



ANTI-SOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014

BLAENAU GWENT COUNTY BOROUGH COUNCIL (DOG CONTROL) PUBLIC SPACES PROTECTION ORDER 2022

Blaenau Gwent County Borough Council (“the Council”) hereby makes the following Public Spaces Protection Order under Section 59 of the Anti-Social Behaviour, Crime & Policing Act 2014:

This Order may be cited as the ‘Blaenau Gwent County Borough Council (Dog Control) Public Spaces Protection Order 2022’.

This Order will come into force on 1st November 2022 and will remain in force for a period of three years.

INTRODUCTION

- (a) People who fail to clean up after their dogs on publicly accessible land cause nuisance to others. The presence of dog faeces is a potential hazard to all

members of the public alike. It causes risks to health, defaces land and has the potential to deface people and their property.

- (b) When not properly supervised and kept under control, dogs that are allowed off a lead in public areas can cause road traffic accidents, and can cause nuisance or injury to members of the public and to other animals.
- (c) Dogs in children's play areas can become aggressive if startled. They can also defecate in these areas, defacing and causing a health risk to the young children that use them.
- (d) The Council is satisfied that the behaviour set out above has had, and is likely to continue to have, a detrimental effect on the quality of life of people within Blaenau Gwent.
- (e) This Order seeks to prevent or reduce the detrimental effects referred to above, by imposing reasonable restrictions and requirements on people whilst in charge of dogs on public land. It seeks to facilitate the safe sharing of our public spaces, whilst recognising that people should be able to exercise their dogs off lead in public in public areas, provided that their dogs are under control and behaving appropriately.

OFFENCES

Part 1: Dog Fouling

1. If a dog defecates at any time on land to which this part of the Order applies, and the 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 he can show that: -

- (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 him failing to do so;
2. This part of the Order applies to all public places in the County Borough of Blaenau Gwent

For these purposes, a “public place” means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

3. For the purpose of this part of the Order:
- (a) placing the faeces in a receptacle on the land which is provided for this purpose, or for the disposal of waste, shall be a sufficient removal from the land;
 - (d) 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.

Part 2: Dogs on Leads

4. A person in charge of a dog will be guilty of an offence if at any time on land to which this part of the Order applies, they fail to keep the dog on a lead of

not more than 2 metres in length for such period and / or in such circumstances as directed by the Officer, unless he can show that: -

- (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 him failing to do so.

5. For these purposes, a “lead” means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person’s close control.

6. This part of the Order applies in the County Borough of Blaenau Gwent to the land identified as “Leads only (LO)” in the reference List annexed hereto and further identified by the plans so referred to therein.

Part 3: Dog Exclusion

7. A person in charge of a dog will be guilty of an offence if at any time he takes the dog onto, or permits the dog to enter or remain on, any land to which this part of the Order applies, unless he can show that: -

- (a) he has a reasonable excuse for doing so; or
- (b) the owner, occupier, or other person or authority having control of the land, has consented (generally or specifically) to him doing so.

8. This part of the Order applies to the land in the County Borough of Blaenau Gwent identified as “Exclusion (E)” in the Reference List annexed hereto and further identified by the plans referred to therein.

Consequences of breaching the Public Space Protection Order

9. Should an Authorised Person believe that anyone has committed an offence under this Order, that Authorised Person may issue a Fixed Penalty Notice under section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014. A person issued with a Fixed Penalty Notice shall have 14 days in which to pay the Fixed Penalty Notice however failure to pay the Fixed Penalty Notice may result in prosecution.

10. In addition to an Authorised Person being able to issue a Fixed Penalty Notice, section 67 of the Anti-Social Behaviour, Crime and Policing Act 2014 states that it is an offence for any person, without reasonable excuse to:
 - a.) Do anything that a person is prohibited from doing by this Order, or
 - b.) Fail to comply with a requirement to which a person is subject under this Order.

11. Any person guilty of an offence under this section is liable, on summary conviction in the Magistrates Court, to a fine not exceeding level 3 (£1,000.00) on the standard scale.

Exemptions for Disabled People

12. The dog fouling provisions in this Order do not apply to a person who:
 - (a) is registered as partially sighted or blind, in a register compiled under Section 29 of the National Assistance Act 1948 subject to any statutory amendment; or

 - (b) is registered as “sight-impaired”, “severely sight-impaired” or as “having sight and hearing impairments which, in combination, have a significant effect on their day to day lives”, in a register compiled under Section 18 of the Social Services and Wellbeing (Wales) Act 2014; or

- (c) has a disability which affects his mobility, manual dexterity, physical co-ordination, or ability to lift, carry, or otherwise move everyday objects, such that he cannot reasonably be expected to remove the faeces; or
 - (d) has some other disability, such that he cannot reasonably be expected to remove the faeces.
13. The dog exclusion provisions in this Order do not apply to a dog trained by a registered charity to assist a person with a disability and upon which a disabled person relies for assistance.
14. For the purposes of this Order, a “disability” means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and a “disabled person” means a person who has such a disability.

