

Tewkesbury Borough Council

Anti-Social Behaviour Crime and Policing Act 2014 – Section 59

Public Spaces Protection Order (Dog Control) 2023

Tewkesbury Borough Council (“The Council”) hereby makes the following order.

Preliminary

The Council in making this order is satisfied that the failure to remove dog faeces forthwith and incorrect disposal of dog faeces, bagged or otherwise, is a behaviour which is prevalent within Tewkesbury Borough and has a detrimental effect on the quality of life of those in the locality. The Council is also satisfied that the effect, or likely effect of the behaviour is, or is likely to be of a persistent or continuing nature, is unreasonable, and justifies the restrictions imposed by this notice.

General Provisions

1. This order shall apply to all land, which is open to the air, within the administrative boundary of Tewkesbury Borough Council (as shown within the red boundary on the attached plan) and to which the public have a right or entitlement to access, whether paid or unpaid.
2. It is an offence for a person, in the absence of a reasonable excuse, to fail to comply with this order. A person found to be in breach of this order may be liable to a fixed penalty notice of up to £100 or on summary conviction a fine, not exceeding level 3, on the standard scale.

Dog Fouling

3. 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.

Means to pick up dog faeces

4. A person in charge of a dog on land to which this order applies must have available an appropriate means to pick up dog faeces produced by that dog.

Disposal of dog faeces

5. Dog fouling which takes place on land to which this order applies must be disposed of in an appropriate receptacle. An appropriate receptacle is a purpose provided general waste bin or dog waste bin.

Dogs in enclosed children’s playparks

6. A person in charge of a dog on land to which this order applies must not permit their dog to enter or remain in a fenced/enclosed children’s play area.

Failure to provide name and address details when asked to do so by an Authorised Officer

7. A person in charge of a dog must provide their name and address when required to do so by an Authorised Officer in relation to the sections above. It will be an offence if they give a false or inaccurate name or address in response to the requirement

Exemptions

8. The requirements imposed by this order shall not apply to:
- i. A person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948, or.
 - ii. A person who has a physical or mental disability which prevents them from being able to comply with this order.

This order shall come into force on **Monday 14th August 2023** for a period of 3 years from this date unless extended by further orders made under the Council's statutory powers.

THE COMMON SEAL of)
TEWKESBURY BOROUGH)
COUNCIL affixed hereto this)
10th day of August 2023)
is authenticated by the)
undersigned person)
authorised by the said)
Council to act for that purpose:)



Authorised Signatory

Head of Law
(Litigation & Planning)