

STROUD DISTRICT COUNCIL

THE DOGS ON LEADS BY DIRECTION PUBLIC SPACES PROTECTION ORDER (EXTENSION 2023)

Anti-Social Behaviour, Crime and Policing Act 2014, section 60

IN FORCE: 18th day of October 2023

Stroud District Council ("the Council") in exercise of its powers under the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") permitted the Dog Control Order known as The Dogs on Leads By Direction Order 2012 to automatically transition into The Dogs on Leads By Direction Public Spaces Protection Order 2017 ("Original Order").

The Council in exercise of its power under section 60 of the Act and of all other enabling powers being satisfied that that the conditions set out in section 60 of the Act have been met hereby extends the Original Order which came into force on 20th October 2017 and was extended by Order which came into force on 19th October 2020, the following shall be the second extended Order coming into force on 18th October 2023:

1. This Order remains in force for a period of three years unless extended, varied or discharged by further Order(s) under the Council's statutory powers
2. This Order applies to the land specified in the Schedule.
3. In this Order "an authorised officer" means an employee of the Council who is authorised in writing by the Council for the purpose of giving directions under this Order.

4. Offence

(4.1) A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies, he does not comply with a direction given to him by any authorised officer of the Council to put and 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 land has consented (generally or specifically) to his failing to do so.

(4.2) For the purposes of this Order-

- (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 Council 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.

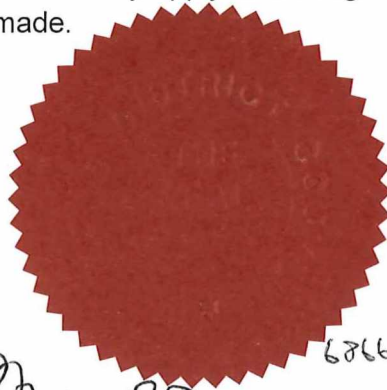
5. Penalty

A person who without reasonable excuse fails to comply with this Order shall be guilty of an offence under section 67 of the Act and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale, or a Fixed Penalty Notice in the sum of £75.

If the Fixed Penalty Notice is paid within 10 days of issue, there will be an alternative discounted sum payable of £50.

6. If any interested person intends to question the validity of this Order on the grounds that the Council has no power to make it or that any requirement of the Act has not been complied with in relation to the Order, that person may apply to the High Court within six weeks from the date on which this Order is made.

THE COMMON SEAL)
of STROUD DISTRICT COUNCIL)
was hereunto affixed this 05th day)
of October 2023 in the presence)
of:)



[Handwritten Signature]
.....
Proper Officer
Sarah Farooqi - Head of law

SCHEDULE

1. Subject to the exception in paragraph 2 below, all land within the administrative area of the Council and which is:
 - (a) open to the air (which includes land that is covered but open to the air on at least one side); and
 - (b) to which the public are entitled or permitted to have access (with or without payment).
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.