The Anti-Social Behaviour, Crime and Policing Act 2014 ss. 59-75

PUBLIC SPACE PROTECTION ORDER (REGULATION OF DOGS IN THE BOROUGH OF OADBY AND WIGSTON) 2021

The Borough Council of Oadby and Wigston (hereafter "the Authority") hereby makes the following Public Space Protection Order (hereafter "the Order") under ss. 59-75 of the Anti-Social Behaviour, Crime and Police Act 2014 (hereafter "the Act").

This Order may be cited as 'The Public Space Protection Order (Regulation of Dogs in the Borough of Oadby and Wigston) 2021' and shall come into force on the 24th day of September 2021 and remain in force for a period of three years.

1. Dog fouling of land

If within the administrative area of the Authority as detailed in Schedule 1 below, a dog defecates at any time on land 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:

(a) that person has 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 his failing to do so.

2. Dogs on leads by direction

2.1. A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority as detailed in Schedule 1 below, that person does not comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead unless:

(a) that person has 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 his failing to do so.

2.2. An authorised officer may only give a direction under this Order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

3. Keeping of dogs on leads

A person in charge of a dog shall be guilty of an offence if, at any time, on land detailed in Schedule 2 below, that person does not keep the dog on a lead unless:

(a) that person has 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 his failing to do so.

4. Exclusion of dogs

A person in charge of a dog shall be guilty of an offence if, at any time, that person

takes the dog onto, or permits the dog to enter or to remain on, any land detailed in Schedule 3 below unless:

(a) that person has 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 his failing to do so.

5. Means to pick up

5.1. A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority as detailed in Schedule 1 below, that person does not have with him an appropriate means to pick up dog faeces deposited by that dog unless:

(a) that person has 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 his failing to do so.

5.2. The obligation is complied with if, after a request from an authorised officer, the person in charge of the dog produces an appropriate means to pick up the dog faeces.

6. Exemptions

Nothing in this order shall apply to a person who:

(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948, or "severely sight impaired", or "sight impaired" under the Care Act 2014; or
(b) has a disability which affects his mobility, manual dexterity, physical coordination, or ability to lift, carry, or otherwise move everyday objects, in respect of a dog trained by a "prescribed charity" and upon which he relies for assistance.

7. General Points

For the purpose of this Order:

(a) 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;

(b) 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;

(c) 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;

(d) "An authorised officer of the Authority" means an employee, partnership agency or contractor of Oadby and Wigston Borough Council who is authorised in writing by the Authority for the purposes of giving directions under the Order.

(e) Unless the context otherwise requires, words in the singular shall include the plural

and in the plural shall include the singular.

(f) Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.

(g) Each of the following is a "prescribed charity" -

(i) Dogs for the Disabled (registered charity number 700454);
(ii) Support Dogs Limited (registered charity number 1088281);
(iii) Canine Partners for Independence (registered charity number 803680);
(iv) Hearing Dogs for Deaf People (registered charity number 293358); and
(v) The Guide Dogs for the Blind Association (registered charity number 209617).

8. Penalty

8.1. A person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

8.2. A Fixed Penalty Notice of £100.00 will be issued to offenders to be paid within 14 days (reduced to £70.00 if paid within 7 days) which would discharge any liability to conviction for an offence under section 67(1) of the Act.

The above Order was adopted by the Full Council at a meeting held on the 30th day of March 2021.

In witness thereof the Common Seal of the Borough Council of Oadby and Wigston was hereunto affixed on 20th day of September 2021.

.....

Authorised Signatory

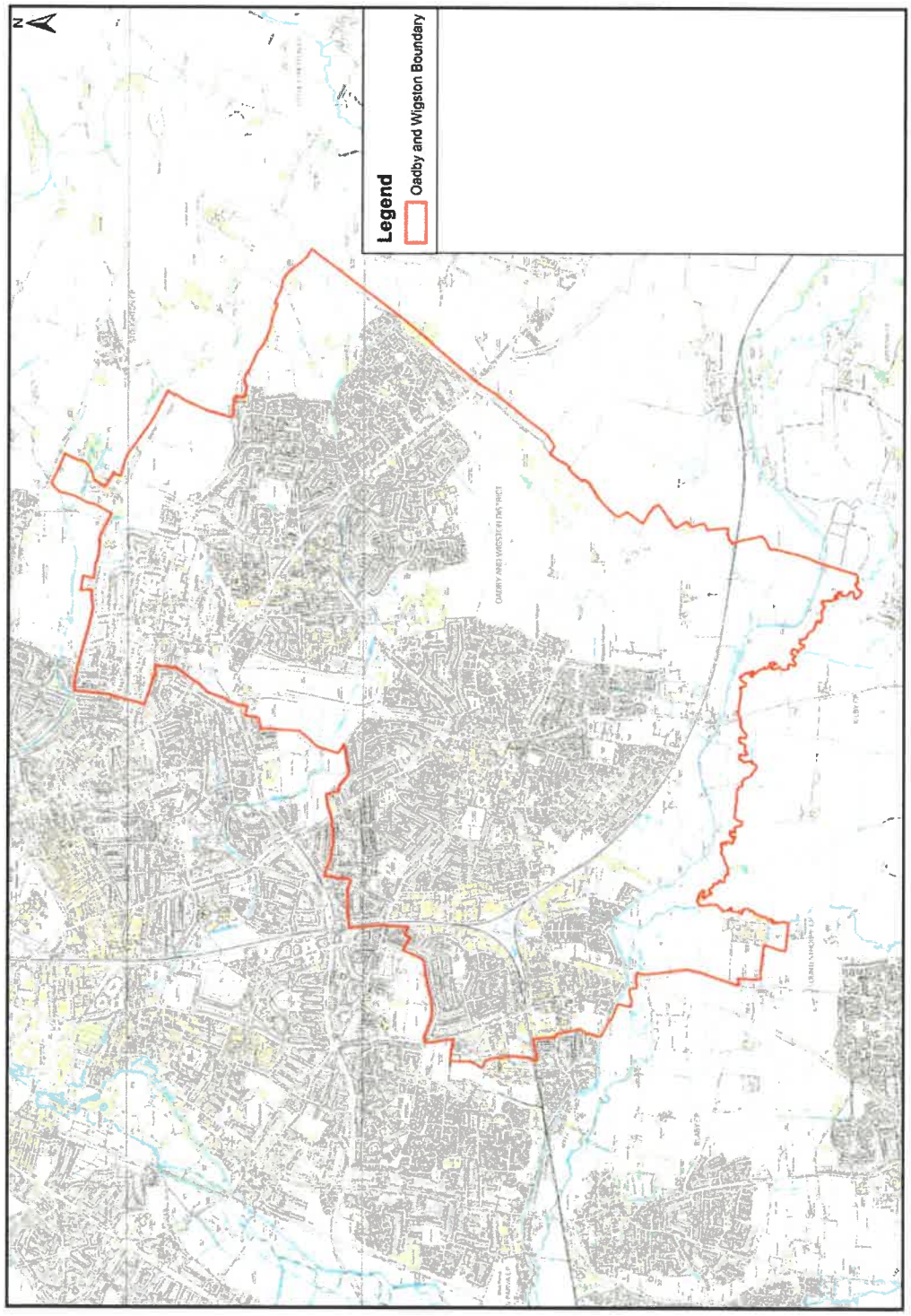
Seal No: 31/21/22

Schedule One

Dog fouling of land Dogs on leads by direction
Means to pick up

This Order applies to the administrative area of the Authority edged-red below:

