



Statutory Document No. 156/08

THE DOGS ACT 1990

THE DOUGLAS DOG CONTROL BYELAWS 2008

Approved by the Department 17th March 2008

Coming into operation 1st April 2008

In exercise of the powers conferred on the Borough of Douglas by section 24 of the Dogs Act 1990¹, and of all other enabling powers, and (as respects byelaws 4, 5 and 6) with the consent of the respective owners of the open spaces in question, the following Byelaws are hereby made: —

1. Citation, commencement and termination

(1) These Byelaws may be cited as the Douglas Dog Control Byelaws 2008 and, subject to section 24(10) of the Act, shall come into operation on 1st April 2008.

(2) These Byelaws shall, if not revoked earlier, cease to have effect on 31st March 2018.

2. Interpretation

(1) In these Byelaws —

“the Act” means the Dogs Act 1990;

“the Department” means the Department of Local Government and the Environment”;

“local authority” means the Borough of Douglas;

(2) Other words have the meanings ascribed to them by the Act.

(3) Reference in these Byelaws to the keeper of a dog does not include:

(a) a registered blind person in charge of a dog; or

(b) a member of the Isle of Man Constabulary or an officer of Isle of Man Customs and Excise when they are engaged in law enforcement functions or a member of Her Majesty’s Armed Forces when engaged on operational duties within the Island.

¹ 1990 c.16, as amended by the Dogs (Amendment) Act 2006
Price 70p Price Code A

3. Penalties

Subject to Section 24(2) of the Act, any person guilty of an offence under these byelaws may be liable to a fixed penalty fine of £50 or, upon summary conviction, shall be liable to a fine not exceeding £1,000.

4. Dogs prohibited from open spaces and beaches

Where any dog during a specified period of time or throughout the year is permitted to have access to the open space described in Part A of Schedule 1, or the beach described in Part B of Schedule 1, the keeper of the dog shall be guilty of an offence.

5. Dogs at large in open spaces and on beaches

Where any dog during a specified period of time or throughout the year is found to be at large in the open space described in Part A of Schedule 2 or at large on one of the beaches described in Part B of Schedule 2, the keeper of the dog shall be guilty of an offence.

6. Removal of canine faeces

(1) Where the keeper of a dog fails without reasonable excuse to remove any faeces deposited by the dog on —

- (a) any highway in its district which consists of or comprises a carriageway, and includes any footway, footpath, pavement, cycle route, alleyway, access lane and any verge, margin or grassed area adjoining or abutting thereto,
 - (b) an open space described in Part A of Schedule 3, or
 - (c) a beach described in Part B of Schedule 3, the keeper of the dog shall be guilty of an offence.
- (2) For the purpose of this Byelaw —
- (a) faeces shall be taken as removed if they are deposited in a receptacle provided for the purpose in the area or open space by a local or other public authority;
 - (b) it shall not be a reasonable excuse that the keeper did not have with him any means of removal of the faeces.

7. Revocation

The Borough of Douglas Dog Control Byelaws 1997² are hereby revoked.

² SD No. 56/97

Byelaw 4.

SCHEDULE 1

PART A

OPEN SPACES WHERE DOGS ARE PROHIBITED AT ALL TIMES

1. School and other educational establishments:

The grounds and playing fields at, and within, the following schools and establishments:

- Anagh Coar Primary School
- Ballacloan Infants School
- Ballakermeen High School
- Ballaquayle Infants School
- Cronk-y-Berry Primary School
- Fairfield Junior School
- Glencrutchery Old School
- Isle of Man Business School
- Isle of Man College
- Kewaique Primary School
- Manor Park Primary School
- Murray's Road Junior School
- Pre-School Assessment Unit/Youth and Community Centre, Pulrose
- Scoill Vallajeelt
- St. Mary's RC Mixed and Infants School
- St. Ninian's High School
- Park Road (St. Ninian's Lower School)
- St. Thomas' CE Mixed and Infants School
- Willaston Primary School

