



## THE ANTI-SOCIAL, BEHAVIOUR, CRIME AND POLICING ACT 2014

### THE MALDON DISTRICT COUNCIL (DOG CONTROL) PUBLIC SPACES PROTECTION ORDER (PSPO) 2025

Maldon District Council (in this order called "the Council") hereby makes the following order under section 59 of the Anti-Social, Behaviour, Crime and Policing Act 2014 (the 2014 Act).

The Order comes into force on the 18 July 2025 for a period of 3 years until 18 July 2028.

#### General provision:

1. A person who fails to comply with any obligation imposed by this order is guilty of a criminal offence by virtue of section 67(1) of the 2014 Act and liable to fine of summary conviction not exceeding level 3 of the standard scale.

#### Obligations on person with dogs:

### 2. Fouling

- 2.1 If within the administrative area of the Council a dog defecates at any time on land to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless;
  - they have 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 their failing to do so.
- 2.2 For the purpose of this order:
  - being unaware of the defecating (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.
  - 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.

**Exemptions:**

The offence does not apply to a person who –

- (i) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (ii) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who relies upon a dog trained by a prescribed charity for assistance.

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)

**3. Dog on leads**

3.1 A person in charge of a dog on any land to which the public are permitted access within the District of Maldon must put their dog on a lead when requested to do so by an authorised Officer unless:

- they have 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 their failing to do so.

3.2 A person in charge of dog must keep that dog on a lead at all times in Maldon, Heybridge and Burnham-on-Crouch cemeteries in the areas edged red on Maps 3, 4 and 5 unless;

- they have reasonable excuse for failing to do so.

3.3 A person in charge of a dog must keep that dog on a lead at all time in Promenade Park, Maldon around the lake and by the cafes, on the path to the statue of Brythnoth and on open sports pitches as delineated on Map 1 in red and marked areas A, B and C unless;

- they have reasonable excuse for failing to do so.

3.4 A person in charge of a dog must keep that dog on a lead at all times in Burnham-on-Crouch – Quay Front West, Quay Front East and Quay Front adjoining Riverside park and open sports fields as delineated on Map 2 in red and marked areas A, B and C unless;

- they have reasonable excuse for failing to do so.

**4. Dog Exclusion Areas**

4.1 Areas where dogs are excluded at all times are:

- all children's play sites to which the public have access within the District of Maldon.
- enclosed sports pitches which are artificially surfaced or any enclosed bowling green within the District of Maldon, on land to which the public or any section of the public has access, on payment or otherwise, as or right or by virtue of express or implied permission.

4.2 Assistance dogs, as defined by the Equalities Act 2010 are exempt from any restrictions within this PSPO.

“assistance dog” means –

- (a) a dog which has been trained to guide a blind person;
- (b) a dog which has been trained to assist a deaf person;

- (c) a dog which has been trained by a prescribed charity to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person's mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects;
  - (d) a dog of a prescribed category which has been trained assist a disabled person who has a disability (other than one failing within paragraph (c) of a prescribed kind;
- 4.3 Failure without reasonable excuse to comply with the prohibitions and requirements imposed by this PSPO is a summary criminal offence under section 67 of the 2014 Act except in the respect of the prohibition relating to the consumption of alcohol. A person guilty of an offence under section 67 of the 2014 Act is liable to summary conviction to a fine next exceeding level 3 on the standard scale (currently £1,000).
- 4.4 A constable or authorised person under section 68 of the 2014 Act may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under sections section 63 or 67 of the 2014 Act in relation to this PSPO.

The COMMON SEAL of MALDON DISTRICT COUNCIL  
Was affixed in the presence of:-