

TORFAEN COUNTY BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014

TORFAEN COUNTY BOROUGH COUNCIL (DOG CONTROL) PUBLIC SPACES PROTECTION ORDER 2022

Torfaen County Borough Council ("the Council") hereby makes the following Public Spaces Protection Order ("the Order") in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime & Policing Act 2014 ("the Act") and all other enabling powers:-

1. This Order may be cited as the Torfaen County Borough Council (Dog Control) Public Spaces Protection Order 2022.
2. This Order will come into force on 15 July 2022 and will remain in force until 1 December 2024, unless varied or discharged by further Orders of the Council.

3. **INTRODUCTION**

- (a) People who fail to clean up after their dogs on publicly accessible land is an important issue in the local environment generally, the effect of which is detrimental on the quality of life of the community at large. The presence of dog faeces causes nuisance to others and is a potential hazard to all members of the public alike. It causes risks to health, defaces land and has the potential to deface people and their property and it is therefore important that the community recognises the need to clean up after their dogs.
- (b) When not properly supervised and kept under control, dogs that are allowed off a lead in public areas may cause road traffic accidents, and may cause nuisance or injury to members of the public and to other animals.
- (c) Dogs in children's play areas may become aggressive if startled. They may also defecate in these areas, defacing and causing a health risk to the children that use them.
- (d) This Order is made because 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 Torfaen. Furthermore that the effect is likely to be of a persistent or continuing nature and is or will be unreasonable, and justifies the requirements set out in this Order.
- (e) This Order seeks to prevent or reduce 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. It seeks to facilitate

the safe sharing of our public spaces, whilst recognising that people should be able to exercise their dogs off lead in public in public areas, provided that their dogs are under control and behaving appropriately.

4. RESTRICTIONS AND REQUIREMENTS

- (a) The effect of the Order is to impose the restrictions and requirements as set out in Parts 1 to 3 below.

PART 1 – DOG FOULING

1. If a dog defecates at any time on land to which this part of the Order applies, and the 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 he can show that:-
- (a) he 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 him failing to do so;
2. This part of the Order applies to all public places in the County Borough of Torfaen

For these purposes, a "public place" means any place 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.

3. For the purpose of this part of the Order:
- (a) placing the faeces in a receptacle on the land which is provided for this purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- (b) 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.

PART 2 – DOG EXCLUSION

1. A person in charge of a dog will be guilty of an offence if at any time he takes the dog onto, or permits the dog to enter or remain on, any land to which this part of the Order applies, unless he can show that:-
- (a) he 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 him doing so.

2. This part of the Order applies to the land in the County Borough of Torfaen identified in Annex 1 as "Exclusion (E)" and annexed hereto and further identified by the plans referred to therein.

PART 3 – DOGS ON LEADS

1. A person in charge of a dog will be guilty of an offence if at any time on land to which this part of the Order applies, they fail to keep the dog on a lead of not more than 2 metres in length for such period and / or in such circumstances as directed by an Authorised Officer, unless he can show that:-
 - (a) he 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 him failing to do so.
2. For these purposes, a "lead" means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person's close control.
3. This part of the Order applies in the County Borough of Torfaen to the land identified in Annex 1 as "Leads only (LO)" and annexed hereto and further identified by the plans so referred to therein.

EXEMPTIONS

EXEMPTIONS FOR DISABLED PEOPLE

1. The dog fouling provisions in Part 1 of this Order do not apply to a person who:
 - (a) is registered as partially sighted or blind, in a register compiled under Section 29 of the National Assistance Act 1948; or
 - (b) is registered as "sight-impaired", "severely sight-impaired" or as "having sight and hearing impairments which in combination, have a significant effect on their day to day lives", in a register compiled under Section 18 of the Social Services and Wellbeing (Wales) Act 2014; or
 - (c) has a disability which affects his mobility, manual dexterity, physical co-ordination, or ability to lift, carry, or otherwise move everyday objects, such that he cannot reasonably be expected to remove the faeces; or
 - (d) has some other disability, such that he cannot reasonably be expected to remove the faeces.

2. The dog exclusion provisions in Part 2 of this Order shall not apply to a dog trained by a registered charity to assist a person with a disability and upon which a disabled person relies for assistance.
3. For the purposes of this Order, a "disability" means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and a "disabled person" means a person who has such a disability.