Map No. 1



Schedule Two

Keeping of dogs on leads

This Order applies to all the land described below:

Map No.	Location	Area	Description of Land
2	St Peter's Churchyard, Wigston Road, LE2 SQE	Oadby	Churchyard
3	5 - 15 London Road, LE2 5DL	Oadby	Blind Garden
4	Oadby Cemetery, Wigston Road, LE2 5QB	Oadby	Cemetery
5	Wigston Road Allotments, Wigston Road, LE2 SJE	Oadby	Allotments
6	Brabazon Road Allotments, Brabazon Road, LE2 5HE	Oadby	Allotments
7	Brocks Hill Country Park, Natural Play Area, Washbrook Lane, LE2 SJJ	Oadby	Park
8	All Saints Churchyard, Moat Street, LE18 2GD	Wigston	Churchyard
9	St. Wistan's Church, Church Nook, LE18 3RA	Wigston	Churchyard
10	Wigston Cemetery, Welford Road, LE18 35N	Wigston	Cemetery
11	Aylestone Lane Allotments, Aylestone Lane, LE18 1FX	Wigston	Allotments
12	Manchester Gardens Allotments, Blunts Lane, LE18 2HA	Wigston	Allotments

Schedule Three

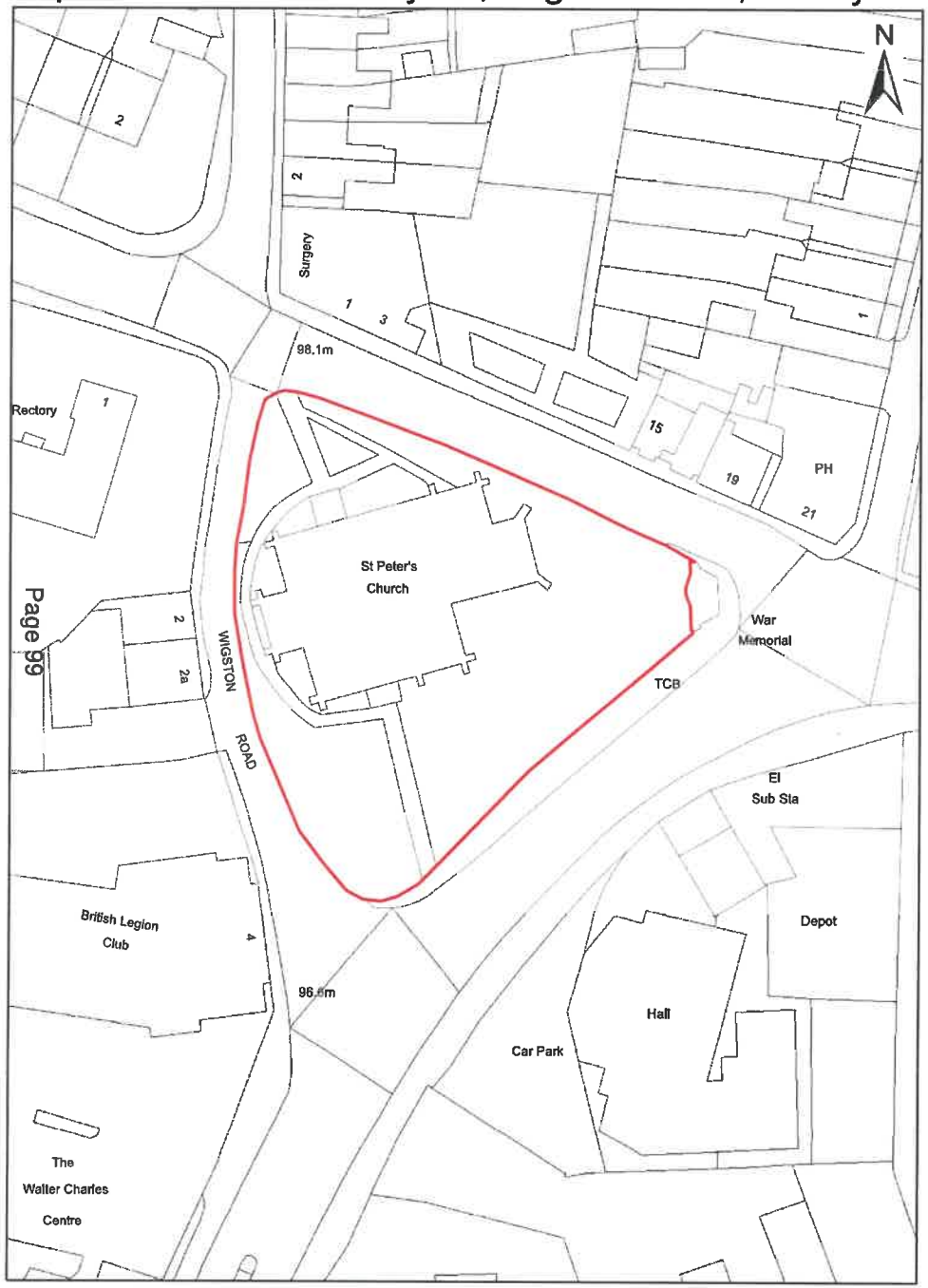
Exclusion of dogs

This Order applies to all the land described below:

Map No.	Location	Area	Description of Land
7	Brocks Hill Country Park Small Play Area and Amphitheatre, Washbrook Lane, LE2 SJJ	Oadby	Play Area
13	Ellis Park Bowls Green, Ellis Park, Brabazon Road, LE2 5HG	Oadby	Bowls Green
13	Tennis Courts, Ellis Park, Brabazon Road, LE2 5HG	Oadby	Tennis Courts
13	Play Area, Ellis Park, Brabazon Road, LE2 5HG	Oadby	Play Area
14	Illife Avenue Park, LE2 5LS	Oadby	Play Area
15	Morwood Play Area, London Road, LE2 5DL	Oadby	Play Area
16	Rosemead Park, Rosemead Drive, LE2 5SD	Oadby	Play Area
17	Uplands Playing Field, Uplands Road, LE2 4NS	Oadby	Play Area
18	Coombe Park, Coombe Rise, LE2 5TT	Oadby	Play Area
19	Fox Hollow, LE2 4QY	Oadby	Play Area
20	Hill Field Park, Florence Wragg Way, LE2 4UU	Oadby	Play Area
21	Blaby Road Park, LE18 4PA	South Wigston	Play Area
22	South Wigston Bowls Green, Blaby Road Park, LE18 4PA	South Wigston	Bowls Green
22	Multi Use Games area, Blaby Road Park, LE18 4PA	South Wigston	Multi Use Games Area
22	Skate Park, Blaby Road Park, LE18 4PA	South Wigston	Skate Park

