

BIRMINGHAM CITY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 60 - NOTICE OF EXTENSION OF
PUBLIC SPACE PROTECTION ORDER: - (RE EXCLUSION OF DOGS)

The Public Space Protection Order made by Birmingham City Council (“the Authority”) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) which came into effect on the 19th October 2020 at 23.00 and is due to expire on the 18th October 2023 at 23.59 hours is hereby extended under s60 of the Act.

The Authority is extending the period for which the order has effect because the Authority is satisfied on reasonable grounds that doing so is necessary to prevent after the time the order would have expired the occurrence or recurrence of the activities identified in the order and/or an increase in the frequency or seriousness of those activities identified in the Order.

The activities identified in the order are to exclude dogs from any clearly demarcated children’s play areas or school land.

The period for which the order shall have effect is extended from 17th day of October 2023 at 23.00 hours to 18th October 2026 at 23.59.

The terms of the Public Space Protection Order are set out below:

1. *This order applies to the land specified in the schedule below.*

Offence

2. (1) *A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies unless-*
 - (a) *he 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 doing 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) *is deaf, in respect of a dog trained by hearing Dogs for Deaf people (registered charity number 293358) and upon which he relies for assistance; or*
 - (c) *has a disability which affects his 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 he relies for assistance.

- (3) 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; and*
 - (b) *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

3. A person who is guilty of an offence under article 2 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

SCHEDULE

This Order applies to the following areas within the administrative area of Birmingham City Council.

- 1. Any clearly demarcated children's play area; and*
- 2. "School land" meaning land that is used for Education as defined by the Education act 1996, and land that is identified by the Academies Act 2010.*

Authorised signatory.



16/10/23

Sajeela Naseer
Director and Regulation and Enforcement

Date

Your contact regarding this Notice is:

Mark Croxford
Units 1 – 3 Ashted Lock Way
Birmingham
B7 4AZ

Tel: 0121 303 6920
Website: www.birmingham.gov.uk
Email: Mark.croxford@birmingham.gov.uk

Data Protection Act 1998 – Any personal data provided will be kept confidential and processed in accordance with the Data Protection Act 1998