



The Anti-social Behaviour, Crime and Policing Act 2014

The Public Spaces Protection Order - (Daventry District Council) 2018

Daventry District Council (in this order called “the Authority”) hereby makes the following Order:

This Order comes into force on Saturday the 1st December 2018 for a period of 3 years.

General provisions:

1. This order applies to all land in the administrative area of the Authority to which the public or any section of the public has access, on payment or otherwise, as right or by virtue of express or implied permission.
2. A person who fails to comply with any obligation imposed by this order is guilty of a criminal offence by virtue of section 67(1) of the Anti-social Behaviour Crime and Policing Act 2014 and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

Obligations on persons with dogs:

3. Fouling

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 unless

- (a) He/she 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/her failing to do so.

4. Leads by order

A person in charge of a dog on land to which this order applies must comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead unless

- (a) he/she 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/her failing to do so.

An authorised officer may only give a direction under this order if such restraint 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.

5. Leads

A person in charge of a dog on land detailed in Appendix 2, Schedule 1 – Daventry Country Park (shown at the back of this document) must keep the dog on a lead unless

- (a) he/she 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/her failing to do so.

6. Cemeteries, Graveyards and Memorial Gardens

A person in charge of a dog on land that is used for cemeteries, graveyards and/or memorial gardens must keep their dog on a lead unless

- (a) he/she 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/her failing to do so.

7. Schools

A person in charge of a dog on land immediately surrounding the entrance/exit of a school must keep their dog on a lead during school days and when the school is open to the public unless

- (a) he/she 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/her failing to do so.

8. Number of dogs

A person in charge of multiple dogs is not permitted to walk more than 6 dogs at any one time on land to which this order applies unless

- (a) he/she has 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 his/her doing so.

9. Exclusion

A person in charge of a dog must not take it into or keep it within a fenced/enclosed children's play area which is designated and marked for children's play unless

- (a) he/she has 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 his/her doing so.

10. Means to pick up

A person in charge of a dog on land to which this order applies must have with him/her an appropriate means to pick up dog faeces deposited by that dog unless

- (a) he/she 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/her failing to do so.

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.

11. Exemptions

Relating to sections 3-10, nothing in this order shall apply to a person who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (b) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects and who relies upon a dog trained by a prescribed charity for assistance.

Obligations for smoking inside children's play areas

12. Smoking

All persons are prohibited from smoking tobacco, tobacco related products, smokeless tobacco products including electronic cigarettes, herbal cigarettes or any illegal substances within the boundary of a fenced/enclosed children's play area which is designated and marked for children's play.

For the purpose of this order:

- A person who habitually has a dog in his/her 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 Daventry District Council who is authorised in writing by Daventry District Council for the purposes of giving directions under the Order.

Appendix 1 – Administrative area



Daventry District

Appendix 2 – Daventry Country Park – Dogs on Lead area

