ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT (2014)

BOROUGH COUNCIL OF BOLTON

THE FOULING OF LAND BY DOGS PUBLIC SPACES PROTECTION ORDER (2026)

The Borough Council of Bolton in exercise of its powers under Sections 59, 60, and 72 of the Anti-Social Behaviour, Crime and Police Act 2014 ("the Act") hereby make the following Order: -

1. This Order shall come into operation on the 26thOctober 2026 and shall have effect for three years thereafter, unless extended by further Orders under the Council's statutory powers.

2. This Order relates to public spaces as specified on the Order Schedule, hereinafter referred to as 'the Restricted Area'

3. –

(1) Except as provided in Article 3(2) of this Order, if a dog defecates at any time 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). The restriction in Article 3 (1) of this Order shall not 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) 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).

4. The Council is satisfied that the conditions set out in Sections 59, and 72 of the Act of 2014 have been satisfied and that it is in all the circumstances expedient to make this Order for the purposes of combatting nuisance within the Restricted Area caused by dog fouling, activities which have had a detrimental effect on the quality of life of those in the locality. The

effect or likely effect of this is of a persistent or continuing nature such as to make this unreasonable and justifies the restrictions imposed by this Order.

5. A person found in breach of this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

6. If any interested person desires 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 this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

THE COMMON SEAL of **THE BOROUGH COUNCIL OF**

BOLTON was hereto affixed
on the 23rd October 2026
in the presence of: -

Authorised Sealing Officer



Sealing No.
24704

SCHEDULE for The Fouling of Land by Dogs (The Borough Council of Bolton) Public Spaces Protection Order 2026

1. Any land within the administrative area of The Borough Council of Bolton which is open to the air, including covered land which is open to the air on at least one side, and to which the public are entitled or permitted to have access with or without payment and including:-
2. All carriageways and adjoining footpaths and verges of such carriageways
3. Any footpath, footway, walkway, access way, back street, road or carriageway, together with adjoining verges, whether privately maintained or adopted by the Council.
4. All parks and open spaces maintained by the Council and all children's play areas therein.
5. Land provided or used for public enjoyment, recreation, sporting or educational purposes including:- school playing fields, school playgrounds and all other children's play areas.
6. Land which is used as a memorial, burial ground, cemetery or garden of remembrance together with any forecourt, terrace, yard or walkway providing access, and together with adjoining verges, landscaped areas and gardens.
7. Land which is a public footpath or bridleway together with adjoining verges.
8. Land adjacent to any inland waterway, watercourse, river, stream or enclosed body of water which is a footpath, footway, towpath, boat mooring or launching site together with adjoining verges.
9. Land which is used as a car park, parking bay, vehicle turning area, waiting or stopping space, cycle or motorcycle parking space together with adjoining footways and verges.
10. Any forecourt, terrace, yard or walkway, together with adjoining verges landscaped areas and gardens, which provide access to, or adjoin, any building to which the public have access.
11. Any platform, forecourt, waiting area, walkway or shelter at any bus or rail station.
12. Land used for the consumption of food or drink in connection with any trade, business or undertaking supplying food or drink.
13. Land which is a nature reserve or country park, wooded public open space or urban open space.
14. Land which is used for a market or fair or for the sale of goods.
15. Land which is a site for the deposit by the public of materials to be recycled or a household waste disposal site and its adjoining footways, access ways and a car park/waiting areas.