Exemption for Working Dogs

15. Nothing in this Order shall apply to the normal activities of a working dog, whilst the dog is working.

This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of His Majesty’s armed forces; farm dogs that are being used to herd or drive animals; dogs that are being lawfully used for the capture or destruction of vermin and dogs that are being lawfully used for the purposes of hunting.

Other Matters

16. For the purposes 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 time unless at that time some other person is in charge of the dog.

17. Where the person in charge of a dog wishes to rely upon any of the exemptions set out in this Order, the burden will be on him to prove that he satisfies the requirements of the exemptions being relied upon.

18. Section 66 Anti-Social Behaviour, Crime and Policing Act 2014 states that any challenge to the validity of this Order must be made in the High Court by an interest person within 6 weeks of it being made. An interested person is someone who lives in, regularly works in, or visits any of the areas affected by this Order, meaning that that only those who are directly affected by the restrictions have the power to challenge this Order.

Interested persons can challenge the validity of this Order on two grounds:

- a) That the Council did not have the power to make the Order, or to include particular prohibitions or requirements, or

- b) That the requirement of legislation was not complied with in relation to the Order.

Dated:

The Common Seal of
Blaenau Gwent County Borough Council was
Hereto affixed in the presence of

XXXXXXXXXX

Corporate Director of Environment and Regeneration

Annex 1

Public Space Protection Orders-Dog Control Reference List

Reference	Location	Exclusion (E) or Lead only (LO)
PSPO-DC-001	Playground at Swffryd Road, Swffryd,	E
PSPO-DC-002	Swffryd Primary School, Swffryd Road, Swffryd	E
PSPO-DC-003	Playground at Oxford Place, Llanhilleth	E
PSPO-DC-004	St Illtyds Primary school & sports pitch, playground & bowling green at Llanhilleth recreational ground, Llanhilleth	E
PSPO-DC-005	Playground at Troy Road, Llanhilleth	E
PSPO-DC-006	Playground at Mount Pleasant Estate, Brynithel	E
PSPO-DC-007	Brynithel Recreational Ground, Mount Pleasant Estate, Brynithel	E
PSPO-DC-008	Brynithel Recreational Ground, Mount Pleasant Estate, Brynithel	LO
PSPO-DC-009	Playground at Aberbeeg, Abertillery	E
PSPO-DC-010	Playground at Woodland Terrace, Abertillery	E
PSPO-DC-011	Playground at Warm Turn, Aberbeeg Road, Six Bells, Abertillery	E
PSPO-DC-012	Six Bells Park, Windsor Road, Six Bells, Abertillery	E

PSPO-DC-013	Playing field at Windsor Road, Six Bells, Abertillery	E-
PSPO-DC-014	Cwm Nant- y- Groes sports field, Cwm Farm Road, Six Bells, Abertillery	E
PSPO-DC-016	Sports centre, Vivian Street, Abertillery	E
PSPO-DC-017	Playground at Vivian Street, Abertillery	E
PSPO-DC-019	Gelli Crug Park, rear of Gelli Crug Road, Abertillery	E
PSPO-DC-020	Abertillery Learning Community-Tillery Street, Campus on Tillery Street, Abertillery, NP13 1EH.	E
PSPO-DC-021	Abertillery Learning Community, Secondary Campus and Leisure Centre, Alma Street, Abertillery	E
PSPO-DC-022	Playground at Blaenau Gwent Rows, Roseheyworth, Abertillery (Number 1 top)	E
PSPO-DC-023	Playground at Blaenau Gwent Rows, Roseheyworth, Abertillery (number 2 bottom)	E
PSPO-DC-024	Abertillery Park, Cyril Place, Abertillery	E
PSPO-DC-025	Abertillery Learning Community, Roseheyworth Road Campus, Abertillery.	E
PSPO-DC-026	Sports ground, Roseheyworth Road, Abertillery	E
PSPO-DC-027	Woodland Playing Field, Lower Gwastod Terrace, Cwmtillery, Abertillery.	E
PSPO-DC-029	Jim Owen Field, Recreational ground, Roberts Row,	E

