

WORCESTER CITY COUNCIL (DOG CONTROL) PUBLIC SPACES PROTECTION ORDER 2021

Worcester City Council ("the Council") in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") being satisfied that the conditions set out in section 59 of the Act have been met hereby makes the following Order:-

1. This Order may be cited as the Worcester City Council (Dog Control) Public Spaces Protection Order 2021 ("the Order").
2. This Order takes effect on the 25th November 2021 and continues to have effect until 5th July 2024 unless extended by further orders under the Council's statutory powers.
3. This order applies to all land in the administrative area of the Council, as shown coloured green on the attached plan, to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission ("the Restricted Area").
4. The effect of this Order is to regulate the control of dogs within the Restricted Area at all times.

Removal of Dog Faeces

5. This Order provides for the removal of dog faeces by a person in charge of a dog as follows:
 - a. If a dog defecates at any time on land to which this Order applies a person who is in charge of the dog at the time must remove the faeces from the land forthwith unless:-
 - i. he has reasonable excuse for failing to do so; or

- ii. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Dog Exclusion Areas

- 6. This Order provides that a dog must not be taken into or kept in a "dog exclusion area" by a person in charge of a dog as follows:
 - a. A person in charge of a dog must not take it into or keep it within a fenced/enclosed area and signed at its entrance(s) as a "dog exclusion area" (whether the sign uses those particular words or words and/or symbols having like effect) which is designated and marked unless:-
 - i. he has reasonable cause for failing to do so; or
 - ii. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Specified Maximum Number of Dogs Under Supervision of a Single Person

- 7. This Order provides that there is a maximum number of dogs that can be under the supervision of a single person as follows:
 - a. The maximum number of dogs to be under a single person's supervision is set at four "4".

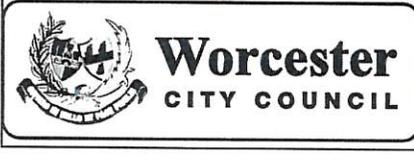
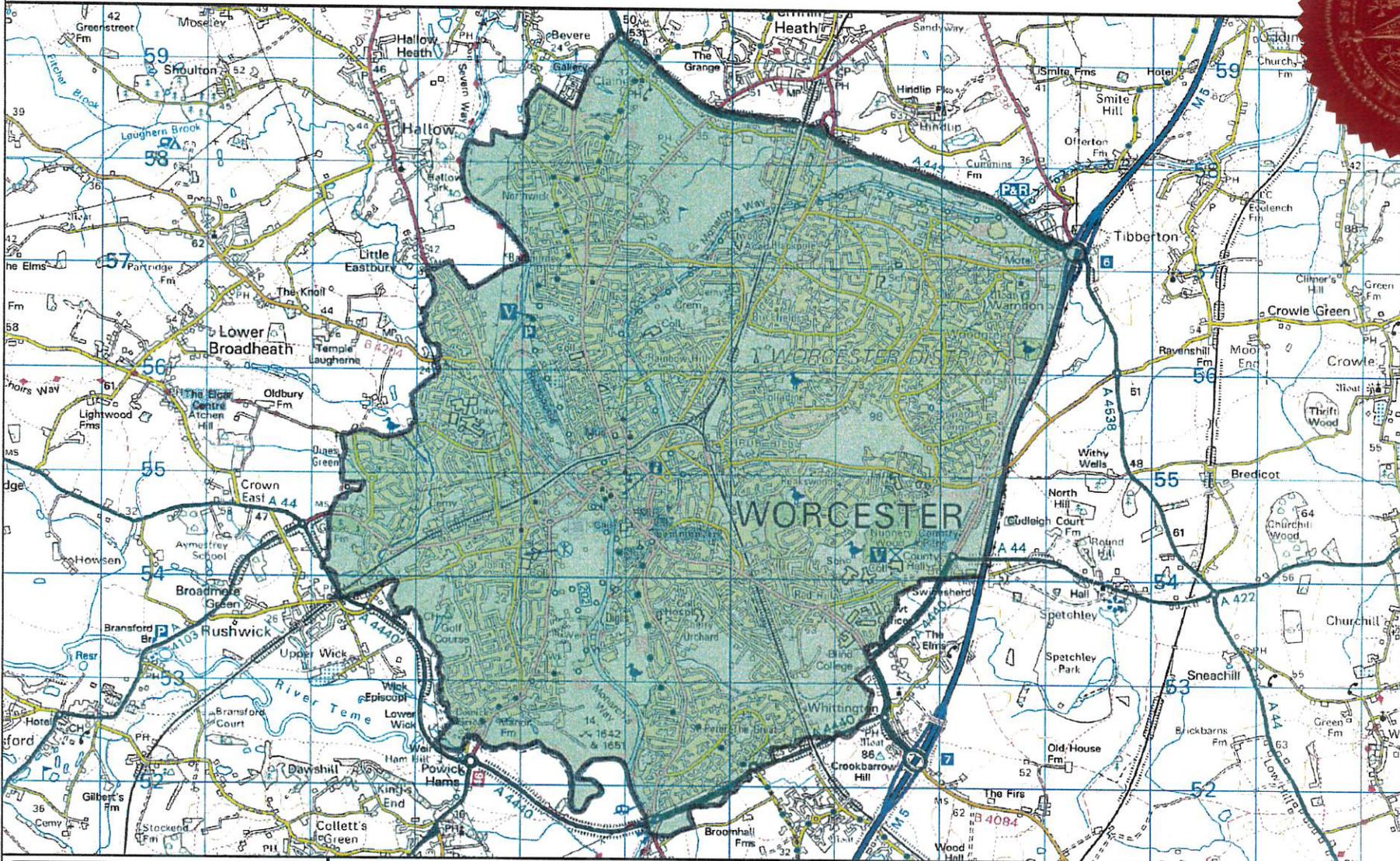
Exclusions from Order

- 8. Nothing in this order shall apply to a person who:-
 - a. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or

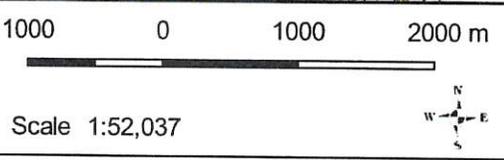
Public Space Protection Order for Dog Control June 2018



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 Produced by: Warwick Neale

- b. a person with a disability affection their mobility, manual dexterity or ability to list, carry or move everyday objects and who relies upon a dog trained be a prescribed charity for assistance.

Interpretation

9. For the purpose of this order:

- a. A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- b. Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
- c. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces
- d. "An authorised officer of the Authority" means an employee, partnership agency or contractor of Worcester City Council who is authorised by Worcester City Council for the purposes of giving directions under the Order.

10. The Council is satisfied that the conditions set out in Section 59 of the Act have been satisfied and that it is in all the circumstances expedient to make this Order for the purposes of reducing anti-social behaviour in the Restricted Area that has a detrimental effect on the quality of life in the locality. Furthermore the Council is satisfied that the effect of the activities is, or is likely to be, of a persistent or continuing nature, and is, or is likely

to be such as to make the activity unreasonable and the effect justifies the restrictions imposed.

11.Failure without reasonable excuse to comply with the prohibitions or requirements imposed by this Order is an offence under Section 67 of the Act. A person guilty of an offence under Section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale or a fixed penalty notice of a maximum of £70.00.

12.If any interested person desires to question the validity of this Order on the ground that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Dated: 18th November 2021

The Common Seal of Worcester City Council
Was hereunto affixed in the presence of:-



Georgina Coley

Deputy Monitoring Officer

