

BYELAWS made by the **TOWN COUNCIL OF SHEPTON MALLET** relating to the control of Dogs and made under Section 164 of the Public Health Act, 1875 and Sections 12 and 15 of the Open Spaces Act, 1906 or Section 15 of the Open Spaces Act with regard to public walks and pleasure grounds, or open spaces with respect to the Pleasure Ground known as **COLLETT PARK, SHEPTON MALLET** in the County of Somerset

EXTENT

1. (i) Byelaw 3 applies to the public walks and pleasure grounds, or parts thereof, described in Schedule 1, hereafter referred to as the “Dog Prohibited Areas”.
- (ii) Byelaws 4 and 5 apply to the public walks and pleasure grounds described in Schedule 2, hereafter referred to as the “Canine Faeces Removal Areas”.
- (iii) Byelaw 6 applies to the public walks and pleasure grounds, or parts thereof, described in Schedule 3, hereafter 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 entrances to each of the dog prohibited areas, 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 Town Council of Shepton Mallet.
- (ii) For the purpose of these byelaws the keeper of the dog shall be deemed in charge thereof, unless the dog had been placed 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/her possession.

DOGS PROHIBITED FROM THE GROUNDS

3. (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 there from.

REMOVAL OF CANINE FAECES

4. Every person (other than a registered blind person) in charge of a dog which is in any of the canine faeces removal areas who, without reasonable excuse, fails to remove forthwith from any such area any faeces deposited by the dog shall be guilty of an offence.
5. For the purpose of compliance with byelaw 4 the following provisions shall apply;
 - (a) It shall be a sufficient removal from the canine faeces removal areas if the faeces are deposited in a receptacle in any 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/her any means of removal of the faeces.

DOGS ON LEADS

6. No person in charge of a dog shall without reasonable excuse permit a dog to be in the dogs on lead areas 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 any of these byelaws in a pleasure ground may be removed from the pleasure ground in which the offence is being committed by a constable or by an officer of the Council.

PENALTY

8. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

SCHEDULE 1

DOG-PROHIBITED AREAS

The area known as Collett Park near the Park Road entrance and which is enclosed by two separate 750mm high mesh fences where children's play equipment is sited.

SCHEDULE 2

CANINE FAECES REMOVAL AREAS

The whole of the area known as Collett Park, Shepton Mallet, excepting that area defined in Schedule 1 of these byelaws.

SCHEDULE 3

DOGS ON LEADS AREAS

The whole of the area known as Collett Park, Shepton Mallet, excepting that area defined in Schedule 1 of these byelaws.

The foregoing byelaws were made and adopted by the Town Council of Shepton Mallet at a Meeting held on the 2nd day of June 1992.

Given under our hands and seals this 2nd day of June 1992.

K. J. Hurrel - Chairman

D. Gilham (Mrs) - Vice-Chairman