



WREXHAM COUNTY BOROUGH COUNCIL

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

The Dog Control Orders (Miscellaneous Provisions) (Wales)
Regulations 2007 (S.I. 2007/702) (W.59)

**THE FOULING OF LAND BY DOGS
(WREXHAM COUNTY BOROUGH COUNCIL) ORDER 2009**

The Wrexham County Borough Council, in exercise of its powers under Section 55 of The Clean Neighbourhoods and Environment Act 2005, The Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007 (S.I. 2007/702) (W.59) and all other enabling powers, hereby makes the following Order:-

1. This Order comes into force on 27th July 2009.
2. This Order applies to the land specified in the schedule.

Offence

3. (1) 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) That person 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 that person failing to do so.
- (2) Nothing in this article applies 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) Has a disability which affects that person's 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 that person relies for assistance.
- (3) For the purpose of this article:-
 - (a) a person who habitually has a dog in their possession is taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog; and

- (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;
- (d) Each of the following is a “prescribed charity”:-
 - (i) Dogs for the Disabled (registered charity number 700454);
 - (ii) Support Dogs (registered charity number 1088281);
 - (iii) Canine Partners for Independence (registered charity number 803680).

Penalty

- 4. A person who is guilty of an offence under article 3 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this day of 2009

**The Common Seal of the
WREXHAM COUNTY BOROUGH
COUNCIL was hereunto affixed
in the presence of:**

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TREVOR COXON
Chief Legal & Democratic Services Officer

SCHEDULE 1

1. This Order shall apply across the whole of the Wrexham County Borough.

SCHEDULE 2

1. This Order shall apply at all times