23	William Gunning Park, Gloucester Crescent, LE18 4YE	South Wigston	Play Area
24	Wigston Bowls Green, Peace Memorial Park, Long Street, LE18 2AN	Wigston	Bowls Green
25	Tennis Courts, Peace Memorial Park, Long Street, LE18 2AN	Wigston	Tennis Court
26	Tennis Courts, Willow Park, Aylestone Lane, LE18 1AB	Wigston	Tennis Court
26	Skate Park, Willow Park, Aylestone Lane, LE18 1AB	Wigston	Skate Park
26	Willow Park, Aylestone Lane, LE18 1AB	Wigston	Play Area
27	Meadows Park, Meadow Way, LE18 3QZ	Wigston	Play Area
28	Wigston Fields Community Centre, Carlton Drive, LE18 1DE	Wigston	Play Area
29	Hayes Park, Thirlmere Road, LE18 3RS	Wigston	Play Area
30	Attenborough Close, LE18 3PR	Wigston	Play Area
31	Two Steeples Square, LE18 1DL	Wigston	Play Area
32	Horsewell Lane Park, Horesewll Lane, LE18 2HR	Wigston	Play Area

Map 2 St Peters Churchyard, Wigston Road, Oadby



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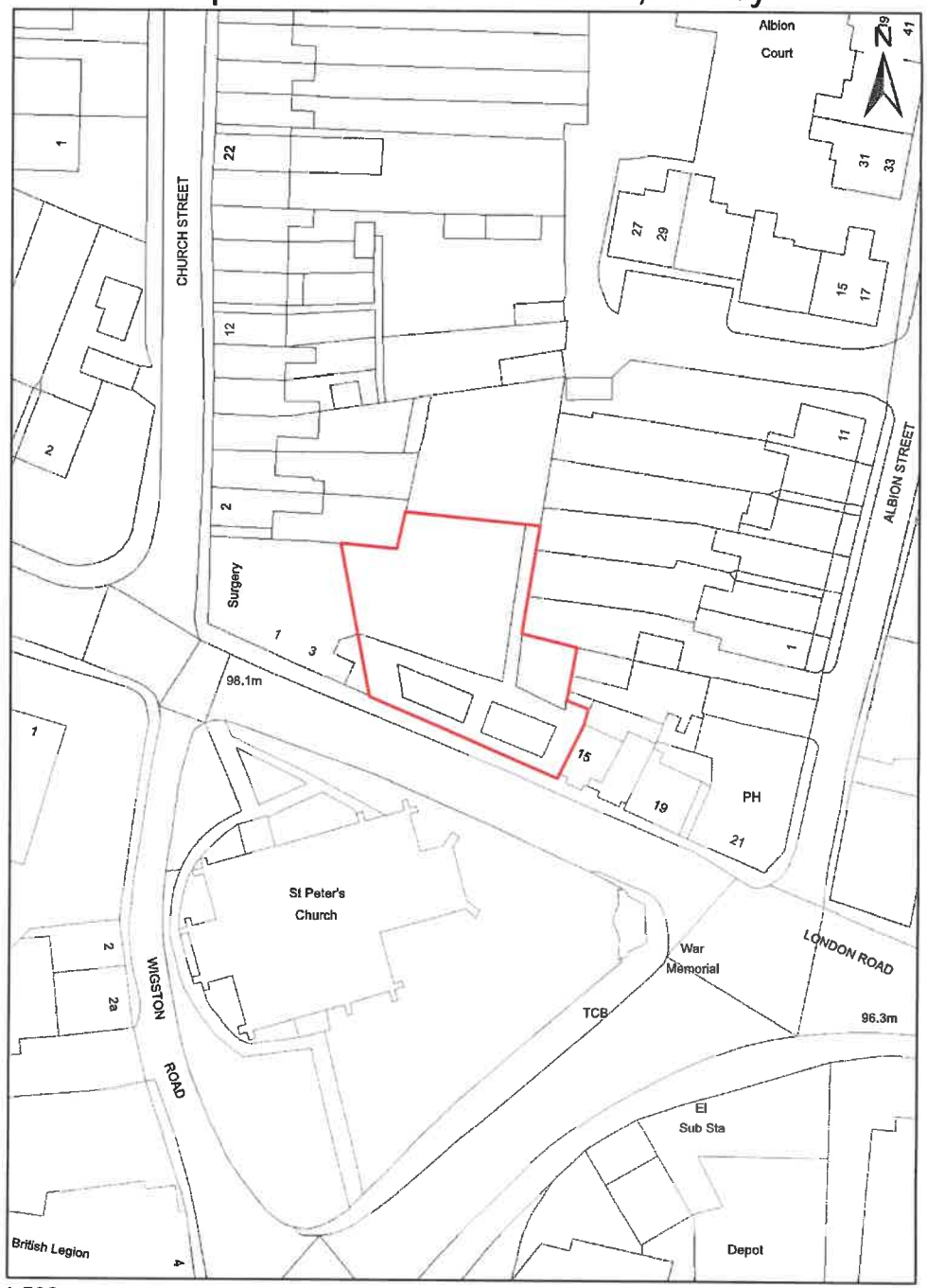
Map 3 5 to 15 London Road, Oadby



