

Notice of Dog Control Order for the Removal of Faeces

NOTICE IS HEREBY GIVEN that on 14th February 2008 Caistor Town Council made the following Order under Section 55(1) of The Clean Neighbourhoods and Environment Act 2005 which applies to the land described below. The Order will come into force on 12th March 2008:-

Dog Control Order for the Removal of Faeces

Locations:-

- South Street Park
- All of the Sports Ground, North Kelsey Road (including the 3.5 acres of "free play" area)
- Millfields Play Ground

The effect of the Order is that 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/she 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.

Nothing in this notice applies to a person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or who 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. Each of the following is a "prescribed charity":-

Dogs for the Disabled (registered charity number 700454)
Support Dogs (registered charity number 1088281)
Canine Partners for Independence (registered charity number 803680)

For the purposes of this notice:-

- 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;

Penalty:-

Any person committing a breach of the Order will receive a Fixed Penalty Notice of £50 or may be liable, upon prosecution, to a Level 3 Standard Fine of up to £1,000.

The Order is available for inspection by contacting the Town Clerk, Mrs R Dawson, at 2 Millfields, Caistor, Lincolnshire, LN7 6PD and may also be viewed online at www.caistor.net.