

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

**THE CHORLEY BOROUGH COUNCIL DOGS EXCLUSION PUBLIC SPACES  
PROTECTION ORDER 2017**

The Chorley Borough Council (in this Order called “the Council”) under Part 4, Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied that the conditions set out in Section 59 of the Act have been met, hereby makes the following Order:

1. The Order comes into force on the \_\_\_\_\_ and shall last for three years unless extended by the Council
2. This Order applies to land specified in the Schedule below “the Restricted Area”.
3. In this Order “an Authorised Person” means an employee of the Council who is authorised in writing by the Council for the purposes of enforcing this Order. In this Order “Play Area” means those play areas which are fenced, or where they are not fenced, the area of the safer surfacing.

**Offence**

4. (1) A person in charge of a dog shall be guilty of an offence if at any time they take the dog onto, or permit the dog to enter or remain on the Restricted Area unless:
  - a. they have a reasonable excuse for failing to do so; or
  - b. the owner, occupier or other person or authority having control of the Restricted Area has consented generally or specifically to them doing so.
- (2) Nothing in this article shall apply to a person who:
  - a. is registered as a blind person in a register compiled under s29 National Assistance Act 1948: or
  - b. is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 29358) and upon which the person relies for assistance; or
  - c. has a disability which affects their 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 they rely for assistance.
- (3) For the purposes of this article:
  - a. a person who habitually has a dog in their 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 7004545)
    - ii. Support Dogs (registered charity number 1088281)

iii. Canine Partners for Independence (registered charity number 803680)

**Penalty**

5. By virtue of Section 67 of the Act it is an offence for a person without reasonable excuse to do anything that is prohibited by this Order.
6. A person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 (currently £1,000) on the standard scale
7. By virtue of Section 68 of the Act a constable or an authorised person 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.

**SCHEDULE**

(Description of public spaces to which the Order applies)

This Order applies to all public places within the administrative area of the Council and which is a Council owned:

- (a) Play Area
- (b) Multi use games area and ball court
- (c) Bowling green (except the Order shall not apply to the perimeter footpath around the said bowling green)
- (d) Skate park, BMX track or youth shelter
- (e) Sports pitch at such times as when an organised sporting activity is taking place
- (f) Fountain, water feature, pond or ornamental lake
- (g) Cemetery or crematorium grounds (except that the Order shall not apply to highways or footpaths within the said cemetery or crematorium grounds).

**THE COMMON SEAL of**

**CHORLEY COUNCIL**

was hereto affixed the

day of 2020

in the presence of:-