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| <b>Title:</b> | <b>Consultation on revoking superseded byelaws</b> |
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**Why we are consulting?**

In 2017, we made a number of new public spaces protection orders dealing with the control of dogs. These new orders superseded the old byelaws that previously applied, which were automatically suspended by the new orders.

We now want to legally discontinue the old byelaws. This would avoid confusion by making sure that there were no longer two sets of rules about dog control.

We need to consult on the proposal to discontinue the old byelaws before we can make a formal decision about them.

**What are we proposing?**

We are proposing to discontinue the byelaws (or parts of byelaws) listed below. To do this, we need to make a new byelaw that formally revokes them. These are the byelaws affected:

*Byelaw 2(8) of the byelaws made by Lytham St Annes Borough Council on 16 May 1969 and confirmed by the Secretary of State on 1 September 1969.*

*The byelaws made by Fylde Borough Council on 19 March 1981 and confirmed by the Secretary of State on 17 June 1981.*

*The byelaws relating to the removal of canine faeces made by Fylde Borough Council on 4 September 1989 and confirmed by the Secretary of State on 26 October 1989.*

*The byelaws relating to keeping dogs on leads made by Fylde Borough Council on 4 September 1989 and confirmed by the Secretary of State on 26 October 1989.*

*The byelaws made by Fylde Borough Council on 30 July 1991 and confirmed by the Secretary of State on 2 March 1992.*

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The byelaws made by Fylde Borough Council on 9 February 1995 and confirmed by the Secretary of State on 19 April 1995.

The byelaws made by Fylde Borough Council on 17 January 1996 and confirmed by the Secretary of State on 13 February 1996.

You can read the old byelaws at [www.fylde.gov.uk/council/byelaws](http://www.fylde.gov.uk/council/byelaws).

You can see the draft revocation byelaw [here](#).

### **What is the impact of what we are proposing?**

We must assess the regulatory impact of discontinuing the byelaws before we can take a decision. Because we would simply be discontinuing byelaws that are currently suspended, we believe that the impact would be little or nothing. This is our assessment of the impact against the criteria we have to use.

- ***What is the objective of revoking the byelaws?***

*At present, control of dogs in public spaces in Fylde is covered both by the new orders and by the old byelaws. The byelaws are suspended while the orders apply. This means that the byelaws are legally valid, but can't be enforced. This could cause confusion. Discontinuing the byelaws by formally revoking them would remove the confusion.*

- ***Could the objective be achieved in any other way, short of revoking the byelaw?***

*No. Only formally revoking the byelaws would stop them being legally valid*

- ***What will be the impact of revoking the byelaw upon those affected by this decision?***

*There would be no impact. The byelaws are suspended as long as the orders apply*

- ***How does revoking the byelaw compare with taking no action?***

*Taking no action would leave the confusing situation referred to above. Also, it would mean that the byelaws would start to apply again if the orders lapsed, which would not be desirable. Revoking the byelaws shows the council's commitment to making local regulation easier to understand and therefore more effective.*

### **What do you think?**

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If you have any questions, representations or objections about discontinuing the old byelaws, please email them to [ianc@fylde.gov.uk](mailto:ianc@fylde.gov.uk), or write to us at the Town Hall, St Annes Road West, Lytham St Annes FY8 1LW. We value your opinion and will consider all responses received by the date below carefully.

Please let us have your responses by no later than 30 September 2018.

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