The Anti-social Behaviour, Crime and Policing Act 2014

The Dog Control Public Spaces Protection Order - (Nuneaton and Bedworth Borough Council) 2021

Nuneaton and Bedworth Borough Council (in this order called "the Authority") hereby makes the following Order:

This Order comes into force on 10th March 2021 for a period of 3 years.

Offences

1. Fouling

If within the administrative area of the Authority a dog defecates at any time on land to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless

(a) he has 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.

2. Leads by order

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority he does not comply with a direction given to him by an authorised officer of the authority to put and keep the dog on a lead unless

(a) he has 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.

An authorised officer may only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

3. Leads

A person in charge of a dog shall be guilty of an offence if, at any time on land detailed in Schedule 1 below, he does not keep the dog on a lead unless

(a) he has 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.

4. Exclusion

A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land detailed in Schedule 2 below unless

(a) he has 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.

5. Exemptions

Nothing in this order 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) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or

(c) has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day to day activities, in respect of a dog trained by any current or future members of Assistance Dogs UK or any other charity registered in the UK with a purpose of training assistance dogs and upon which he replies for assistance.

For the purpose of this order –

• 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;

• Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;

• Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces

• 'an authorised officer of the Authority' means an employee, partnership agency or contractor of Nuneaton and Bedworth Borough Council who is authorised in writing by Nuneaton and Bedworth Borough Council for the purposes of giving directions under the Order.

• Each of the following is a 'prescribed charity' - Dogs for the Disabled (registered charily number 700454), Support Dogs Limited (registered charity number 1088281) and Canine Partners for Independence (registered charity number (803680)

6. Penalty

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.

The COMMON SEAL of the)
NUNEATON AND BEDWORTH BOROUGH COUNCIL was)
hereunto affixed this 25/03/2021
in the presence of:-)

WAHEEDA SHEIKH
LEGAL SERVICES MANAGER.



Schedule 1
The keeping of dogs on leads

1. Oaston Road Cemetery, Nuneaton
2. Bucks Hill Cemetery, Stockingford, Nuneaton
3. Attleborough Cemetery, Nuneaton
4. Coventry Road Cemetery, Bedworth
5. Marston Lane Cemetery, Bedworth
6. All public roads, pavements and footways and the pedestrianised roads within the Borough of Nuneaton and Bedworth, or any grass verge which is adjacent to the carriageway or footway and is maintainable at public expense.
7. All other sport grounds, fields and pitches not subject to the Dog Exclusion Schedule of the Dog Control Public Spaces Protection Order - (Nuneaton and Bedworth Borough Council) 202111, when in use for authorised sporting activities.
8. Bailey Park, Marston Lane Bedworth, to include only the area enclosed by fencing marked in red on attached plan A.

Schedule 2
Dog Exclusion

1. Any clearly demarcated children's play areas, multi-use game areas, skate parks, BMX tracks or Green Gyms signed as a 'dog exclusion zone' (whether the sign uses those particular words and/or symbols having like effect); and

2. Heart of England Crematorium, Eastboro Way, Nuneaton, Warwickshire, CV11 6WZ.

Plan A


MARSTON LANE
NUNEATON RD
BLOCKLEY ROAD
BURBURY CL
KIMBERLEY ROAD
DOWNING CRES
LEICESTER ROAD
OLD ARDEN CL
CHAMBERLAINE STREET
Sch