

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**  
**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**  
**PUBLIC SPACES PROTECTION ORDER**  
**DOGS ON LEADS ON PROMENADE (1<sup>st</sup> MAY – 30<sup>th</sup> SEPTEMBER) ORDER 2017 (as extended**  
**2020)**

This Order may be cited as, ‘Public Spaces Protection Order – Dogs on leads on Promenade (1<sup>st</sup> May – 30<sup>th</sup> September) Order 2017 (as extended 2020)’.

Neath Port Talbot County Borough Council (the “Council”) being the appropriate local authority, and in pursuance of its powers under the Anti-Social Behaviour, Crime and Policing Act 2014 (the “2014 Act”), permitted the Public Spaces Protection Order 2017 (Dogs on Leads on Promenade) (the “Original Order”) to automatically replace the previous Dog Control Order that had been in existence at Aberavon Beach.

The Council has, pursuant to Section 60 of the 2014 Act, extended the Original Order which came into force on 20<sup>th</sup> October 2017.

The Public Spaces Protection Order – Dogs on leads on Promenade (1<sup>st</sup> May – 30<sup>th</sup> September) Order 2017 (as extended 2020), comes into effect on 19<sup>th</sup> October 2020 at 12:00am (midnight), and will expire on 18<sup>th</sup> October 2023 at 11:59pm.

This Order applies to the land specified in Schedule 1.

This Order applies for the duration specified in Schedule 2.

**Information**

- a. When not properly supervised, and kept under control, dogs that are allowed off a lead in public areas – such as the Aberavon Promenade – can cause a nuisance and injury to members of the public, and other animals. Additionally, due to Aberavon Promenade being in the vicinity of a highway, dogs that are allowed off a lead can cause road traffic accidents.
- b. The Council is satisfied, on reasonable grounds, that the behaviour set out above has had, and is likely to continue to have, a detrimental effect on the quality of life of people within the County Borough.
- c. This Order is made with the intention of preventing, or reducing, the detrimental effects of the activities referred to above, by imposing reasonable restrictions and requirements on people whilst in charge of dogs on public land.

### **Offence**

1. A person in charge of a dog shall be guilty of an offence if, during the periods specified in Schedule 2, on the land specified in Schedule 1, that person does not keep the dog on a lead, unless:
  - a. That person has a 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 or her failing to do so.

### **Definition(s)**

2. For the purpose of this Order:
  - a. A person who habitually has a dog in his or her possession shall be taken to be in charge of the dog at any time, unless, at the time when an offence under this Order has been committed, some other person is in charge of the dog;
  - b. An, "authorised person", means a Police Constable, or a person authorised by the Council under Section 68 of the 2014 Act.
  - c. A, "lead", means any cord, leash, rope or similar item used to control, tether or restrain a dog.

### **Penalty**

3. A person who is guilty of an offence under this Order, shall, on summary conviction, be liable to a fine not exceeding level 3 on the standard scale (currently £1,000).

### **Fixed Penalty Notice**

4. An authorised person may issue a Fixed Penalty Notice to anyone he or she believes has committed an offence under this Order. A person will have 14 days to pay the fixed penalty of £75, or a discounted amount of £50, if paid within 10 days. A failure to pay the Fixed Penalty Notice will result in the Council commencing criminal proceedings at the Magistrates' Court.

### **Appeal**

5. In accordance with Section 66 of the 2014 Act, any interested person who wishes to challenge the validity of this Order on the grounds that:
  - a. the Council did not have the power to make the Order; or
  - b. a requirement under the 2014 Act has not been complied with.

may apply to the High Court, within six weeks from the date upon which this Order is made.

