



Dogs (Fouling of Land) Act 1996

1996 CHAPTER 20

1 Land to which Act applies

- (1) Subject to subsections (2) to (4) below, this Act applies to any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment).
- (2) This Act does not apply to land comprised in or running alongside a highway which comprises a carriageway unless the driving of motor vehicles on the carriageway is subject, otherwise than temporarily, to a speed limit of 40 miles per hour or less.
- (3) This Act does not apply to land of any of the following descriptions, namely—
 - (a) land used for agriculture or for woodlands;
 - (b) land which is predominantly marshland, moor or heath; and
 - (c) common land to which the public are entitled or permitted to have access otherwise than by virtue of section 193(1) of the Law of Property Act 1925 (right of access to urban common land).
- (4) Where a private Act confers powers for the regulation of any land, the person entitled to exercise those powers may, by notice in writing given to the local authority in whose area the land is situated, exclude the application of this Act to that land.
- (5) For the purposes of this section, any land which is covered shall be treated as land which is “open to the air” if it is open to the air on at least one side.
- (6) In this section—
 - “agriculture” includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, and the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds;
 - “carriageway” has the same meaning as in the Highways Act 1980;
 - “common land” has the same meaning as in the Commons Registration Act 1965;
 - “speed limit” means a speed limit imposed or having effect as if imposed under the Road Traffic Regulation Act 1984.