EXEMPTIONS FOR WORKING DOGS

1. Nothing in this Order shall apply to the normal activities of a working dog, whilst the dog is working.

This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of Her Majesty's armed forces; farm dogs that are being used to herd or drive animals; dogs that are being lawfully used for the capture or destruction of vermin and dogs that are being lawfully used for the purposes of hunting.

OTHER MATTERS

1. For the purposes of this Order 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.
2. Where the person in charge of a dog wishes to rely upon any of the exemptions set out in this Order, the burden will be on him to prove that he satisfies the requirements of the exemptions being relied upon.

OFFENCES

It is an offence for any person without reasonable excuse to:-

- (a) do anything that a person is prohibited from doing by this Order; or
- (b) fail to comply with a requirement to which a person is subject to under this Order.

Any person guilty of an offence under this Section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

A Constable or an Authorised Person may under S.68 of the Anti-Social Behaviour, Crime and Policing Act 2014, issue a fixed penalty notice to anyone they have reason to believe has committed an offence under S.67 of that Act in relation to this Order. Failure to pay the fixed penalty will result in prosecution.

APPEALS

Any challenge to this Order must be made in the high Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits any of the areas affected by this Order. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an Order is varied by the Council.

Interested persons can challenge the validity of this Order on two grounds: that the Council did not have power to make the Order, or to include particular prohibitions or requirements; or that a requirement of the legislation was not complied with in relation to the Order.

Dated this 13th day of July 2022

The **COMMON SEAL** of **TORFAEN COUNTY BOROUGH COUNCIL** was hereunto affixed in the presence of:-



.....
Authorised Officer

Sealing Number 22433

Annex 1

Public Spaces Protection Order – Dog Controls Reference List

Blaenavon Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-01-01	Clapham Terrace Recreation Area	E
PSPO-DC-01-02	Forgeside Green, Martin Terrace	E
PSPO-DC-01-03	Recreation Ground, Middle Coed Cae Road	E
PSPO-DC-01-04	Blaenavon Blues FC off Stable Row	E
PSPO-DC-01-05	Blaenavon Blues Cricket Pitch	E
PSPO-DC-01-06	Blaenavon Blues Rifle Field	E
PSPO-DC-01-07	Lapwing Breeding Area Garn Lakes	E
PSPO-DC-01-08	Upper Garn-yr-Erw Terrace Play Area	E
PSPO-DC-01-09	Lower Garn-yr-Erw Terrace Play Area	E
PSPO-DC-01-10	Garn Lakes (Dogs on Lead Area)	LO
PSPO-DC-01-11	Blaenavon Heritage VC Primary School	E
PSPO-DC-01-12	Blaenavon Cemetery (Dogs on Lead Area)	LO

Abersychan Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-02-01	Ysgol Bryn Onnen	E
PSPO-DC-02-02	Garn Cricket Pavilion	E
PSPO-DC-02-03	Garndiffaith Welfare Ground	E
PSPO-DC-02-05	The Ravine Football Club, New Road	E
PSPO-DC-02-06	Garndiffaith RFC	E
PSPO-DC-02-07	Varteg Playground	E
PSPO-DC-02-08	Garnteg Primary School	E
PSPO-DC-02-09	Heol Waun, Church Road Play area	E
PSPO-DC-02-10	Victoria Community Field	E
PSPO-DC-02-11	Victoria Primary School (Canteen site)	E
PSPO-DC-02-12	Victoria Primary School	E
PSPO-DC-02-13	Talywain Sports Pavilion, Church Road	E
PSPO-DC-02-14	Abersychan Comprehensive	E
PSPO-DC-02-16	Big Arch Football Pitch	E
PSPO-DC-02-18	Glansychan Park	E
PSPO-DC-02-19	Abersychan Youth Centre	E
PSPO-DC-02-20	Brynteg Nursery, Abersychan	E

Pontnewynydd Ward		
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PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-03-01	Cwmffrwdroer Primary School	E
PSPO-DC-03-02	Cwmffrwdroer Sports Club	E
PSPO-DC-03-03	Cwmffrwdroer Play Park	E
PSPO-DC-03-04	Cwmffrwdroer playing fields, Gwenallt	E
PSPO-DC-03-05	Cwmffrwdroer Recreation Ground	E

