

Appendix 2 – PSPO’s

The proposed new order for North West Leicestershire is as follows:-

1. Means to pick up.

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority he/she does not have with him/her an appropriate means to pick up dog faeces deposited by that dog unless:

- He/she has reasonable excuse for failing to do so; or
- 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 the dog faeces.

2. Exemptions

Nothing in this order shall apply to a person who:

- Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- Is deaf, in respect of a dog trained by Hearing Dogs for deaf People (registered charity number 293358) and upon which he/she relies for assistance; or
- 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.

For the purpose of this order:

- (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 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;
- (d) “an authorised officer of the Authority” means an employee, partnership agency or contractor of North West Leicestershire district Council who is authorised in writing by North West Leicestershire district Council for the purposes of giving directions under the Order.
- (e) 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)