

**PUBLIC NOTICE**

**THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005**

**DOG CONTROL ORDERS (PRESCRIBED OFFENCES AND PENALTIES ETC) REGULATIONS 2006**

Notice is hereby given by Scarborough Borough Council that pursuant to its powers under the Clean Neighbourhoods and Environment Act 2005 in respect of the Control of Dogs has made on the 7 October 2008 the following orders. The orders will come in to force on 27 October 2008.

Order and Land to which it applies	Offence
<p><b>The Scarborough Borough Council, Fouling of Land by Dogs on Beaches, Promenades etc Order 2008</b></p> <p>This Order shall apply to the following areas of land that are open to the air and to which the public are entitled or permitted to have access (with or without payment)</p> <ol style="list-style-type: none"> <li>1. Filey – The beach from a line drawn at 90° to the line of the coast from the southernmost point of the sea wall at Royal parade to a line drawn at 90° to the sea wall from the northernmost side of the beach slipway which separates the Coble Landing from the Promenade.</li> <li>2. Filey – The paddling pool and its enclosures on the promenade at the foot of Cargate Hill.</li> <li>3. Filey - The promenade from the southernmost point of Coble Landing to the sea wall at Royal Parade.</li> <li>4. Scarborough North Bay – The beach from a line drawn at 90° to the promenade from the top of the northernmost beach slipway at the former Corner Café to a line drawn at 90° to the North Promenade from the south side of the breach steps immediately to the south of the beach slipway at Scalby Mills.</li> <li>5. Scarborough North Bay – The promenade from Scalby Mills Road to the former Corner Café.</li> <li>6. Scarborough South Bay – The beach from the West Pier to a line drawn at 90° to Forehsore Road from the top of the southernmost flight of steps leading to the beach at the roundabout adjacent to the underground car park.</li> <li>7. Scarborough South Bay – The promenade from a line drawn at 90° from the steps directly opposite the northerly end of the Spa to a line 90° at the point known as Holbeck Slip.</li> <li>8. Whitby - The west beach from the West Pier to a line drawn at 90° to the promenade from the east side of the beach steps adjacent to the western end of the beach chalets.</li> <li>9. Whitby - The promenade (including the whole of Battery Parade) between Whitby Pavilion (formally the Spa) and Upgang Valley.</li> <li>10. Sandsend – The beach from the steps below the public conveniences below Sandhills to the slipway at the southern end of Bank Bottom Car Park.</li> <li>11. Runswick Bay – The promenade from the south end of the sea wall north to the breakwater below Cockpit Hill.</li> <li>12. Staithes – The promenade to the south side of Staithes Beck from the sea ward side of Staithes Bridge to the first breakwater.</li> </ol>	<p>If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:-</p> <ol style="list-style-type: none"> <li>a) he has a reasonable excuse for failing to do so; or</li> <li>b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.</li> </ol> <p>Nothing in this article applies to a person who—</p> <p>(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or</p> <p>(b) has a disability which affects his mobility, manual dexterity, physical co-ordination 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.</p>
<p><b>The Scarborough Borough Council, Dogs on Leads on Promenades Order 2008</b></p> <p>This Order applies to:-</p> <ol style="list-style-type: none"> <li>1. Filey – The promenade from the southernmost point of Coble Landing to the sea wall at Royal Parade.</li> <li>2. Scarborough North Bay – The promenade from Scalby Mills Road to the former Corner Café.</li> <li>3. Scarborough South Bay – The promenade from a line drawn at 90° from the steps directly opposite the northerly end of the Spa to a line 90° at the point known as Holbeck Slip.</li> <li>4. Whitby – The promenade (including the whole of Battery Parade) between Whitby Pavilion (formally the Spa) and Upgang Valley.</li> <li>5. Runswick Bay – The promenade from the south end of the sea</li> </ol>	<p>A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies he does not keep the dog on a lead, unless:-</p> <ol style="list-style-type: none"> <li>a) he has a reasonable excuse for failing to do so; or</li> <li>b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.</li> </ol>

<p>wall north to the breakwater below Cockpit Hill.</p> <p>6. Staithes – The promenade to the south side of Staithes Beck from the seaward side of Staithes Bridge to the first breakwater.</p>	
<p><b>The Scarborough Borough Council Exclusion of Dogs from Beaches etc, Order 2008</b></p> <p>This Order shall apply to the following areas of land:</p> <ol style="list-style-type: none"> <li>1. Filey – The beach from a line drawn at 90° to the line of the coast from the southernmost point of the sea wall at Royal parade to a line drawn at 90° to the sea wall from the northernmost side of the beach slipway which separates the Coble Landing from the Promenade.</li> <li>2. Scarborough North Bay – the beach from a line drawn at 90° to the promenade from the top of the northernmost beach slipway at the former corner Café to a line drawn at 90° to the North Promenade from the south side of the beach steps immediately to the south of the beach slipway at Scalby Mills.</li> <li>3. Scarborough South Bay – the beach from the West Pier to a line drawn at 90° to Foreshore Road from the top of the southernmost flight of steps leading to the breach at the roundabout adjacent to the underground car park.</li> <li>4. Whitby – The west beach from the West Pier to a line drawn at 90° to the promenade from the east side of the beach steps adjacent to the western end of the beach chalets.</li> <li>5. Sandsend – The beach from the steps below the public conveniences below Sandhills to the slipway at the southern end of Bank Bottom Car Park.</li> <li>6. Filey – The paddling pool and its enclosures on the promenade at the foot of Cargate Hill.</li> </ol> <p>The above restrictions will apply</p> <ol style="list-style-type: none"> <li>a) in the case of areas 1,2,3,4 and 5 above – between 1 May and 30 September inclusive in any year.</li> <li>b) in the case of area 6 above – all year round.</li> </ol>	<p>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 to which this Order applies, unless:-</p> <ol style="list-style-type: none"> <li>a) he has a reasonable excuse for failing to do so; or</li> <li>b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.</li> </ol> <p>Nothing in this article applies to a person who—</p> <ol style="list-style-type: none"> <li>(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or</li> <li>(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</li> <li>(c) has a disability which affects his mobility, manual dexterity, physical co-ordination 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.</li> </ol>

**Penalty** – The penalty under all of the above Orders shall be:-

£75 within 14 days (or £50 if paid within 7 days).

A person who is guilty of an offence shall be liable on summary conviction to a fine not exceeding Level 3 on the standard scale.

The orders are available for viewing at Customer First, Scarborough Borough Council, Town Hall, St Nicholas Street, Scarborough, YO11 2HG between the hours of 8.30 am and 5.00pm Monday to Friday. Copies of the orders can be made available on request and will be available at website address [www.scarborough.gov.uk](http://www.scarborough.gov.uk). For further information please telephone 01723 232323.

Head of Environmental Services