Snatchwood Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-04-01	Pentwyn Children's Play Park	E

Trevethin Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-05-01	Folly Road Play Area	E
PSPO-DC-05-02	Uplands Drive Children's Play Park	E
PSPO-DC-05-03	Trevethin Penlasgarn Football Field	E
PSPO-DC-05-04	Ysgol Gyfun Gwynllyw	E
PSPO-DC-05-05	Cold Barn Farm	E
PSPO-DC-05-06	Central Drive Children's Play Area	E

Wainfelin Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-06-01	New Houses Pantygasseg Children's Play Park	E
PSPO-DC-06-02	Tranch Football Club & Children's Play Park	E
PSPO-DC-06-03	Padre Pio RC Primary School	E

Brynwern Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-07-01	Albion Road Playing Fields, Pontypool	E
PSPO-DC-07-02	Albion Road Rugby Fields, (West Mon)	E
PSPO-DC-07-03	Pupil Referral Unit, Albion Road, Pontypool	E
PSPO-DC-07-04	George Street Primary School	E
PSPO-DC-07-05	Hanbury Grove Children's Play Area	E

Pontypool Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-08-01	Pontypool RFC	E
PSPO-DC-08-02	Pontypool Park Children's Play and Skate Park	E
PSPO-DC-08-03	Pontypool Park Tennis Courts	E
PSPO-DC-08-04	Pontypool Park Rugby Pitch	E
PSPO-DC-08-05	St Alban's RC High School	E
PSPO-DC-08-07	Skew Fields	E
PSPO-DC-08-08	The Moorings Children's Play Area	E

St Cadocs/Penygarn Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-09-01	The Ruffets Playing Field	E
PSPO-DC-09-02	St Cadoc's Children's Play Park	E
PSPO-DC-09-03	Penygarn Community Primary School	E

New Inn Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-10-01	Coed Camlas Children's Play Area	E
PSPO-DC-10-02	New Inn Recreation Ground	E
PSPO-DC-10-03	New Inn Basket Ball Courts	E
PSPO-DC-10-04	New Inn Children's Play Park	E
PSPO-DC-10-05	New Inn Primary School	E
PSPO-DC-10-07	Jarrods Fields, New Road, New Inn	E
PSPO-DC-10-08	Panteg Cemetery (Dogs on Lead Area)	LO

Cwmyrnyscoy Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-11-01	West Mon Comprehensive School	E
PSPO-DC-11-03	Greys Road Children's Play Area	E
PSPO-DC-11-04	Coleg Gwent, Pontypool Campus	E

Panteg Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-12-02	Sunnybank Park Children's Play Area	E
PSPO-DC-12-03	Fish Pond Park Tennis Courts	E
PSPO-DC-12-04	Sunnybank Park Ball Courts (x2)	E
PSPO-DC-12-06	Ysgol Panteg	E
PSPO-DC-12-07	PILCS Football Club	E
PSPO-DC-12-08	Alexandra Road Children's Play Park	E
PSPO-DC-12-09	Griffithstown Primary School	E
PSPO-DC-12-10	Parc Panteg Children's Play Area #1	E
PSPO-DC-12-11	Parc Panteg Children's Play Area #2	E
PSPO-DC-12-12	Wern Road Children's Play Area	E
PSPO-DC-12-13	Alexandra Road Football Pitch	E
PSPO-DC-12-15	Churchwood Children's Play Area	E

Upper Cwmbran Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-13-01	The Birches Football Ground, Maendy Way	E
PSPO-DC-13-02	The Birches Children's Play Ground, Maendy Way	E
PSPO-DC-13-03	Monnow Court Children's Play Area	E
PSPO-DC-13-04	Cedar Walk Sports Pitch	E
PSPO-DC-13-05	Woodlands Community Primary School	E
PSPO-DC-13-06	Cam Court Children's Play Area	E

Pontnewydd Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO – DC- 14-01	Maendy Primary School	E
PSPO – DC- 14-02	Pontnewydd Primary School	E
PSPO – DC- 14-03	St Davids RC Primary School	E
PSPO – DC- 14-04	Rugby Football Ground (Rear of Kings Head Hotel)	E
PSPO – DC- 14-05	Pontnewydd Community Education Centre	E
PSPO – DC- 14-06	Ashley House Youth Centre	E
PSPO – DC- 14-07	Pontnewydd Gardens, Mount Pleasant Road	E
PSPO – DC- 14-08	Brooklands Field Children's Play Area	E
PSPO – DC-14-09	Pontrhydyrun Playing Fields	E

