

SOUTH RIBBLE BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE MEANS TO PICK UP FOUL BY DOGS 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 have been met, hereby makes the following Order:

1. The Order comes into force on the 23/10/2024 and shall last for three years unless extended by the Council.
2. This Order applies to the 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.
4. In this Order “any road” includes any adjoining, adjacent or associated footpath, verge or pavement.

Offence

- (1) If at any time on any land in the Restricted Area and a person who is in charge of the dog at any time fails to produce forthwith a device for or other suitable means of removing dog faeces and transporting it to a bin (whether or not the dog has defecated) when asked to do so by an authorised officer shall be guilty of an offence unless:
 - (a) he 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 failing to do so; or
- (2) Nothing in this article 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
 - (b) has a disability which affects his mobility, manual dexterity, physical coordination 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.
- (3) For the purposes of this article:
 - (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) each of the following is a prescribed charity:
 - (i) Dogs for the Disabled (registered charity number 700454)

- (ii) Support Dogs (registered charity number 1088281)
- (iii) Canine Partners for Independence (registered charity number 803680).

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.
- 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

Fixed Penalty

- 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

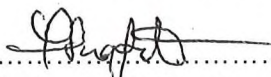
This Order applies to all public places within the administrative area in the Borough of South Ribble and which is:

- (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 October..2024

EXECUTED AS A DEED by
SOUTH RIBBLE BOROUGH COUNCIL
by affixing its Common Seal
the day and year first written above


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Authorised Signatory



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