control of the restricted area has consented (generally or specifically) to his failing to do so.

## **Article 5 – Multiple Dog Walking**

A person in charge of more than one dog shall be guilty of an offence if, at any time, and at the same time, he takes on to the restricted area more than four dogs unless –

- a. he has a licence issued by the Council permitting more than four dogs; or
- b. he has a reasonable excuse for doing so; or
- c. the owner, occupier or other person or authority having control of the restricted area has consented (generally or specifically).

## **Article 6 – Dogs to be kept under proper control**

A person in charge of a dog in the restricted area shall be guilty of an offence if his dog is not kept under proper control.

In this Article “proper control” means a dog being on a lead or muzzled if the dog requires it, or otherwise being at heel/close enough to the person in charge that it can be restrained if necessary or responding immediately to voice commands.

## **Exemptions**

Nothing in Articles 1, 2 and 3 of this Order applies to –

- a. a disabled person (within the meaning of the Equality Act 2010) whose disability restricts his/her ability to comply with the article and where the dog is their guide dog or assistance dog; or
- b. a person who is training an assistance dog in an official capacity; or
- c. a dog used by the police or other agencies permitted by the Council for official purposes.

## **Penalty**

It is an offence under section 67 of the Act for a person without reasonable excuse –

- (a) to do anything that they are prohibited from doing by a public spaces protection order, or
- (b) to fail to comply with a requirement which they are subject to under a public spaces protection order.

A person guilty of an offence under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

If a constable in uniform or an authorised officer has reason to believe that a person has engaged, or is engaging, in a breach of this Order, he may require that person to give his name and address to the police constable or authorised officer.

Any person who—

- (a) fails to give his name and address when required to do so, or
- (b) gives a false or inaccurate name or address in response to such a request;

is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

THE COMMON SEAL OF THE MAYOR AND  
BURGESSES OF THE LONDON BOROUGH  
OF RICHMOND UPON THAMES was affixed  
this 22<sup>nd</sup> day of September 2023 in the  
presence of:

Signature

Name

Authorised Signatory

Seal Register No. 28543106



## **Schedule identifying Restricted Areas for Articles 1-6 of the Order**

**Article 1 Dog Fouling** – All land within the Council's administrative area which is open to the air and to which the public are entitled or permitted to have access (with or without payment) including roads, footpaths, pavements, grass verges, alleyways and tow paths, allotments, and parks and open spaces, including wooded areas.

**Article 2 Dog Exclusion Area Barn Elms playing fields and Petersham Meadows** – map attached showing Barn Elms restricted area.

**Article 3 Dog Exclusion Area play or sports areas** – Council owned. Details of these sites can be found at [www.richmond.gov.uk/parks and open spaces](http://www.richmond.gov.uk/parks_and_open_spaces).

### **Article 4 Dogs on leads**

Crane Park Island, Leg o'Mutton reservoir, Terrace Gardens, York House Gardens (including Champions Wharf), Kings Field, Diamond Jubilee Gardens, Ham Common Pond, Kew Pond, Barnes Pond, and Sheen Common Pond

Open cemeteries - East Sheen Cemetery, Richmond Cemetery, Hampton Cemetery, Twickenham Cemetery, Old Mortlake Cemetery, and Teddington Cemetery

Closed cemeteries St Andrew's, Ham; St James's Church, Hampton Hill; St Mary's, Hampton; St Mary Magdalene, Richmond; St Mary the Virgin, Mortlake; St Mary with St Alban, Teddington; Richmond Old Burial Ground, Richmond; and Vineyard Passage, Richmond

Highways - All roads, footpaths, pavements, alleyways, towpaths, and grass verges maintained at public expense.

### **Article 5 Multiple Dog Walking**

Parks – All parks and open spaces, including commons, grounds and wooded areas, managed by the London Borough of Richmond upon Thames. Details of these sites can be found at [www.richmond.gov.uk/parks and open spaces](http://www.richmond.gov.uk/parks_and_open_spaces).

Highways - All roads, footpaths, pavements, alleyways, towpaths, and grass verges maintained at public expense.

### **Article 6 Dogs to be kept under proper control**

All land within the Council's administrative area which is open to the air and to which the public are entitled or permitted to have access (with or without payment) including roads, footpaths, pavements, grass verges, alleyways, tow paths, allotments, and parks and open spaces, including wooded areas. Details of these sites can be found at [www.richmond.gov.uk/parks and open spaces](http://www.richmond.gov.uk/parks_and_open_spaces).