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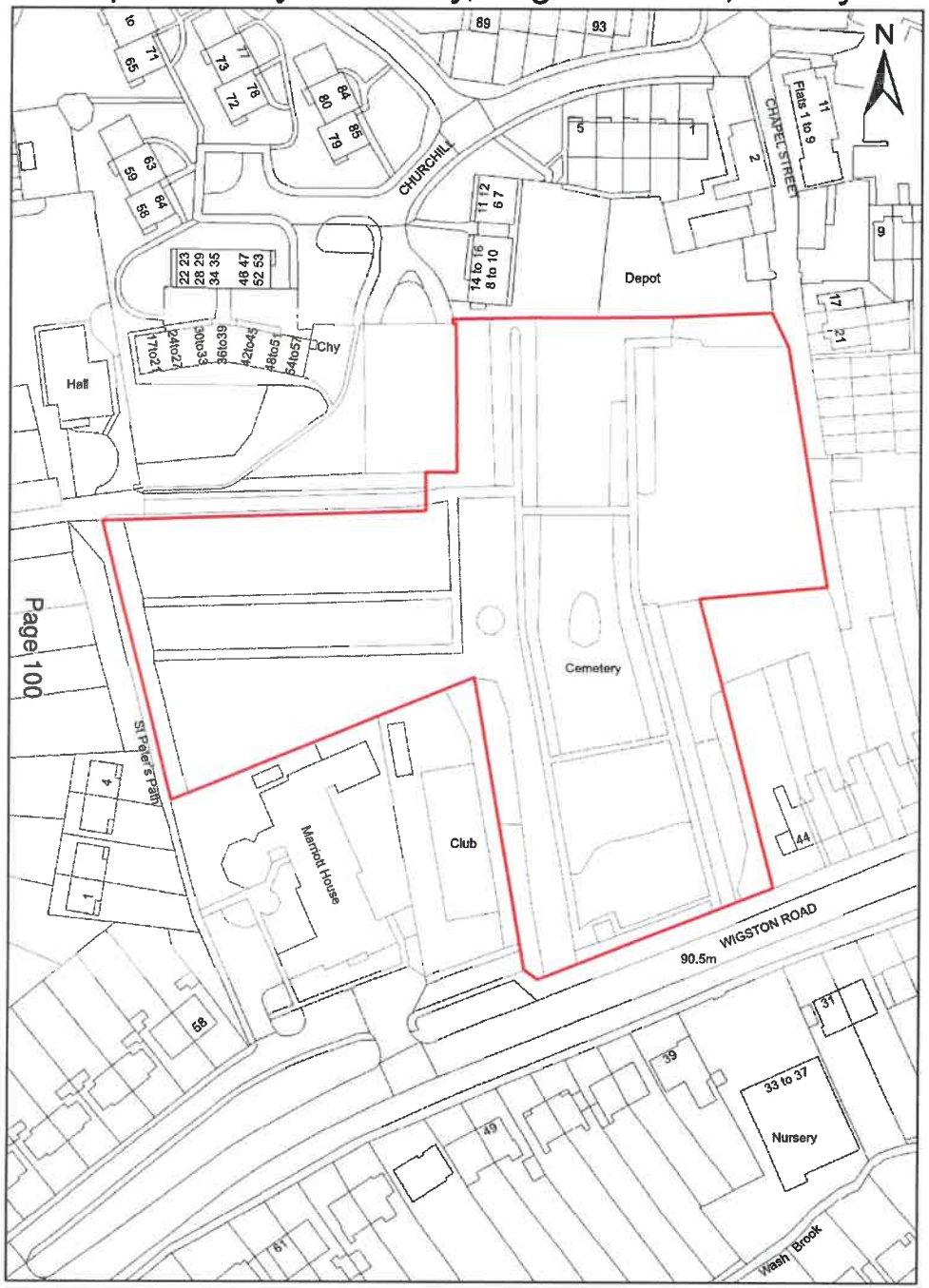
Map 4 Oadby Cemetery, Wigston Road, Oadby



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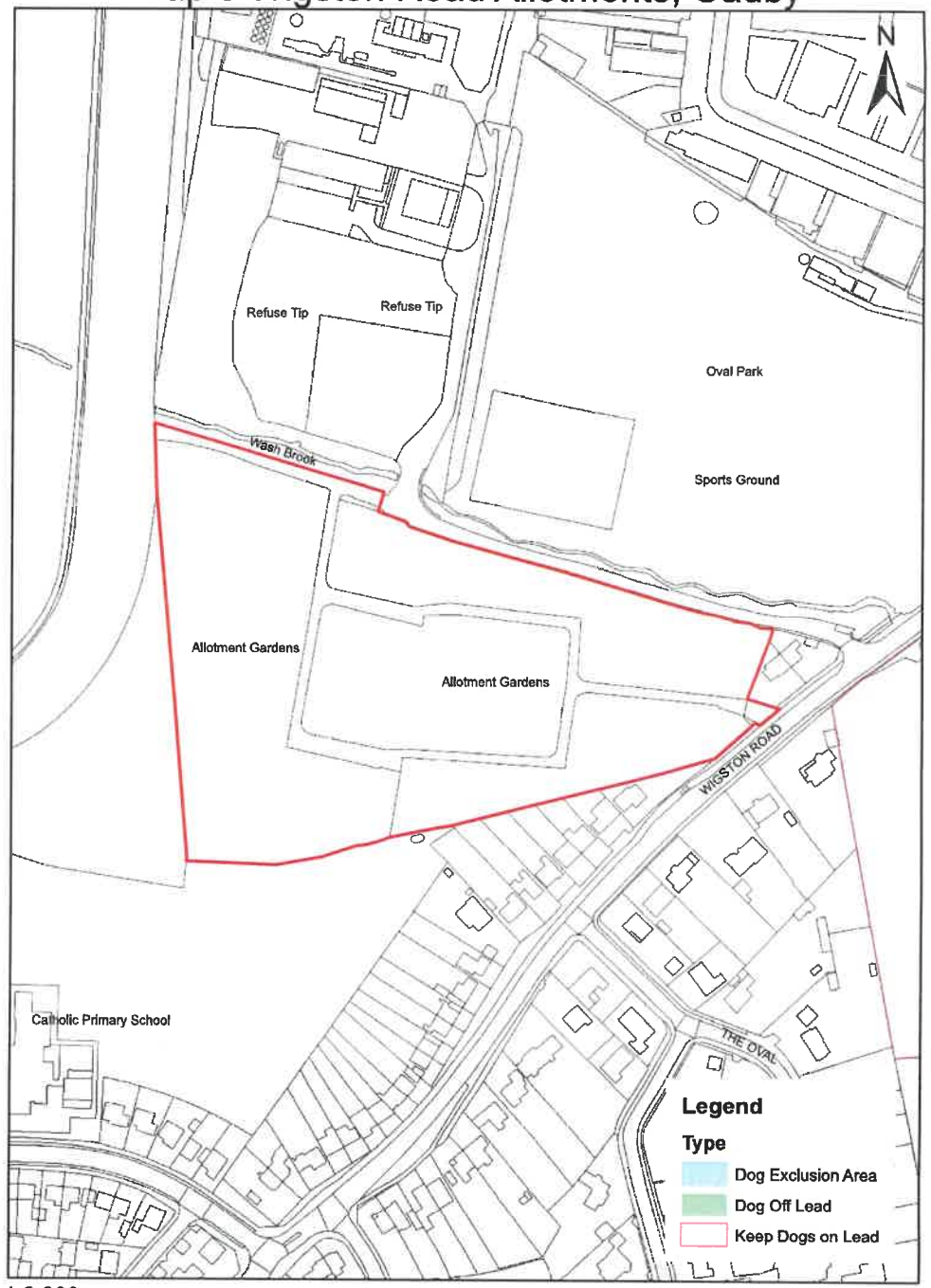
Map 5 Wigston Road Allotments, Oadby



