



# Lichfield District Council

## **PUBLIC SPACES PROTECTION (DOG CONTROL) (LICHFIELD DISTRICT) ORDER 2024**

This Order is made by Lichfield District Council ("the Council") under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act"). The Council is satisfied on reasonable grounds that activities carried on in the public places specified below have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in the public places specified below and that they will have such an effect. The Council is further satisfied on reasonable grounds that the effect, or likely 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 activities unreasonable, and justifies the restrictions imposed by this Order.

This Order will come into force at 00.01 hours on the 21<sup>st</sup> day of August 2024 and shall expire at 23.59 hours on the 20<sup>th</sup> day of August 2027 unless it is extended under section 60 of the Act.

### **BY THIS ORDER**

The effect of the Order is to impose the following requirements at all times:

#### **DOG FOULING**

1. This section applies to any land within the administrative area of the Council that is open to the air and to which the public are entitled or permitted to have access with or without payment.
  - a) **If a dog defecates and the person in charge of that dog fails to remove the faeces from the land forthwith, that person shall be guilty of an offence.**
  - b) **If a person in charge of a dog fails to carry or fails to produce when requested to by an authorised person, a suitable receptacle for removing dog faeces, that person shall be guilty of an offence.**

#### **EXCLUSION OF DOGS**

2. This section applies to any land marked in red and included in Schedule 1 of this Order.
  - a) **Any person in charge of a dog who permits the dog to enter or remain on the land shall be guilty of an offence.**

## **DOGS ON LEADS**

3. This section applies to any land within the administrative area of the Council that is open to the air and to which the public are entitled or permitted to have access with or without payment.

**b) Any person in charge of a dog who fails to put the dog on a lead of no more than 2 metres in length when directed to do so by an authorised person shall be guilty of an offence.**

## **EXEMPTIONS**

4. Nothing in this Order shall apply to a dog employed as an assistance dog. "Assistance dog" has the meaning given in section 173(1) of the Equality Act 2010.
5. The restrictions relating to dog fouling in section 1 of this Order shall not apply to a person registered as a blind or partially sighted person in a register compiled under section 29 of the National Assistance Act 1948 or section 77 of the Care Act 2014.
6. A person shall not be guilty of an offence if they had a lawful or reasonable excuse to undertake the activities restricted by this Order, or that the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to the activity restricted by this Order.
7. This Order shall not apply to forestry land managed by the Commissioners under of the Forestry Act 1967.

## **INTERPRETATION**

8. A person who habitually has a dog in their 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.
9. For the purposes of this Order, any land which is covered is to be treated as land which is "open to the air" if it is open to the air on at least one side.
10. For the purposes of this Order, an "authorised person" is a duly authorised officer of Lichfield District Council, a constable, and a police community support officer.

## **PENALTIES**

11. A person guilty of an offence under this Order shall be guilty of an offence under section 67 of the Act and liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000 subject to alteration).
12. An authorised person may issue a fixed penalty notice to any person they have reason to believe has committed an offence under this Order to offer the person

the opportunity to discharge any liability to conviction for the offence by payment of a fixed penalty (currently £100 subject to alteration).

Given under the Common Seal of Lichfield District Council this...20... of August 2024.

The Common Seal of Lichfield District Council was hereunto affixed in the presence of:

