



The Clean Neighbourhoods & Environment Act 2005

Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations
2006 (S.I. 2006/1059)

The Fouling of Land by Dogs (Norwich City Council) Order 2012

NOTICE IS HEREBY GIVEN that Norwich City Council has made the above order in accordance with the legislation as stated in the title. The effect of the order is as stated below.

1. This Order comes into force on 16th July 2012
2. This Order applies to the land as specified in the Schedule

Offence

3. If a dog defecates at any time on the 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) they have 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.

Nothing in this article applies to a person who:-

- (a) is a registered 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.

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 sufficient removal from the land;
- (c) being unaware of the defecation (whether by means of not being in the vicinity or otherwise), or not having a device 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 1092960)
 - (ii) Support Dogs (registered charity number 1088281)
 - (iii) Canine Partners for Independence (registered charity number 803680)

Penalty

A person who is guilty of an offence as specified in Article 3 above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this 28th day of June 2012



Mr Philip Hyde
Head of Law and Governance
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City Hall
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Schedule

This order applies to:-

- 1) Any land within the administrative area of Norwich City Council 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.**
- 2) All carriageways and adjoining footpath verges.**
- 3) Of this land the following is Access Land as defined by the Countryside and Rights of Way Act 2000:**

Eaton Common