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