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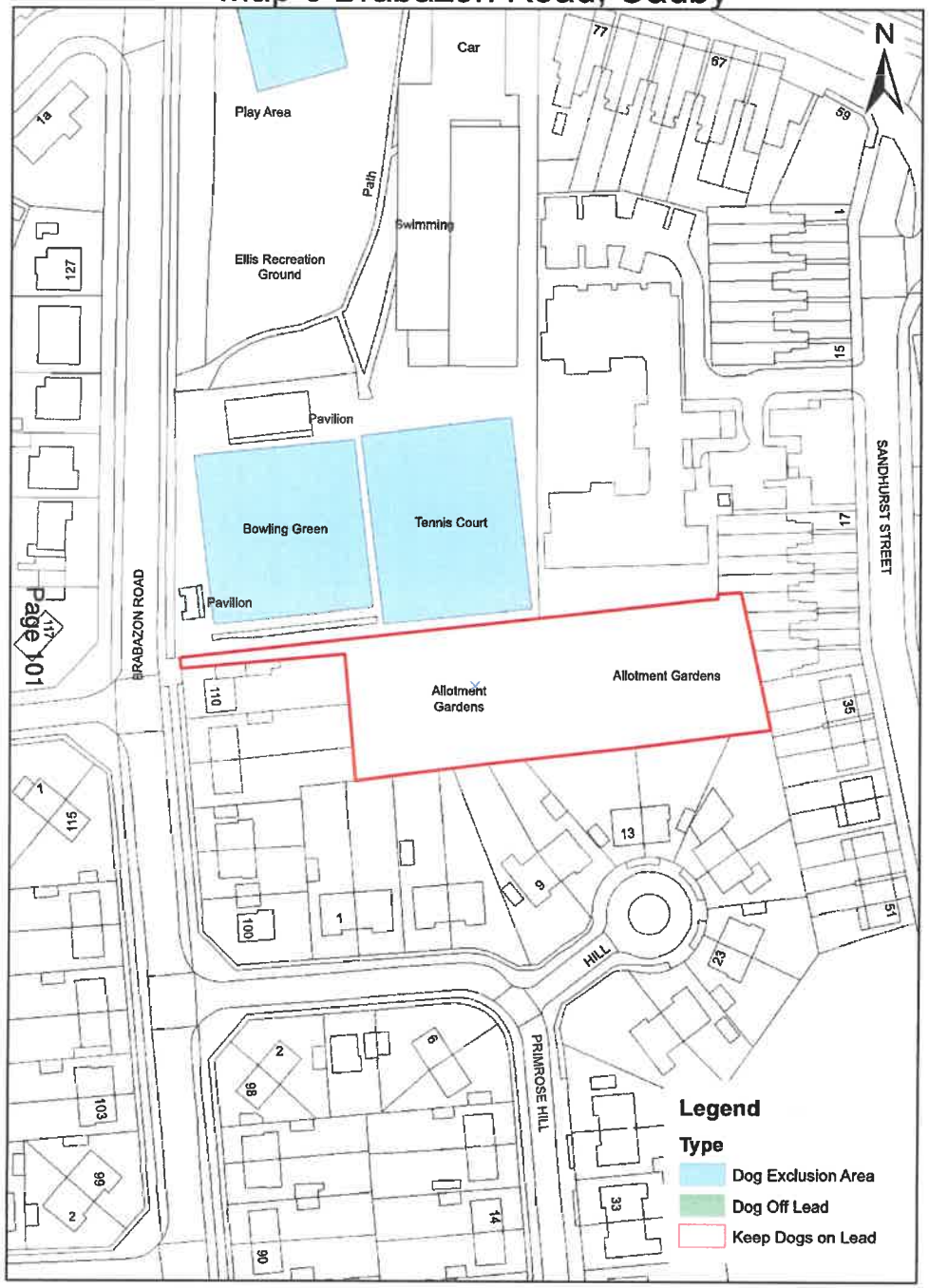
Map 6 Brabazon Road, Oadby



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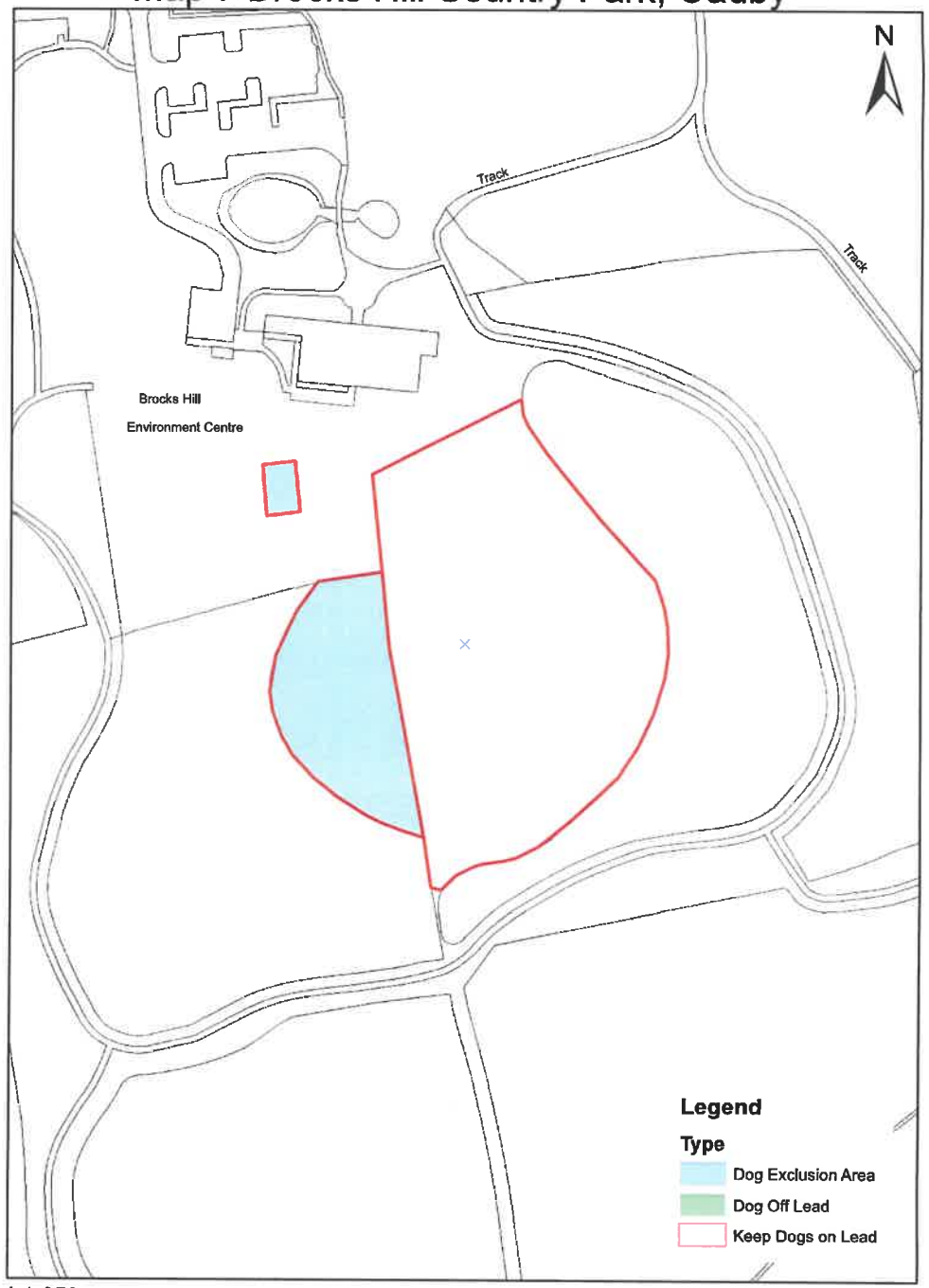
Map 7 Brocks Hill Country Park, Oadby