2. Sports Grounds, Fields and similar areas:

- the sports playing fields to the East of Tromode Road as edged by thick black lines on the plan annexed to these Byelaws and marked "Plan A — Tromode Road playing fields"
- the areas within the grounds of Noble's Park used for football, rugby and cricket. This area being bounded by the inner fence line parallel to Glencrutchery Road, the boundary with St. Ninian's Church land continuing to St. Ninian's Road, its boundary wall to the main entrance gate, the westerly hedge and grass line adjoining and abutting the main drive to the hedge near the lower entrance to the TT Grandstand car park and the hedge line, separating the car park and rear of the grandstand areas from the playing fields, to the inner fence line from the main drive, excluding the central footway leading to Glencrutchery Road from the main drive; also the areas set aside for tennis, bowls, miniature or crazy golf and any other sporting activities as edged by the thick black lines

on the plan annexed to these Byelaws and marked “Plan B — Sports and other areas at Nobles Park”

- Vagabonds Rugby Football Club
- St. George’s Association Football Club
- Braddan Association Football Club
- the whole of Douglas High School Old Boys’ Association Football Club, off Blackberry Lane
- the areas used for football or other sports and games off Springfield Road, Spring Valley/Pulrose as edged by thick black lines on the plan annexed to these Byelaws and marked “Plan C — Pulrose Golf Course and Sports areas”
- the whole of Pulrose Golf Course shown edged by thick black lines in annexed Plan C, except the Public Footpaths from Kewaigue Road to New Castletown Road at Pulrose Farm and the rear of Hazel Crescent, and alongside Middle River as shown by a black dotted line on the annexed Plan C.
- the National Sports Centre
- the Villa Marina Bowling Greens
- the Bowl at King George V Park
- Finch Hill Recreation grounds, except on the path leading from Demesne Road to Kensington Road

3. Childrens’ Playgrounds and similar areas:

- the children’s playground and ‘Tot Lot’ in Noble’s Park as edged by thick black lines on the plan annexed to these Byelaws and marked “Plan D — Tot Lot and children’s playground in Nobles Park”
- the children’s playground within the Sunken Gardens on Loch Promenade
- the children’s playground at Pulrose
- the children’s playground at Willaston
- the children’s playground at Anagh Coar
- the children’s playground at Close Moore, Ballavagher
- the children’s playground at Governor’s Hill
- The children’s playground at Nobles Plot, Westmoreland Road
- Queens Gardens also known as Centenary Garden

4. Other Open Spaces:

- the whole of Douglas Borough Cemetery
- the whole of the Borough of Douglas Lawn Cemetery
- the grounds of All Saints’ Church and Parish Hall, Alexander Drive
- the grounds of St. George’s Church, Upper Church Street
- the grounds of St. Joseph’s Church, Snaefell Road
- the grounds of St. Mary’s Church, Hill Street
- the grounds of St. Ninian’s Church, Ballaquayle Road

- the grounds of Trinity Methodist Church, Bucks Road
- the grounds of Willaston Methodist Church, Barrule Road
- all grassed or planted areas within Noble’s park not otherwise prohibited under 2 (sports grounds) or 3 (playgrounds) above, with the exception of the specifically provided dog walking/exercise area which abuts Upper Dukes Road and as edged by black dashed lines on the plan annexed to these Byelaws and marked “Plan E – Nobles Park Dog Exercise/Walking Area”
- Hilary Park
- Hutchinson Square
- Woodburn Square
- Derby Square
- Glen Falcon
- Falcon Rose Gardens
- Olympia, Victoria Road
- Villa Marina Gardens except on the main driveway between Broadway and Back Marina Road, as specified in Schedule 2, Part A
- Grassed or planted sections of the Sunken Gardens, Loch Promenade
- Summerhill Glen, except on all pathways within the glen

PART B

BEACH WHERE DOGS ARE PROHIBITED DURING SPECIFIED TIMES

From 1st May to the 30th September (inclusive) in any year, between 10.00 hours and 18.00 hours, dogs are prohibited from Douglas Beach (including the foreshore, all steps, slipways or other ways leading from the promenades thereto) between Pollock Rocks and a line drawn at right angles to the sea wall, through the southern end of the Manx Electric Railway terminus at Derby Castle.

Byelaw 5.