	Abertillery (PLAYING FIELD)	
PSPO-DC-030	Playground at Jim Owen Field, Recreational ground, Roberts Row, Abertillery (number 1)	E
PSPO-DC-031	Playground (number 2) at Jim Owen Field, Recreational ground, Roberts Row, Abertillery	E
PSPO-DC-032	Playground at Abertillery Road, Blaina	E
PSPO-DC-033	Playground at Maeshafod, Blaina	E
PSPO-DC-034	Duffryn Park, Blaina	E
PSPO-DC-035	Playing field at Pilgrims Park, Blaina	E
PSPO-DC-036	Ystruth Primary School, East Pentwyn, Blaina	E
PSPO-DC-037	Wheeled sports area, Chapel Square, Blaina (area 1)	E
PSPO-DC-038	Wheeled sports area, Chapel Square, Blaina (area 2)	E
PSPO-DC-039	Westside play area, Chapel Road, Westside, Blaina	E
PSPO-DC-040	Playground at Brynheulog, Blaina	E
PSPO-DC-041	Playground at Glanystruth, Blaina	E
PSPO-DC-043	Central Park, Surgery Road, Blaina	E
PSPO-DC-045	Coed y Garn Primary school, Parrot Row, Blaina, NP133AH	E
PSPO-DC-046	Ysgol Gymraeg Bro Helyg, School, Nantyglo	E
PSPO-DC-047	Playground at Attlee Road, Nantyglo	E

PSPO-DC-048	Playground at Garn Cross, Nantyglo	E
PSPO-DC-049	Playground at Vincent Avenue, Nantyglo	E
PSPO-DC-050	Recreation ground at Banna Park, New Road, Nantyglo	E
PSPO-DC-051	Playground & Bowling Green at Banna Park, New Road, Nantyglo	E
PSPO-DC-052	Playground (area 1) at Waunheulog, Nantyglo	E
PSPO-DC-053	Playground (area 2) at Waunheulog, Nantyglo	E
PSPO-DC-054	Blaenycwm Primary School, Blaenafon Road, Brynmawr, NP234BR	E
PSPO-DC-055	St Mary's R.C Primary School, Catholic Road, Brynmawr, NP23 4EF	E
PSPO-DC-056	Recreational ground at Old Blaenavon Road, Brynmawr	E
PSPO-DC-057	Playground off Queen Street, Brynmawr	E
PSPO-DC-058	Sports pitches, play grounds, tennis courts, skate park and bowling green at Brynmawr Welfare Ground, Warwick Road, Brynmawr	E
PSPO-DC-059	Playground at Brynawel, Brynmawr	E
PSPO-DC-060	St. Marys Church in Wales Primary School, Intermediate Road, Brynmawr.	E
PSPO-DC-061	Brynmawr Foundation school, Intermediate road, Brynmawr	E
PSPO-DC-062	Playground at Gurnos Estate, Brynmawr	E

PSPO-DC-063	Beaufort Hill Primary school, Playground & Recreation Ground and former Pen Y Cwm Special School, Beaufort Hill, Ebbw Vale	E
PSPO-DC-064	Playground at Gorsedd Close, Garnlydan, Ebbw Vale	E
PSPO-DC-066	Playground at Queensway, Garnlydan, Ebbw Vale	E
PSPO-DC-067	Playground and playing field at Primitive Place, Beaufort, Ebbw Vale	E
PSPO-DC-068	Beaufort Welfare Ground, Reservoir Rd, Ebbw Vale	E
PSPO-DC-069	Playground & field at Summerfield Road, Rassau, Ebbw Vale	E
PSPO-DC-070	Playground at the rear of Honey Field Road, Rassau, Ebbw Vale	E
PSPO-DC-071	Rhos Y Fedwen School , Honeyfield Road, Rassau, EV	E
PSPO-DC-072	Playground at Waun Fawr, Ebbw Vale	E
PSPO-DC-073	Recreation ground, Badminton Grove, Ebbw Vale	E
PSPO-DC-074	Glyncoed Primary School, Badminton Grove, Ebbw Vale, NP235UL	E
PSPO-DC-075	Recreation Ground, Eugene Cross Park, Ebbw Vale	E
PSPO-DC-076	Pantyfforest Recreation Ground, New Church Rd, Ebbw Vale	E
PSPO-DC-077	Play area, Opposite Canolfan yr Fan (School), Ebbw Vale	E
PSPO-DC-078	The River Centre 3-16	E