*A. Row* . Ann Hughes

15148



# SCHEDULE 1 – EXCLUSION OF DOGS

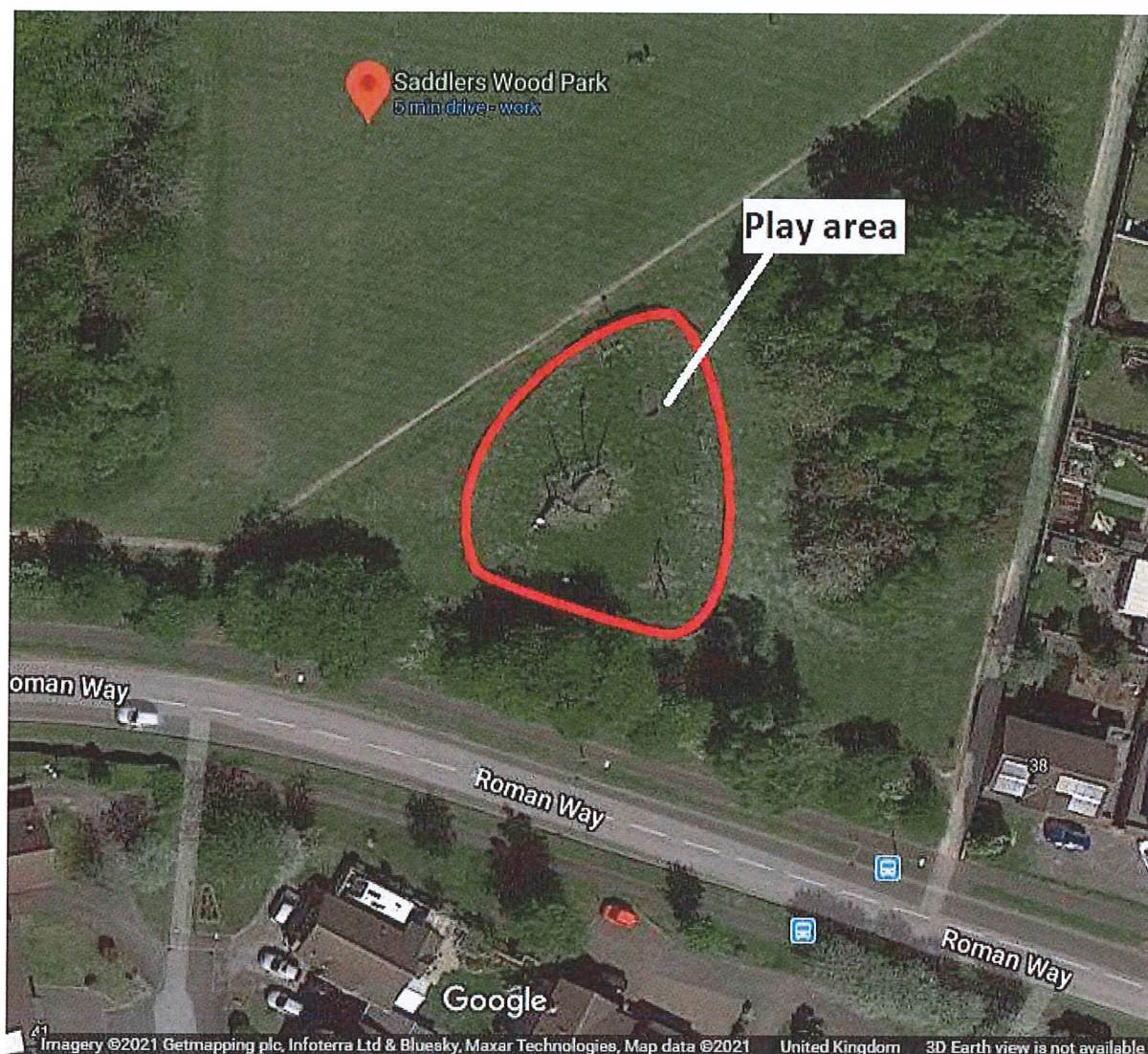
## A. Beacon Park – junior play area



B. Darnford Park – play area



