

**SOUTH RIBBLE BOROUGH COUNCIL**

**ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014**

**THE MEANS TO PICK UP FOUL BY DOGS IN THE BOROUGH COUNCIL OF SOUTH RIBBLE PUBLIC SPACE PROTECTION ORDER 2017**

South Ribble Borough Council ("the Council") under Part 4, Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order:

1. This Order comes into force on the 3<sup>rd</sup> November 2017 for a period of three years
2. This Order applies to the public places specified in the Schedule below ("the Restricted Area")
3. The Council is satisfied that the two conditions set out in Section 59 of the Act have been met, in that:
  - (1) activities carried on in the Restricted Area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
  - (2) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

**OFFENCE**

4. (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 of the authority 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 co-ordination 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).

(c) an 'authorised officer of the Authority' means any person who is authorised in writing by the Authority for the purposes of giving directions under this Order;

## **PENALTY**

5. By virtue of section 67 of the Act a person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

## **FIXED PENALTIES**

6. By virtue of section 68 of the Act a constable or authorised person of the Authority 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**

7. 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**

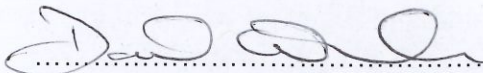
This Order applies to all public places within the administrative area in the Borough of South Ribble and which is:

- (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 30<sup>th</sup>.....day of November 2017

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

  
.....  
Authorised Signatory



55910.





Rev	Date	Description	Initials

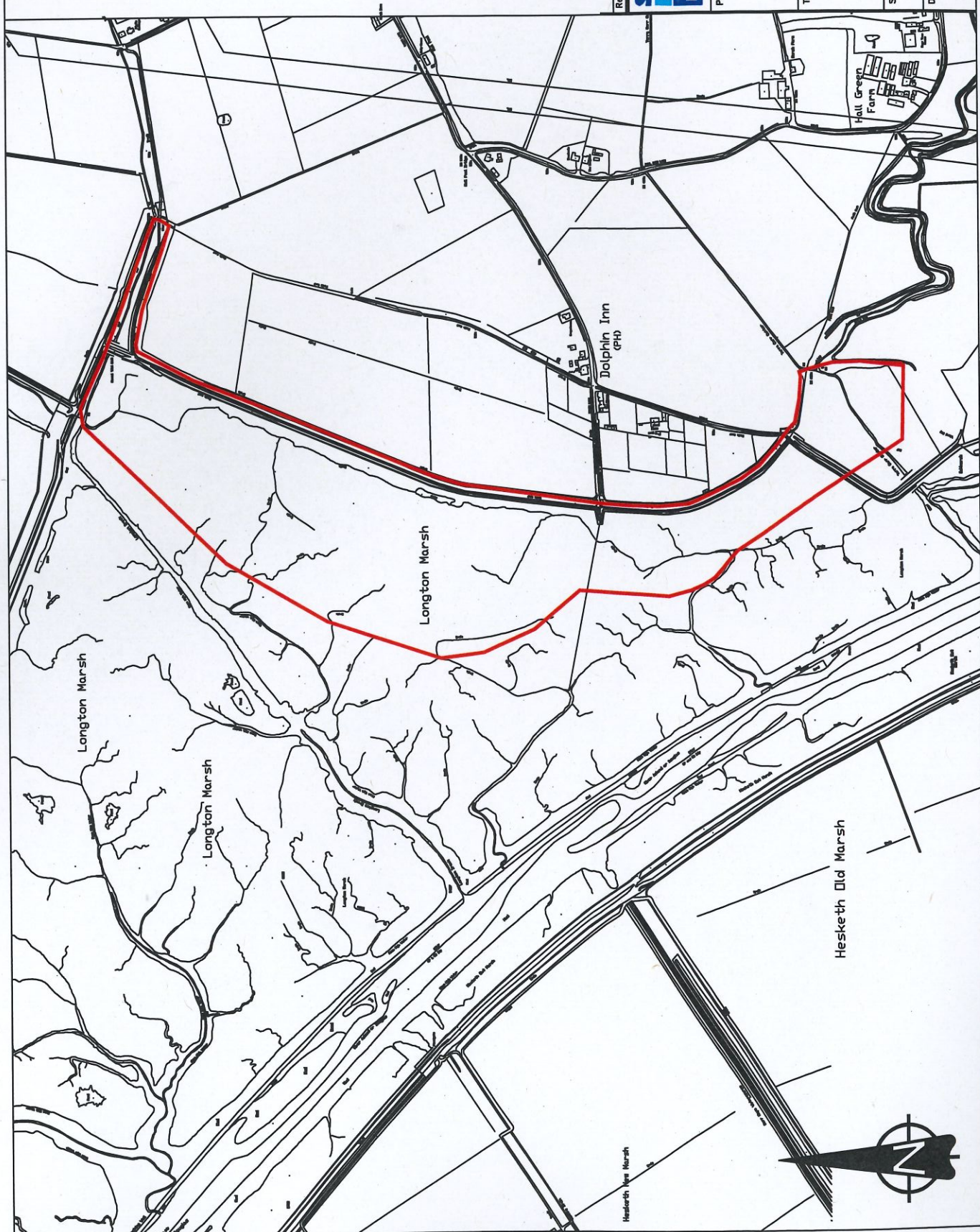
  

<b>SOUTH RIBBLE</b> NEIGHBOURHOOD SERVICES SOUTH RIBBLE BOROUGH COUNCIL ONE, CENTRE, WEST PAUDDOCK, LIVERPOOL, LANCASHIRE, L69 2JH TEL: 0151 425 1111 FAX: 0151 425 1112 EMAIL: info@southribble.gov.uk WEBSITE: www.southribble.gov.uk		<b>Project</b> Public Space Protection Order	
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<b>Title</b> Longton Brickcroft Nature Reserve, Longton		<b>Scale</b> NTS	<b>Date</b> Aug 2017	<b>Drawn by</b> GSC LO
<b>Drawing No.</b> PSP0/DOL/17/08-04		<b>Revision</b>		<b>Copy No</b>





Rev	Date	Description	Initials

<b>SOUTH RIBBLE</b> NEIGHBOURHOOD SERVICES SOUTH RIBBLE WATER TREATMENT PLANT SOUTH RIBBLE, LANCASHIRE, PR22 1QH TEL: 01772 421461 FAX: 01772 822261 EMAIL: <a href="mailto:enquiries@southribble.gov.uk">enquiries@southribble.gov.uk</a> WEBSITE: <a href="http://www.southribble.gov.uk">www.southribble.gov.uk</a>		<b>forward with South Ribble</b>
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<b>Project</b> Public Space Protection Order	
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<b>Title</b> Access Land at Longton Marsh West of The Dolphin PH	
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<b>Scale</b> NTS	<b>Date</b> Aug 2017	<b>Drawn by</b> GSC LO
<b>Drawing No.</b> PSPO/DOL/17/08-05	<b>Revision</b>	<b>Copy No</b>