

PUBLIC SPACES PROTECTION ORDER – CONTROL OF DOGS 2020



Plymouth City Council

The Anti-Social Behaviour, Crime and Policing Act 2014

Public Spaces Protection Order – Control of Dogs 2020

This Order is made by Plymouth City Council (“the Council”) under the Anti-Social Behaviour, Crime and Policing Act 2014 section 59 (“the Act”) for the Control of Dogs in its area (“the Order”).

This Order comes into force on the 20th October 2020 for a period of 3 years.

General provision

1. “Public Place” means all land in the administrative area of the Council to which the public or a section of the public has access, on payment or otherwise, as a right by virtue of express or implied permission.
2. “Authorised Person” means a person authorised by the Council for the purposes of giving directions under this Order.
3. 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.

Penalty

4. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

Obligations on persons with dogs

5. Fouling

- 5.1 If a dog defecates at any time in any Public Place a person who is in charge of the dog at that time must remove the faeces forthwith 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 Public Place has consented (generally or specifically) to his failing to do so.

- 5.2 Placing the faeces in a receptacle which is provided for the purpose, or the disposal of waste, shall be sufficient removal from the Public Place.
- 5.3 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.

6. Dog on Leads by Direction

- 6.1 An Authorised Person may in any Public Place other than those specified in Schedules 1 and 2 of this Order (which dogs are excluded from or must be kept on a lead in any event) direct a person in charge of a dog to put and keep the dog on a lead if such restraint is in the opinion of the Authorised Person reasonably necessary to prevent a nuisance or if its behaviour is likely to cause alarm, distress or disturbance to any other person or animal or bird.
- 6.2 A person issued with a direction under 6.1 must comply 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 Public Place has consented (generally or specifically) to his failing to do so.

7. Exclusion of Dogs

- 7.1 A person in charge of a dog must not take it onto, or permit the dog to enter or to remain on any Public Place specified in Schedule 1 to the Order 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 Public Place has consented (generally or specifically) to his failing to do so.

8. Dogs on Leads

- 8.1 A person in charge of a dog in any Public Place specified in Schedule 2 to this Order must keep the dog on a lead 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 Public Place has consented (generally or specifically) to his failing to do so.

Schedule 1 – Dog Exclusion

1. All Public Places within the Council's administrative area signed at its entrance(s) as a 'dog exclusion area' (whether the sign uses those particular words and/or symbols having like effect) comprising of any fenced, hedged, walled or otherwise enclosed children's play area (owned and/or managed by the Council), bowling green, croquet lawn, tennis court, skate park, putting green, crazy golf or school grounds.
2. Efford Cemetery and Weston Mill Cemetery

Schedule 2 – Dogs on Leads

1. All Public Places within the administrative area of Plymouth City Council comprising of all Plymouth City Council owned and/or managed sports pitches when within the marked pitch/playing area.
2. Pounds House Gardens, Plymouth (shown on Plan 1 attached)
3. West Hoe Park, Plymouth (shown on Plan 2 attached)
4. Moor View Park, Mutley, Plymouth (shown on Plan 3 attached)
5. Stoke Damerell Park, Stuart Road, Stoke, Plymouth (shown on Plan 4 attached)
6. Houndiscombe Park, Mutley, Plymouth (shown on Plan 5 attached)
7. Thorn Park, Mutley, Plymouth (shown on Plan 6 attached)
8. Specified area within Central Park (shown on Plan 7 attached)
9. Crematorium, Haye Road, Plymouth (shown on Plan 8 attached)