	Learning Community, Secondary Campus, Pontygof, Ebbw Vale	
PSPO-DC-079	Playground at Brynmawr Road, Newtown, Ebbw Vale	E
PSPO-DC-081	Recreation Ground at Letchworth Road, Ebbw Vale	E
PSPO-DC-082	Willowtown Primary School, Brynheulog Street, Ebbw Vale	E
PSPO-DC-083	Recreation Ground at Pennant Street, Ebbw Vale	E
PSPO-DC-084	Hilltop Stadium, Recreation Ground, Darby Crescent, Ebbw Vale	E
PSPO-DC-085	Play area at Darby Crescent, Hilltop, Ebbw Vale	E
PSPO-DC-086	All saints Roman Catholic Primary school, Heol yr ysgol, Ebbw Vale, NP23 6QP	E
PSPO-DC-087	Coronation Park, High Street, Ebbw Vale	E
PSPO-DC-088	Playground at Eastville Road, Ebbw Vale	E
PSPO-DC-089	Playground at York Avenue, Garden City, Ebbw Vale	E
PSPO-DC-090	Playground at Hillside Terrace, Waunlwydd, Ebbw Vale	E
PSPO-DC-091	Cwm Primary school, Canning Street, Cwm, EV,	E
PSPO-DC-093	Recreation ground, Cwm, Ebbw Vale	E
PSPO-DC-095	Playground at William Street, Cwm, Ebbw Vale	E
PSPO-DC-096	Playground at Upper Trefil, Railway Terrace, Trefil,	E

	Tredegar	
PSPO-DC-097	Playground behind Rhymney Road, Trefil, Tredegar.	E
PSPO-DC-098	Playground at Tynewydd, Llwyn Helyg Road, Tredegar	E
PSPO-DC-099	Brynbach Primary school, Merthyr Road, Tredegar, np223ay	E
PSPO-DC-100	St Joseph's Primary School Ashvale, Tredegar	E
PSPO-DC-101	Playground at Chartist Way, Sirhowy, Tredegar	E
PSPO-DC-102	Glanhowy Primary School and The River Centre 3-16 Learning Community, Primary Campus, Thomas Richard Centre, Tredegar	E
PSPO-DC-103	Deighton Primary School, Stockton Way, Tredegar, NP223EF	E
PSPO-DC-104	Deighton Sports Ground, Stockton Way, Tredegar, NP22 3EF	E
PSPO-DC-105	Bryn Bach Park, Tredegar	LO
PSPO-DC-106	Bryn Bach Park, Tredegar (Playground area, Mini Golf area, BMX bike track & Scout camp area)	E
PSPO-DC-107	Playground Behind Bus Station, Tredegar Town Centre	E
PSPO-DC-108	Playgrounds (3)at St James Way, Tredegar	E
PSPO-DC-109	Playground & grass area at Brangwyn Road, Cefn Golau, Tredegar	E
PSPO-DC-110	Bedwellty Park, Tredegar	LO

PSPO-DC-111	Tennis court, Bowling Green and playground at Bedwellty Park, Tredegar	E
PSPO-DC-112	Tredegar Recreational Grounds, Stable Lane, Tredegar	LO
PSPO-DC-113	Tredegar recreational ground, Stable Lane, Tredegar	E
PSPO-DC-114	Tredegar Comprehensive school & Leisure Centre, Stable Lane, Tredegar	E
PSPO-DC-115	Georgetown Primary School, Oakfield Road, Tredegar, NP22 4LJ	E
PSPO-DC-116	Playground at Southend, Georgetown, Tredegar	E
PSPO-DC-117	Playground at Bedwellty Pits, Tredegar	E
PSPO-DC-119	Mile Field Playing Field, Georgetown, Tredegar.	E
PSPO-DC-120	Pen Y Cwm Special School and Ebbw Fawr Learning Community Primary Phase, Former Steelworks site, Ebbw Vale.	E
PSPO-DC-121	Ebbw Fawr Learning Community Secondary Phase, Former Steelworks Site, Ebbw Vale	E
PSPO-DC-122	Ebbw Vale Sports Centre, Former Steelworks Site, Ebbw Vale	E
PSPO-DC-124	Playing field at Waunlwyd Youth & Community Centre, Cwm Road, Waunlwyd, Ebbw Vale.	E
PSPO-DC-125	Abertillery Learning Community, Six Bells Road	E

	Campus	
PSPO-DC-127	The River Centre 3-16 Learning Community, Ty Afon, Welfare Ground Ebbw Vale NP23 5AZ	E
PSPO-DC-128	Brynmawr Welfare Ground, Warwick Road, Brynmawr	LO
PSPO-DC-129	Llanhilleth recreational ground, Llanhilleth	LO