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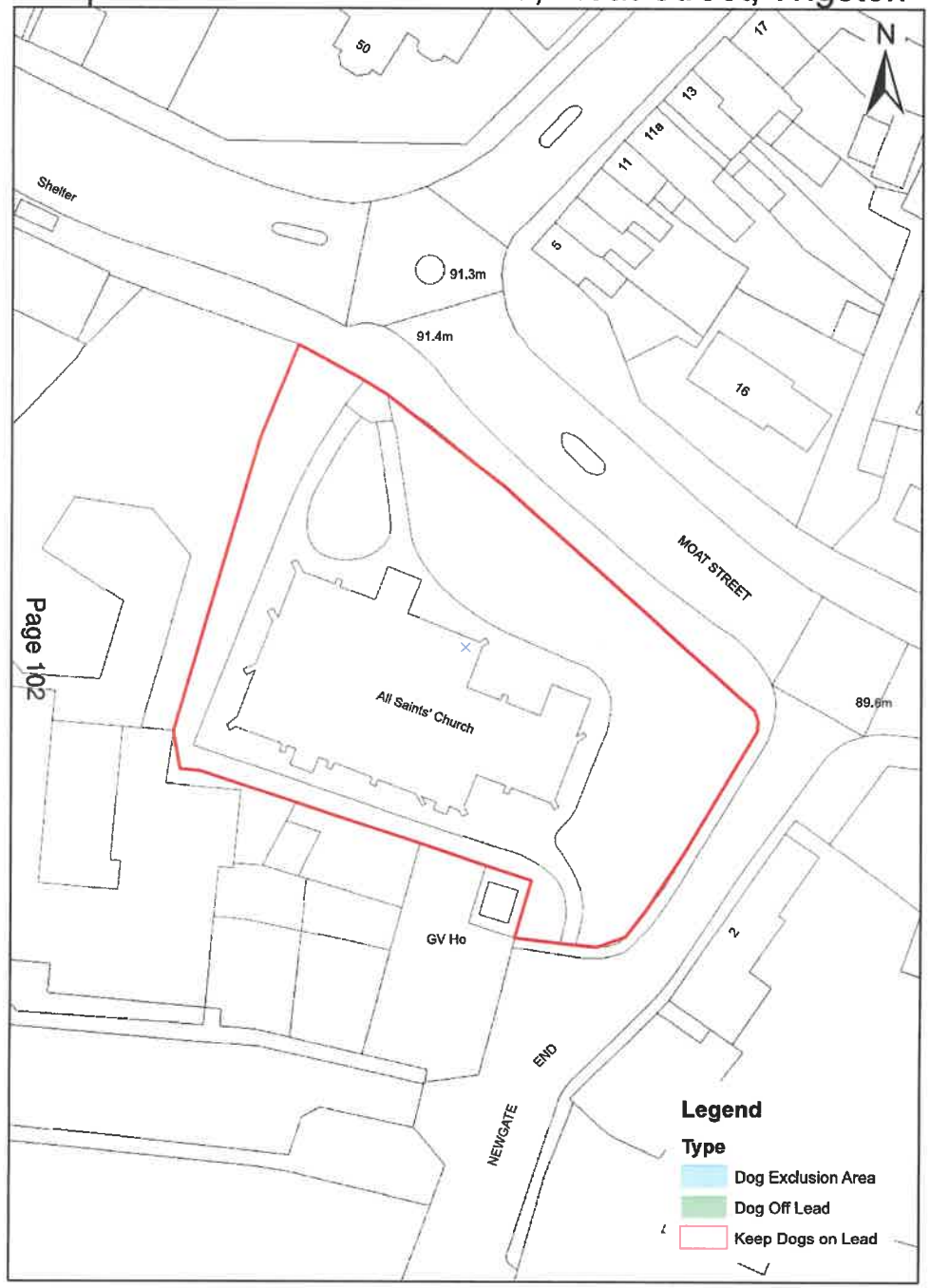
Map 8 All Saints Church Yard, Moat Street, Wigston



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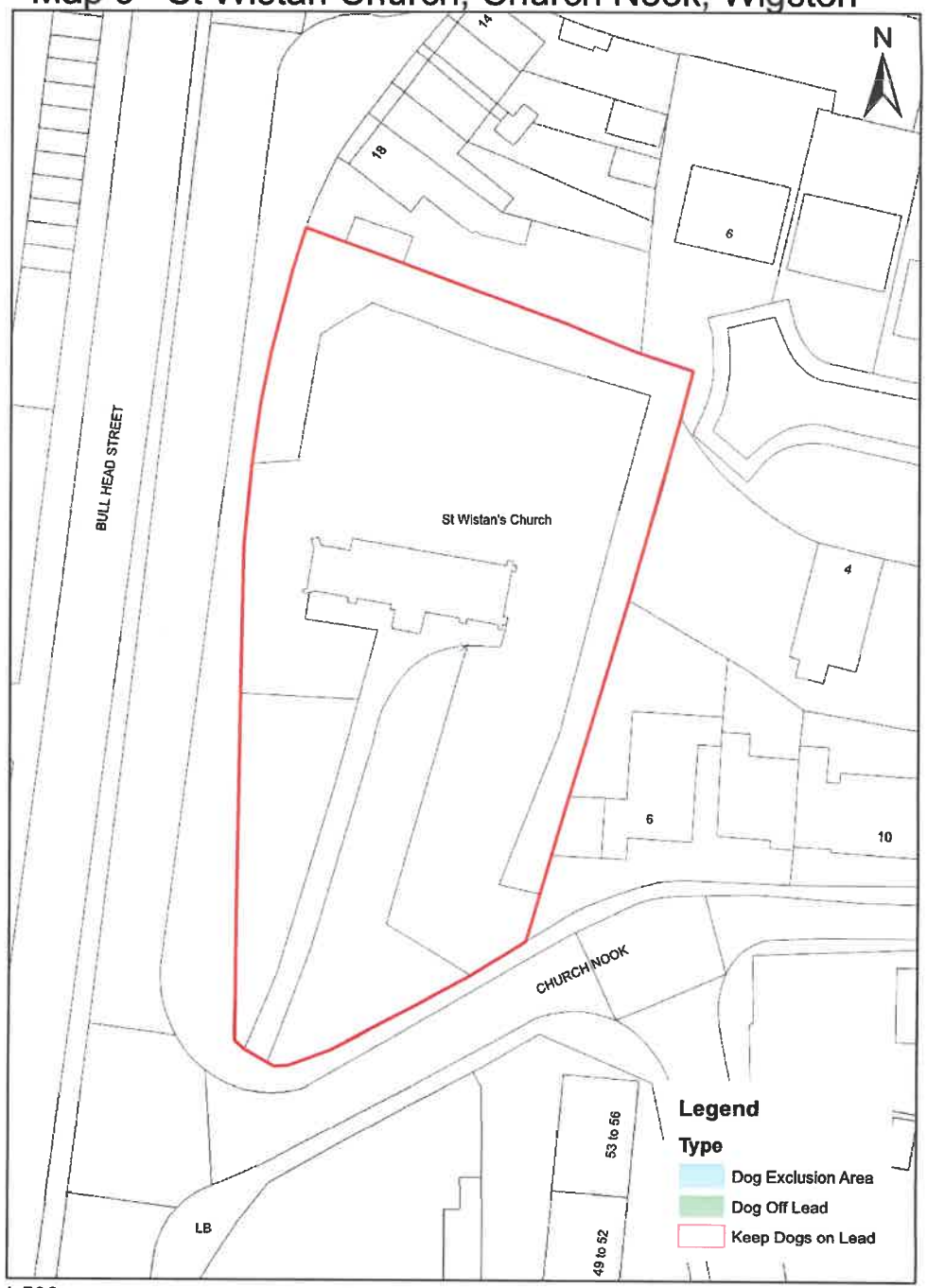
Map 9 St Wistan Church, Church Nook, Wigston



