

**Please be advised that under the Anti-social Behaviour, Crime and Policing Act 2014  
Birmingham City Council proposes to make the following**

**Public Space Protection Order:-**

**The Dogs on Leads by Direction Order 2017**

**Birmingham City Council (in this Order called “the Authority”)**

1. This order comes into force on XXXXXXXXXXXXXXXX
2. This order applies to the land specified in the schedule.
3. In this Order “an authorised officer of the Authority” means an employee of the Authority who is authorised in writing by the Authority for the purpose of giving directions under this Order.

**Offence**

4. (1) A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which the Order applies, he does not comply with the direction given him by an authorised officer of the Authority to put and keep the dog on a lead, 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.
- (2) For the purpose of this article-
  - (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) an authorised officer of the Authority may only give a direction under this order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person [on any land to which the order applies] or the worrying or disturbance of any animal or bird.

**Penalty**

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

## **SCHEDULE**

This Order applies to all land in the administrative area of Birmingham City Council that is open to the air and to which the public are entitled or permitted to have access (with or Without payment). For the purpose of this schedule, any land which is covered is to be treated as land which is “open to the air” if it is open to the air on at least one side.

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