

**Nuneaton
&
Bedworth**



**Byelaws Relating to the
Removal of Canine Faeces
from Footways, Footpaths
and Grass Verges.**

NUNEATON AND BEDWORTH BOROUGH COUNCIL

REMOVAL OF CANINE FACCES FROM FOOTWAYS, FOOTPATHS AND GRASS VERGES

Byelaws made by Nuneaton and Bedworth Borough Council under section 235 of the Local Government Act 1972 for the good rule and government of the Borough of Nuneaton and Bedworth and for the prevention and suppression of nuisances.

EXTENT

- 1(1) These byelaws apply throughout the Borough of Nuneaton and Bedworth to:
- (a) any footway or footpath maintainable at the public expense excluding footpaths not adjacent to highways provided by the local housing authority in connection with houses under section 12 of the Housing Act 1985; and
 - (b) any grass verge managed by the local authority and maintained in good order and which is adjacent to any carriageway or footway of any highway
- (2) Notice of the effect of these byelaws shall be given by signs placed in such positions as the Council may consider adequate to inform persons using the footways, footpaths and grass verges, specified in paragraph (1) above
- 2(1) In these byelaws:

'carriageway' means a way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

'the Council' means the Nuneaton and Bedworth Borough Council;

'footpath' means a highway over which the public have a right of way on foot only, not being a footway;

'footway' means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;

'highway' means the whole or a part of a highway other than a ferry or waterway.

- (2) For the purpose of these byelaws, the keeper of the dog shall be deemed in charge thereof, unless at the time when the dog fouled the footpath/footway/grass verge, it had been placed in or taken into the charge of some other person.
- (3) In paragraph (2) above, 'the keeper' shall include the owner of the dog or any person who habitually has it in his possession.

REMOVAL OF CANINE FACCES

3. Every person (other than a registered blind person) in charge of a dog which is on a footpath, footway or grass verge who, without reasonable excuse, fails to remove forthwith from the footpath, footway or grass verge any faeces deposited by the dog, shall be guilty of an offence.

4. For the purposes of compliance with byelaw 3, the following provisions shall apply:-
- (a) It shall be a sufficient removal from the footway, footpath or grass verge if the faeces are deposited in a receptacle which has been provided for that purpose by the Council;
 - (b) Without prejudice to the generality of the foregoing, it shall not be a reasonable excuse that a person in charge of a dog did not have with him any means of removal of the faeces.

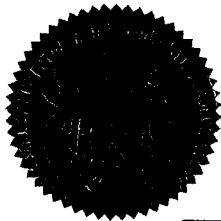
PENALTY

5. Any person offending against this byelaw shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

REVOCATION

6. The byelaws made by Nuneaton and Bedworth Borough Council on 22nd October, 1985 in respect of dogs fouling footways and grass verges are hereby revoked.

THE COMMON SEAL of the)
 NUNEATON AND BEDWORTH BOROUGH)
 COUNCIL was hereunto affixed)
 in the presence of)



R. [Signature]

DESIGNATED OFFICER

on the 10th day of August 1994

App'd	CC
Min.	50
Seal No.	148110

DET 8119

The foregoing byelaws are hereby confirmed by the Secretary of State for the Environment and shall come into force on 1 December 1994

J H Cleary

Signed by authority of
 the Secretary of State
 12 October 1994

J H Cleary
 An Assistant Secretary in the
 Department of the Environment