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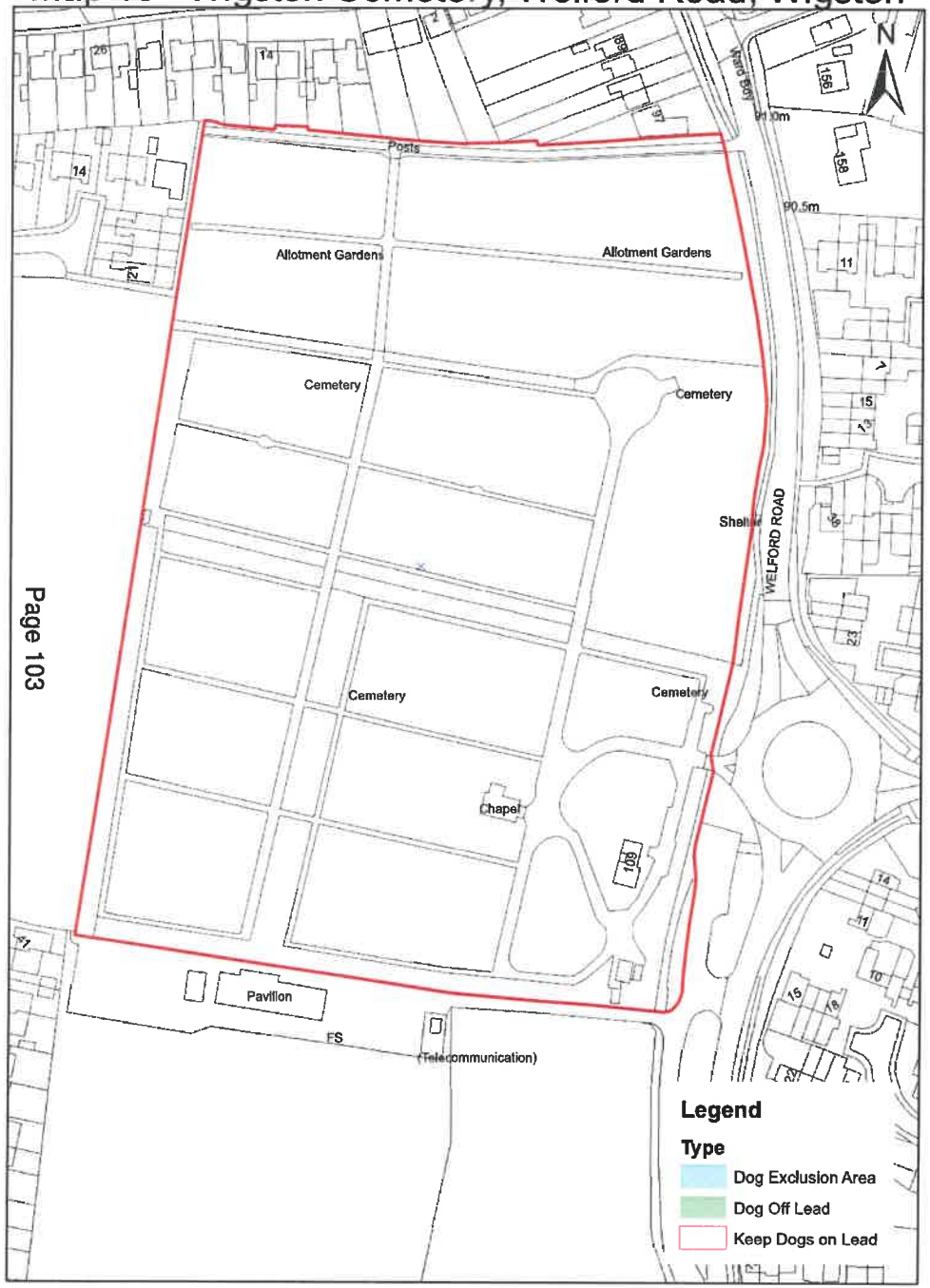
Map 10 Wigston Cemetery, Welford Road, Wigston



