

The Council of the Borough of Kirklees Anti-Social Behaviour Crime and Policing Act 2014  
Public Space Protection Order (Dog Fouling and Control)

The Council of the Borough of Kirklees (“the Council”) has exercised its powers under the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and hereby makes a Public Space Protection Order for Dog Fouling and Control authority wide.

1. This Order shall come into operation on 1st July 2025 and shall have effect for 3 years thereafter, unless extended by further order as set out in the Act.
2. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met, namely that certain activities carried out in a public place within the authority’s area have had or it is likely that they will have a detrimental effect on the quality of life of those in the locality.
3. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met, namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by the Order, and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

The Order

<b>Prohibitions</b>	<b>Requirements</b>	<b>Area Affected</b>
<b>Dog Fouling</b>	If a dog defecates at any time on land to which this order applies a person who is in charge of the dog at the time must remove the faeces from the land forthwith.	Kirklees Wide
<b>Leads must be worn</b>	<p>The effect of this Order is to impose the following requirements at all times, namely that in the Restricted Area any person in charge of a dog shall keep the dog on a lead of not more than 2 metres in length unless:</p> <p>a) The person has a reasonable excuse for failing to do so; or</p> <p>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</p> <p>For the purpose of this order a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any</p>	<p>a) All cemeteries and churchyards including green burial areas, public roads, pavements, footways and any grass verge which is adjacent to the carriageway or footway and is maintained at public expense.</p> <p>b) All car parks within the ownership of the Council of the Borough of Kirklees to which the public have access</p> <p>c) All sports grounds, fields, pitches, when in use for authorised sport activities</p>

	<p>time unless at that time some other person is in charge of the dog</p> <p>An authorised officer may only give a direction under this order if such direction is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.</p>	<p>d) Any area of land defined as an allotment in accordance with Allotments Act 1925</p> <p>e) All cemeteries and burial grounds</p> <p>f) All bowling greens</p> <p>g) Castle Hill Local Nature Reserve – between 1st March and 31st July each year)</p> <p>h) Footpaths over agricultural land as detailed on the attached map</p> <p>i) All Parks within Kirklees</p>
<b>Dog exclusion areas</b>	<p>At all times, a person in charge of a dog must not take it into, or keep it within a specified or signed area unless;</p> <p>a) The owner has reasonable excuse for failing to do so; or</p> <p>b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.</p>	<p>This order applies to land which is within the Council of the Borough of Kirklees as highlighted in red in the attached plans which is described as:</p> <p>a) Children’s play areas, paddling pools and an area signed at its entrance(s) as a ‘dog exclusion area’ (whether the sign uses those particular words or words and/or symbols having like effect) which are designated and marked for children’s play.</p> <p>b) Games areas e.g. tennis and ball courts, multi-sports areas, skate parks.</p>
<b>Means to Pick up</b>	<p>A person in charge of a dog on land to which this order applies must have and produce on request the appropriate means to pick up dog faeces deposited by that dog</p> <p>The obligation is complied with if, after a request from an authorised officer, the person in charge of the dog produces an appropriate means to pick up dog faeces.</p>	<p>All land within the Council of the Borough of Kirklees which is:</p> <p>a) Public roads, pavements, footways and any grass verge which is adjacent to the carriageway or footway and is maintained at public expense</p> <p>b) All car parks within the ownership of the Council of the Borough of Kirklees to which the public have access</p> <p>c) All sports grounds, fields, pitches, when in use for authorised sport activities</p> <p>d) Any area of land defined as an allotment in accordance with Allotments Act 1925</p> <p>e) All cemeteries and burial grounds</p>

		f) All bowling greens g) Castle Hill Local Nature Reserve – between 1st March and 31st July each year) h) Footpaths over agricultural land as detailed on the attached maps with bold purple lining. i) Parks within Kirklees
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#### Additional notes and definitions for the purpose of the Order

- A person who 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;
- Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
- 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
- “an authorised officer of the Authority” means an employee, partnership agency or contractor of Kirklees Council who is authorised in writing by Kirklees Council for the purposes of giving directions under the Order.

#### Exemptions

Nothing in this order shall apply to a disabled person (within the meaning of the Equality Act 2010) whose disability restricts their ability to comply with the order and the dog is their guide dog or assistance dog.

#### Fixed penalty notices and offences

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order, or to fail to comply with a requirement to which that person is subject by virtue of this Order.

1. In accordance with section 67 of the above named Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice

#### Appeals:

2. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made

GIVEN under the Signature of the Council of the Borough of Kirklees this First day of August  
Two Thousand and Twenty-Five.

SIGNED on behalf of THE COUNCIL OF THE BOROUGH OF KIRKLEES

A handwritten signature in black ink, consisting of several loops and a final flourish, representing the name David Shepherd.

David Shepherd – Executive Director for Place