
STATUTORY INSTRUMENTS

1991 No. 961

ENVIRONMENTAL PROTECTION

The Litter (Animal Droppings) Order 1991

<i>Made</i>	- - - -	<i>9th April 1991</i>
<i>Laid before Parliament</i>		<i>10th April 1991</i>
<i>Coming into force</i>	- -	<i>1st May 1991</i>

The Secretary of State for the Environment, as respects England, the Secretary of State for Wales, as respects Wales, and the Secretary of State for Scotland, as respects Scotland, in exercise of the powers conferred on them by section 86(14) and (15) of the Environmental Protection Act 1990⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Order:—

1. This Order may be cited as the Litter (Animal Droppings) Order 1991 and shall come into force on 1st May 1991.

2. The provisions of Part IV of the Environmental Protection Act 1990 which apply to refuse shall apply to dog faeces on land of the following descriptions which is not heath or woodland or used for the grazing of animals:

any public walk or pleasure ground;

any land, whether inclosed or not, on which there are no buildings or of which no more than one-twentieth part is covered with buildings, and the whole or the remainder of which is laid out as a garden or is used for the purposes of recreation;

any part of the seashore (that is to say every cliff, bank, barrier, dune, beach, flat or other land adjacent to and above the place to which the tide flows at mean high water springs) which is—

frequently used by large numbers of people, and

managed by the person having direct control of it as a tourist resort or recreational facility;

any esplanade or promenade which is above the place to which the tide flows at mean high water springs;

any land not forming part of the highway, or, in Scotland, a public road, which is open to the air, which the public are permitted to use on foot only, and which provides access to retail premises;

a trunk road picnic area provided by the Minister under section 112 of the Highways Act 1980⁽²⁾ or, in Scotland, by the Secretary of State under section 55 of the Roads (Scotland) Act 1984⁽³⁾;

(1) 1990 c. 43.
(2) 1980 c. 66.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

a picnic site provided by a local planning authority under section 10(2) of the Countryside Act 1968(4) or, in Scotland, a picnic place provided by an islands or district council or a general or district planning authority under section 2(2)(a)(i) of the Local Government (Development and Finance) (Scotland) Act 1964(5);

land (whether above or below ground and whether or not consisting of or including buildings) forming or used in connection with off-street parking places provided in accordance with section 32 of the Road Traffic Regulation Act 1984(6).

4th April 1991 *Michael Heseltine*
Secretary of State for the Environment

9th April 1991 *David Hunt*
Secretary of State for Wales

8th April 1991 *James Douglas-Hamilton*
Parliamentary Under Secretary of State, Scottish
Office

(3) 1984 c. 54.
(4) 1968 c. 41.
(5) 1964 c. 67; section 2(2) is to be read with section 9(1) of and Schedule 12 to the Local Government and Planning (Scotland) Act 1982 (c. 43).
(6) 1984 c. 27; section 32 was extended to Scotland by section 125 of, and was amended by section 93(14) of, and Schedule 9 to, the Roads (Scotland) Act 1984.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 86(14) and (15) of the Environmental Protection Act 1990 (“the Act”), which enables the Secretary of State to apply the provisions of Part IV of the Act (Litter, Etc.) which apply to refuse to any description of animal droppings in all or any prescribed circumstances. The Order provides that Part IV of the Act will apply to dog faeces on the kinds of land prescribed in article 2.