

(RBC Logo)

Anti-Social Behaviour, Crime and Policing Act 2014

Public Space Protection Order

Dog fouling of Land

Rossendale Borough Council hereby makes the following Order:

1. This Order comes in to force on **[TBC]**.
2. This Order applies to land specified in Schedule 1.

Offence

3. (1) If a dog defecates at any time during the periods specified in Schedule 2 on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person 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.
- (2) Nothing in this article applies 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) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
 - (c) 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;
 - (d) 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)

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Date TBC

THE COMMON SEAL OF ROSSENDALE)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)

Schedule 1.

Land to which this Order applies:

This Order will apply to any land which is open to the air and to which the public are entitled or permitted to have access within the Borough of Rossendale.

Schedule 2.

Times or Periods to which this Order applies:

At all times.

(RBC Logo)

Anti-Social Behaviour, Crime and Policing Act 2014

Public Space Protection Orders

Dogs on Leads

Rossendale Borough Council hereby makes the following Order:

- 1. This Order comes in to force on [TBC].
- 2. This Order applies to land specified in Schedule 1

Offence

3. (1) A person in charge of a dog shall be guilty of an offence if, at any time as specified in Schedule 2, on any land to which this Order applies he does not keep the dog on a lead of not more than 2 metres in length, 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.

(2) For the purposes of this article 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 is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Date TBC

THE COMMON SEAL OF ROSSENDALE)
 BOROUGH COUNCIL was hereunto)
 affixed in the presence of:-)

Schedule 1.

Land to which this Order applies:

The Order will apply to all highways including the public roads, pavements, verges, footways and carriageways managed by Lancashire County Council and all locations within the Borough of Rossendale listed below.

The order will require people in charge of a dog or dogs to keep it/them on a lead.

Exemptions will be made for blind people with guide dogs and disabled people using trained assistance dogs.

- Adelaide Street Car Park, Crawshawbooth
- Bacup Cemetery
- Bacup Road Car Park, Waterfoot
- Bank Gardens (also known as Edenfield Memorial Gardens)
- Bank Street Car Park, Bacup
- The Blind Garden, Burnley Road, Greensclough
- Branch Street Car Park, Stacksteads
- Britannia Greenway Car Park, Britannia
- Broadley's Garden, Cribden
- Buller Street Car Park, Rawtenstall
- Burnley Road Car Park, Crawshawbooth
- Bury Road Car Park, Haslingden
- Coal Hey Car Park incorporating Deardengate Croft, Worsley
- Cowpe Memorial Garden, Whitewell
- Cowpe Road Car Park, Waterfoot
- Crankshaw Street Car Park, Rawtenstall
- Crawshawbooth Gardens, Goodshaw
- Dale Street Car Park, Haslingden
- Dale View Allotments, Rawtenstall
- Elm Street Car Park, Haslingden
- Fern Street Car Park, Bacup
- Free Lane Allotments, Helmshore
- Greenbridge Car Park, Cowpe
- Greenfield Memorial Gardens, Haslingden
- Hall Fold Churchyard, Healey and Whitworth
- Hall Street Car Park, Whitworth
- Haslingden Cemetery
- Haslingden Road Car Park, Rawtenstall
- Helmshore Memorial Gardens, Helmshore
- Hempsteads memorial Gardens, Greensclough
- Henrietta Street Car Park (off Forge Street), Bacup
- Hindle Street Car Park, Haslingden
- John Street Car Park, Haslingden