SCHEDULE 2

PART A

OPEN SPACES WHERE DOGS MAY NOT BE AT LARGE AT ANY TIME

- Noble’s Park dog walking/exercise area as edged by a black dashed line on the plan annexed to these Byelaws - see Plan E as referred to in Schedule 1, Part A, paragraph 4.
- those other areas within Noble’s Park with concrete, tarmac or otherwise metalled or surfaced roads and paths, when used for walking through the park or towards the dog walking/exercise area, excluding areas specified in Schedule 1 (Sports areas, playgrounds and similar areas).
- Douglas Head (referring to the open areas of Douglas Head and pathways and areas leading to and around Port Skillion) as edged with black dashed lines on the plan annexed to this Byelaws and marked “Plan F – Douglas Head”.
- the Public Footpaths across Pulrose Golf Course from Kewaigue Road to New Castletown Road at Pulrose Farm and the rear of Hazel Crescent, and alongside Middle River indicated by black dotted lines in the annexed Plan C.
- the whole of the area known as the Old Nobles Plot or Westmoreland Road Health Centre, bounded by Westmoreland Road, Ballakermeen Road and the rear of Hillside Avenue.
- the grounds of Glenside Residential Home, Victoria Road
- the Finch Hill recreation ground path between Demesne Road, Grosvenor Road and Kensington Road
- the pathways within Summerhill Glen
- all other open spaces on land owned or tended by the local authority and proof of such ownership or tending shall lie with the local authority.

PART B

BEACHES WHERE DOGS MAY NOT BE AT LARGE

(During those times not specified in Schedule 1, Part B)

- The area of Douglas Beach (including the foreshore) between Pollock Rocks and a line drawn at right angles to the sea wall, through the southern end of the Manx Electric Railway terminus at Derby Castle.
- Port Skillion

Byelaw 6

SCHEDULE 3

PART A

OPEN SPACES FROM WHICH DOGS` FAECES MUST BE REMOVED

- Douglas Head (referring to open areas of Douglas Head and pathways and areas leading to and around Port Skillion) — see Plan F as referred to in Schedule 2, Part A

- the Public Footpaths across Pulrose Golf Course from Kewaigue Road to New Castletown Road at Pulrose Farm and the rear of Hazel Crescent, and alongside Middle River as indicated in the annexed Plan C.
- Noble’s Park dog walking/exercise area – see Plan E as referred to in Schedule 2, Part A.
- those other areas within Noble’s Park with concrete, tarmacadam or otherwise metalled or surfaced roads and paths, when used for walking through the park or towards the dog walking/exercise area, excluding areas specified in Schedule 1 (Sports areas, playgrounds/areas).
- the Villa Marina roadway between Broadway and Back Marina Road, and all other pathways of the Villa Marina/Gaiety complex
- the whole of the area known as the Old Nobles Plot or Westmoreland Road Health Centre, bounded by Westmoreland Road, Ballakermeen Road and the rear of Hillside Avenue.
- the whole of the area surrounding Crookall House (formerly the Jane Crookall Maternity Wing) and the Nurses` Home, bounded by Westmoreland Road, Demesne Road, Finch Hill Recreation grounds and Kensington Road
- the grounds of Glenside Residential Home, Victoria Road
- the Finch Hill recreation ground path between Demesne Road, Grosvenor Road and Kensington Road
- the pathways within Summerhill Glen
- all other open spaces on land owned or tended by the local authority and proof of such ownership or tending shall lie with the local authority.

PART B

BEACHES FROM WHICH DOGS` FAECES MUST BE REMOVED

(During those times not specified in Schedule 1, Part B)

- Douglas Beach, as described above in Schedule 1, Part B
- Port Skillion

MADE

Seal of Douglas

Signed

Mayor of Douglas

Signed

..... Town Clerk of Douglas

EXPLANATORY NOTE

(This note is not part of the Byelaws)

These Byelaws impose controls on dogs in certain parts of the Borough of Douglas. Dogs are prohibited from the open spaces and beach described in Schedule 1 and dogs may not be at large in the open spaces and beaches described in Schedule 2. Dog faeces must also be removed from any highway within its district which consists of or comprises a carriageway and from the open spaces and beaches described in Schedule 3.

Contravention is an offence and renders the keeper of the dog liable to a fixed penalty of £50 or, on summary conviction, a fine of up to £1,000.