Chelmsford City Council

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Anti-social Behaviour, Crime and Policing Act 2014

THE CHELMSFORD CITY COUNCIL
PUBLIC SPACES PROTECTION ORDER (Dog Fouling) 2026

The Chelmsford City Council ("the Council") makes this Order under Part 4, section 59 of the 2014 Act, having consulted as required by section 72.

The order comes into force on 10th November 2026 for a period of 3 years:

Offence:

If within the administrative area of the Council a dog defecates at any time on land 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 and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless

(a) he has 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.

Exemptions:

The offence does not apply to a person who –
(i) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
(ii) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who relies upon a dog trained by a prescribed charity for assistance.

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;
- 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" means an employee, partnership agency or contractor of Chelmsford City Council who is authorised in writing by Chelmsford City Council for the purposes of giving directions under the Order;

- Each of the following is a "prescribed charity"
    - Dogs for the Disabled (registered charity number 700454)
    - Support Dogs Limited (registered charity number 1088281)
    - Canine Partners for Independence (registered charity number 803680)

Failure without reasonable excuse to comply with the obligations imposed by this Order is a summary offence under section 67 of the 2014 Act.

A person guilty of an offence under section 67 of the 2014 Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).

A constable or an authorised officer may under section 68 of the 2014 Act issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 of the 2014 Act in relation to this Order.

Appeals

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

Where an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Signed .....
Director of Sustainable Communities on behalf of Chelmsford City Council

Civic Centre
Duke Street
Chelmsford
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Dated 10th November 2026