

SOUTH RIBBLE BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE DOGS ON LEAD BY DIRECTION IN THE BOROUGH OF SOUTH RIBBLE PUBLIC SPACES PROTECTION ORDER 2024

The South Ribble Borough Council (in this Order called "the Council") under Part 4, 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. The Order comes into force on 23/10/2024 and shall last for three years unless extended by the Council
2. This Order applies to land specified in the Schedule below ("the Restricted Area").
3. In this Order "an Authorised Person" means an employee of the Council who is authorised in writing by the Council for the purposes of giving directions under this Order.

Offence

4. (1) A person in charge of dog shall be guilty of an offence if, at any time on the Restricted Area, he/she does not comply with a direction given to him/her by an Authorised Person to put and keep the dog on a lead of not more than 2 metres in length, unless:-
 - (a) he/she has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.
- (2) For the purposes of this article:-
 - (a) a person who habitually has a dog in his/her 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) an Authorised Person may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on the Restricted Area or the worrying or disturbance of any animal or bird.

Penalty

5. By virtue of Section 67 of the Act it is an offence for a person without reasonable excuse to do anything that is prohibited by this Order.

Fixed Penalty

6. A person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 (currently £1,000) on the standard scale
7. By virtue of Section 68 of the Act a constable or an Authorised Person may issue a fixed penalty notice not exceeding £100 to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to this Order.

Appeals

8. Any challenge to this Order must be made at the High Court within six weeks of the Order being made, and must be by an individual who lives in, regularly works in or visits the Restricted Area.
Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.
When an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

SCHEDULE

Description of public places to which order applies

This Order applies to all public places within the administrative area in the Borough of South Ribble and which is:

- (i) Open to the air on at least one side and to which the public are entitled or permitted to have access (with or without payment) within the Borough of South Ribble including but not limited to parks, public open spaces and highways in the area.
- (ii) Access Land within the meaning of S1(1) Countryside and Rights of Way Act 2000 including, but not limited to, Longton Brickcroft Nature Reserve and Access Land to Longton Marsh (shown edged red for identification purposes on the plans attached hereto).

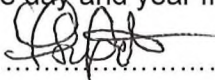
IN WITNESS whereof the Council have caused the Common Seal of the South Ribble Borough Council to be hereunto fixed this...23rd.....day of...Oct...2024

EXECUTED AS A DEED by

SOUTH RIBBLE BOROUGH COUNCIL

by affixing its Common Seal

the day and year first written above


.....

Authorised Signatory



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