- Kay Street Long Stay Car Park, Rawtenstall
- Kay Street Short Stay Car Park, Rawtenstall
- Kirkhill Allotments, Haslingden
- Leavengreen Car Park, Shawforth
- Library Gardens, Rawtenstall, Longholme
- Lord Street (TH Upper) Car Park, Rawtenstall
- Lord Street (TH Lower) Car Park, Rawtenstall
- Maden Centre Car Park also known as Bacup Baths Car Park, Irwell
- Market Car Park, Rawtenstall
- Market Street Car Park, Whitworth
- Miller Barn Lane Car Park, Waterfoot
- Millgate Car Park, Rawtenstall
- Milner Street Car Park, Whitworth
- Moorlands Park, Greensclough (Sunken Garden)
- Newchurch Road Car Park, Rawtenstall
- New Street Car Park, Haslingden
- North Street Car Park, Whitworth
- Ormerod Street Car Park, Rawtenstall
- Phipps Buildings Car Park, Rawtenstall
- Pike Law Quarry Car Park, Haslingden
- Ratcliffe Fold Car Park, Haslingden
- Rawtenstall Cemetery
- Robert Street Car Park, Rawtenstall
- Rochdale Road Car Park, Bacup
- Salem Street Car Park, Haslingden
- Spring Garden Lane Car Park, Waterfoot
- Stacksteads Peace Garden, Stacksteads
- Stacksteads Car Park, Stacksteads
- Station Road Car Park, Whitworth
- Stubbins Garden, Eden
- Stubblelee Park, Greensclough (Rose Garden)
- Town Hall Slabbed Car Park, Rawtenstall
- Tricketts Memorial Garden, Hareholme (Formal Area)
- Trough Gate Car Park, Britannia
- Water Street Car Park, Crawshawbooth
- Warth Old Road Car Park, Waterfoot
- Whitaker Park Car Park, Rawtenstall
- Whitaker Park, Rawtenstall, Longholme – Formal Gardens
- Whitworth Cemetery
- Whitworth Memorial Gardens

Schedule 2.

Times or Periods to which this Order applies:

At all times.

(RBC Logo)

Anti-Social Behaviour, Crime and Policing Act 2014

Public Space Protection Orders

Dogs on Leads by Direction

Rossendale Borough Council (in this order called “the Authority”) hereby makes the following Order:

1. This Order comes in to force on [TBC].
2. This Order applies to land specified in Schedule 1
3. In this Order “an authorised officer of the Authority” means an employee of the Authority who is authorised in writing by the authority for the purposes of giving direction under this Order.

Offence

4. (1) A person in charge of a dog shall be guilty of an offence if, at any time as specified in Schedule 2, on any land to which this order applies, 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 of not more than 2 metres in length, 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.

(2) 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) an authorised officer of the Authority may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person (on any land to which this Order applies) or the worrying or disturbance of any animal or bird.

Penalty

5. A person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Date TBC

THE COMMON SEAL OF ROSSENDALE)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)

Schedule 1.

Land to which this Order applies:

This Order will apply to any land which is open to the air and to which the public are entitled or permitted to have access within the Borough of Rossendale.

Schedule 2.

Times or Periods to which this Order applies:

At all times.

DRAFT

(RBC Logo)

Anti-Social Behaviour, Crime and Policing Act 2014

Public Space Protection Orders

Dogs Exclusion

Rossendale Borough Council hereby makes the following Order:

1. This Order comes in to force on **[TBC]**
2. This Order applies to land specified in Schedule 1.

Offence

3. (1) A person in charge of a dog shall be guilty of an offence if, at any time as specified in Schedule 2, he takes the dog on to, or permits the dog to enter or to remain on, any land to which this order applies 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.

(2) Nothing in this article applies 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 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; and

(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)

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Date TBC

THE COMMON SEAL OF ROSSENDALE)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)

Schedule 1.

Land to which this Order applies:

This Order applies to the following land within the Borough of Rossendale (all of the land unless otherwise stated; where the phrase *play area* and *pitch area* are used this means that dogs may be walked under close control around the perimeters of these sites; the play area may or may not be fenced-off; if the play is fenced-off then dogs are not permitted within the fenced area.

- Alden Close Playground – within play area
- Barlow Fold Sports Field, Longholme – pitch area
- Britannia Playground, Irwell – within play area
- Chatterton Recreation Ground Play Area, Eden
- Clegg Street also known as Pit Pocket Park, Worsley – play areas
- Clod Lane Playground, Greenfield – within play area
- Cowpe Recreation Ground, Whitewell – play area and pitch area.
- Crawshaw Grange Play Area, Goodshaw – within play area
- Cutler Lane Playground, Stacksteads
- Dean Lane Sports Field, Water, Whitewell
- Edenfield Play Area, Eden
- Edenfield Recreation Ground, Eden – pitch area
- Edgeside Park, Whitewell – pitch area, within play area, within Multi-Use Games Area (M.U.G.A) and tennis courts.
- Fairview Recreation Ground, also known as Sunnyside, Cribden – play area, pitch area and cricket wicket
- Festival Park, Facit and Shawforth – play area and bowling green
- Goodshaw Playground also known as Moller Ring, Goodshaw – play area and bike track
- Gordon Street Playground, Greensclough