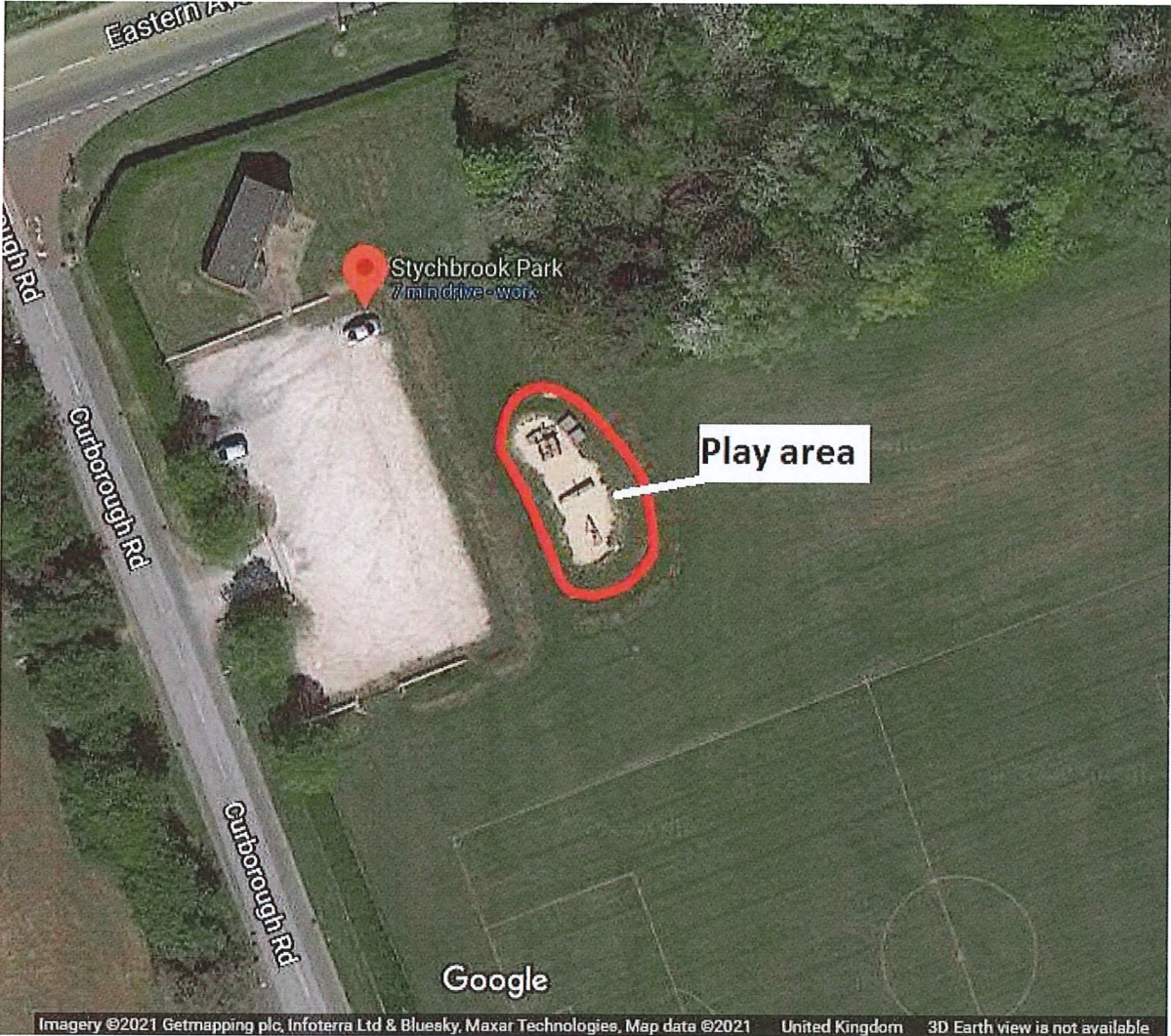
C. Saddlers Wood – play area



D. Stowe Pool – junior play area only



E. Stychbrook Park – play area





F. Darwin Park – play areas



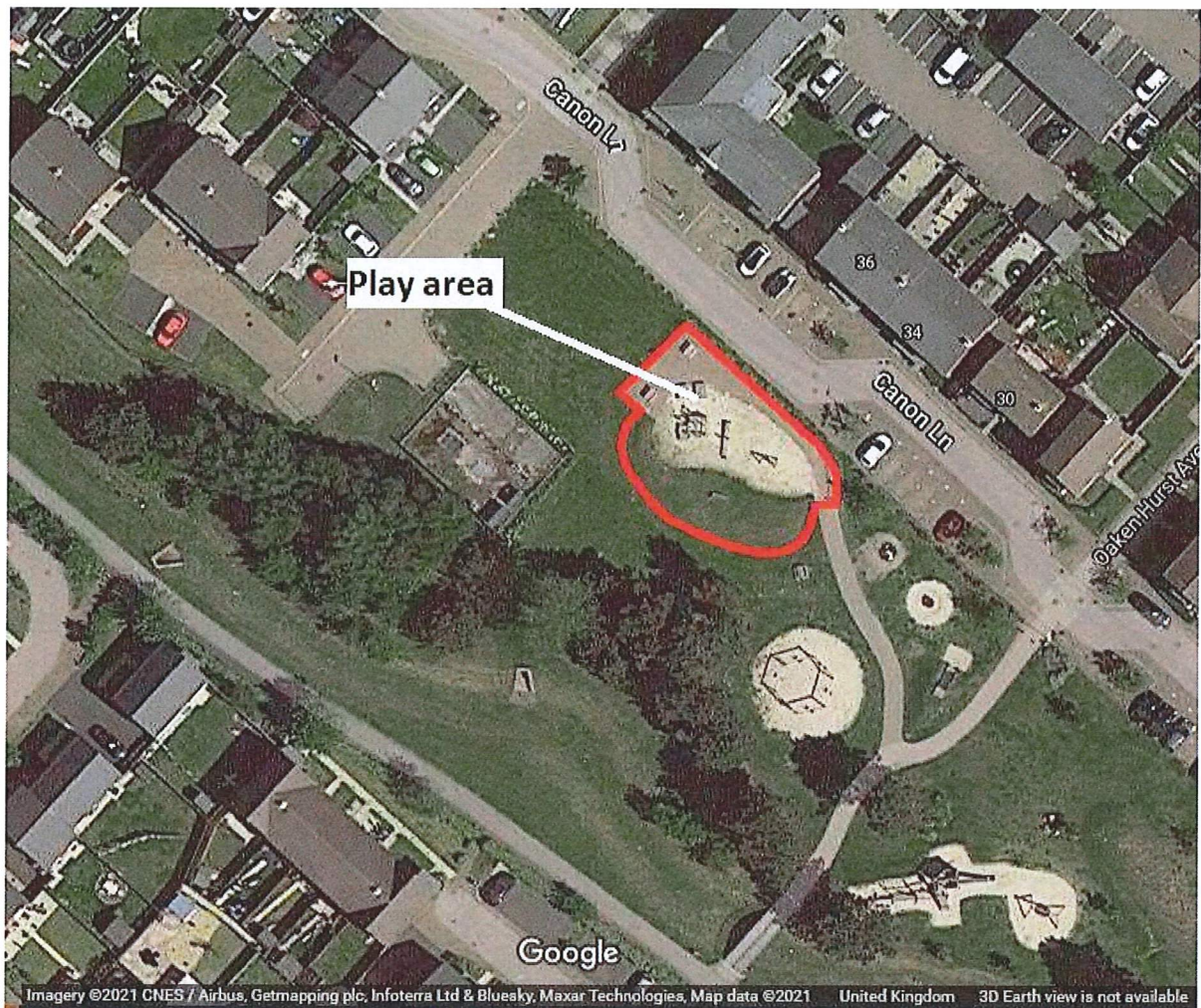
G. Chase Terrace Park – play area



H. Burntwood Park – play area



I. Hawkesyard – play area



J. Edingale Village Hall – play area



K. Hopwas Park – play area



L. Harlaston – play area