Croesyceiliog North Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-15-01	Croesyceiliog Primary School	E
PSPO-DC-15-02	Raglan Court Football Fields	E
PSPO-DC-15-03	Croesyceiliog Cricket Pitch	E

Greenmeadow Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-16-01	Children's Play Area adjacent to Cwmbran High School (1)	E
PSPO-DC-16-02	Children's Play Area adjacent to Cwmbran High School (2)	E

St. Dials Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO–DC-17- 01	Cwmbran Children's Park	E
PSPO–DC-17-02	Cwmbran Park Tennis Courts, Henllys Way	E
PSPO–DC-17- 03	Cwmbran Park Putting Green	E
PSPO–DC-17- 04	Ysgol Cymraeg Cwmbran	E

Fairwater Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-18-01	Greenmeadow Primary School	E
PSPO-DC-18-02	Henllys C in W Primary School	E
PSPO-DC-18-03	Coed Eva AFC Football Pitches	E
PSPO-DC-18-04	Cwmbran High School	E
PSPO-DC-18-05	Blenhiem Road Community Primary School	E
PSPO-DC-18-06	Rosemead Children's Play Area	E

Coed Eva Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-19-01	Coed Eva Primary School	E
PSPO-DC-19-02	Hollybush Community Park	E
PSPO-DC-19-03	Nant Celyn Primary School	E

Two Locks Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-20-01	Nant-y-Milwr Play Area	E
PSPO-DC-20-02	Cefn Milwr Play Area	E
PSPO-DC-20-03	Henllys Children's Play Area	E
PSPO-DC-20-04	Sandybrook Park Sports Pitch and Play Area	E
PSPO-DC-20-05	Henllys Playing Fields (Rear of Birch Grove)	E
PSPO-DC-20-06	Juniper Crescent Children's Play Area	E
PSPO-DC-20-07	Llwynycelyn Cemetery (Dogs on Lead Area)	LO

Llantarnam Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC -21-01	Oakfield Gardens Children's Play Area	E
PSPO-DC -21-02	Cwmbran Boating Lake Children's Play Area	E
PSPO-DC -21-03	South Fields Recreation Park, Llanfrechfa	E
PSPO-DC -21-04	North Fields Recreation Park, Llanfrechfa	E
PSPO-DC -21-05	Lucas Girling's Sports Association Recreation Ground	E
PSPO-DC -21-06	Our Lady of the Angels R.C. Primary School	E
PSPO-DC -21-07	Court Farm Road Children's Play Area	E
PSPO-DC -21-08	Cwmbran Recreation Ground (Celtic Park) Next to Cwmbran Stadium	E
PSPO-DC -21-09	North Fields Children's Play Area and Skateboard Park	E
PSPO-DC -21-10	Lansdowne Gardens Children's Play Area	E
PSPO-DC-21-11	Montresor court Llantarnam	E
PSPO-DC-21-12	Cory Park Children's Play Area	E
PSPO-DC-21-13	Cwmbran Boating Lake & Children's Play Area	LO

	(Dogs on Lead Area)	
PSPO-DC-21-14	Llantarnam Community Primary School	E
PSPO-DC-21-15	Cwmbran Cemetery (Dogs on Lead Area)	LO

Croesyceiliog South Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC -22-01	Woodland Road Children's Play Area	E
PSPO-DC -22-02	Woodland Road Social Centre Recreation Park	E
PSPO-DC -22-03	Crownbridge School	E
PSPO-DC -22-04	Croesyceiliog High School	E

Llanyravon West Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC -23-01	Llanyravon Primary School	E
PSPO-DC -23-02	Llanyravon East Recreational Ground	E

Llanyravon East and Ponthir Ward		
PSPO Ref	Site Name	Dog Exclusion (E) or Lead only (LO)
PSPO-DC-24-01	Ponthir C in W Primary School	E
PSPO-DC-24-02	Ponthir District Social Club (Cricket & Football Club)	E
PSPO-DC-24-03	Ponthir Children's Play Area (Oaklands)	E
PSPO-DC-24-04	Ponthir Children's play Area (Barnfield)	E

END OF DOG CONTROLS REFERENCE LIST