- Greenfield Memorial Gardens, Greenfield – in play area, on *kick-about* area and bowling green.
- Hall Carr Adventure Playground, Longholme – play areas
- Hamer Avenue Playground, Goodshaw – within play area
- Hawthorn Road Doorstep Green, Irwell – play area and Multi-Use Games Area (M.U.G.A)
- Helmshore Park also known as Snig Hole and Helmshore Memorial Gardens, Helmshore – play area and pitch area.
- Hill Street Playground, Goodshaw – play area
- John Street Football Pitch, Facit and Shawforth – pitch area
- Knowsley Crescent Play Area, Facit and Shawforth – within play area
- Leavengreave Pitch, Facit and Shawforth – pitch area
- Loveclough Football Pitch, Goodshaw
- Loveclough Park, Goodshaw – within play area
- Lumb Millenium Green, Whitewell – pitch area
- Lumb Playground, Whitewell
- Maden Recreation Ground, Greensclough – pitch areas, play area and bowling green.
- Marl Pits Sports Centre, Hareholme – pitches, athletic track, netball courts and all areas except designated dog walk.
- Masseycroft Playground, Healey and Whitworth – Multi-Use Games Area (M.U.G.A)
- Moorlands Park, Greensclough – within play area and pitch area.
- Mullards Playground, Waterfoot, Whitewell
- New Hall Hey Cricket Ground, Longholme
- Ratcliffe Street Play Area, Worsley
- Rising Bridge Play Area, Worsley
- Rossendale Close Play Area, Irwell – within play area
- Sharneyford Playground – play area and pitch area.
- St Peter's Playing Field, Greenfield – pitch area
- Stacksteads Recreation Ground, Stacksteads – pitch area
- Staghills Road Play Area, Hareholme – within play area
- Station Road Playground, Healey and Whitworth – within play area
- Stubblee Park, Greensclough – tennis courts, skate park and bowling greens.
- Turn Recreation Ground, Eden – play area and pitch area
- Victoria Park, Greenfield – from play area, skate park, Multi-Use Games Area (M.U.G.A) and bowling green.
- Water gardens Playground, Whitewell – within play area
- Weir Play Area, Greensclough – within play area and pitch area.
- Western Road Playground, Stacksteads – within play area or artificial pitch.
- Whitaker Park, Rawtenstall, Longholme – play areas, Multi-Use Games Area (M.U.G.A), bike track, pitch area, tennis courts and bowling green.
- Worsley Park, Haslingden – play area, tennis courts and bowling green.

Schedule 2.

Times or Periods to which this Order applies:

At all times.

Introduction

Dog Control Orders have been replaced by Public Space Protection Orders (PSPOs).

Rossendale Borough Council has a number of existing Dog Control Orders which we would like to continue to enforce, by including them in the PSPO.

In addition, we would like to introduce some new requirements which will help us to deal with dog fouling and problematic dog behaviour.

We seek your views and opinions in order for us to ensure that the controls we introduce are relevant and necessary.

Please let us know your thoughts by answering the questions below.

QUESTIONS

About our existing dog control orders

Q1. The Council has existing powers which makes it an offence if a person in charge of a dog fails to clean up its faeces.

Do you think we should continue to enforce this?

YES

NO

DON'T KNOW

Q2. Across a number of locations across the borough INCLUDING cemeteries, allotments, car parks, formal gardens and memorial gardens and all highways, roads etc. managed by Lancashire County Council (shown on document 1) it is a requirement for dogs to be under control and on a lead.

Do you think we should continue to enforce this?

YES

NO

DON'T KNOW

Q3. Across a number of locations across the borough INCLUDING children's play areas, sports facilities, sports pitches, multi-use games areas , tennis courts, bowling greens, skate parks, bike tracks and Rossendale Leisure Trust sites (shown on document 2) dogs are excluded.

Do you think we should continue to enforce this?

YES

NO

DON'T KNOW

Q4. The council has existing powers to enforce that dogs are placed on a lead by direction if the authorised officer deems it reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person, or the worrying or disturbance of any animal or bird.

Do you think we should continue to enforce this?

YES

NO

DON'T KNOW

About the proposed additional powers

Q5. Do you think we should introduce a new offence under the PSPO requiring dog walkers to carry a 'poop bag' or other means for picking up after their dog?

YES

NO

DON'T KNOW

Q6. Do you think we should restrict the number of dogs walked at any one time by one person to 5 dogs?

YES

NO

DON'T KNOW

Q7. Do you have any other comments or suggestions?