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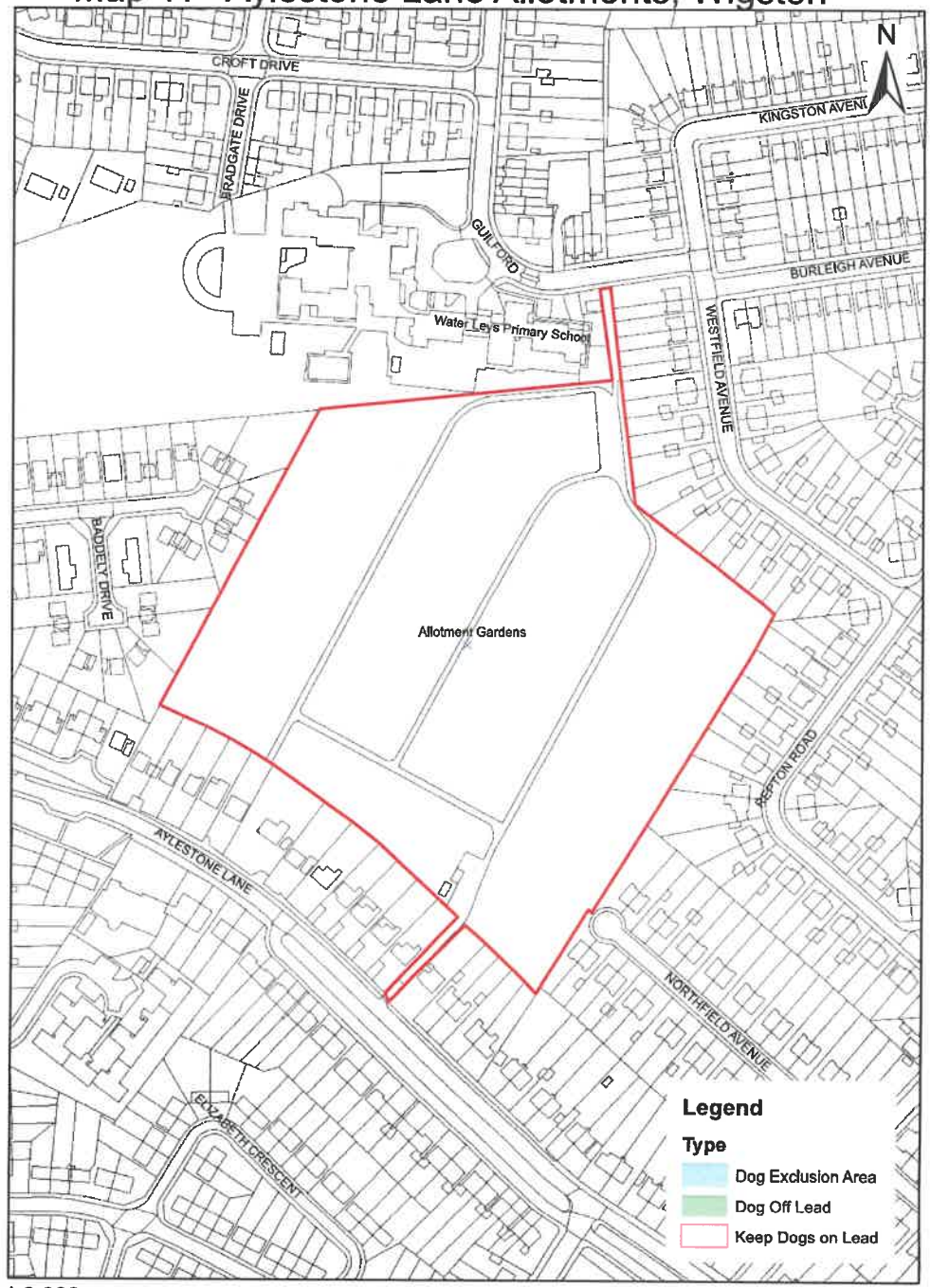
Map 11 Aylestone Lane Allotments, Wigston



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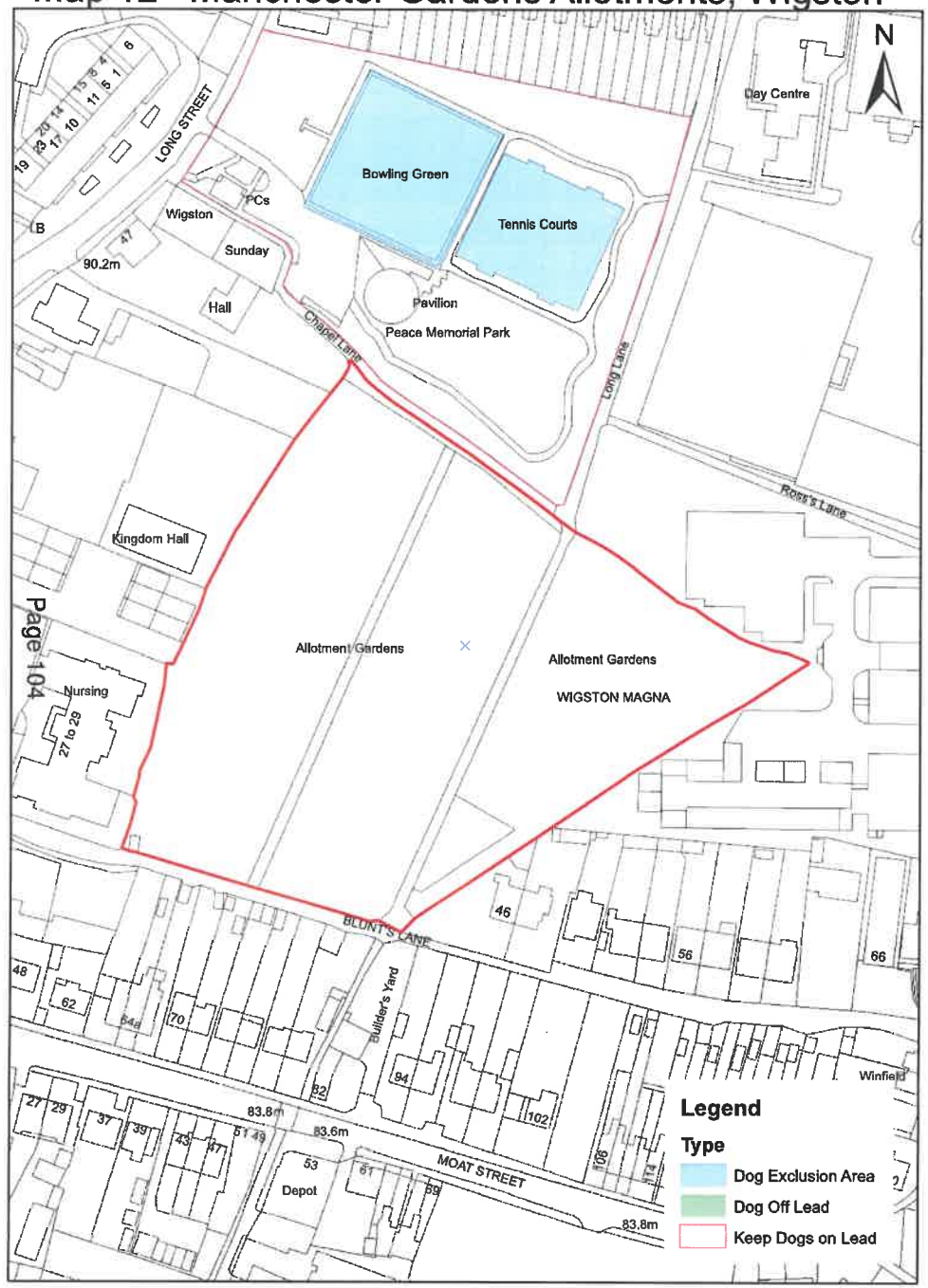
Map 12 Manchester Gardens Allotments, Wigston



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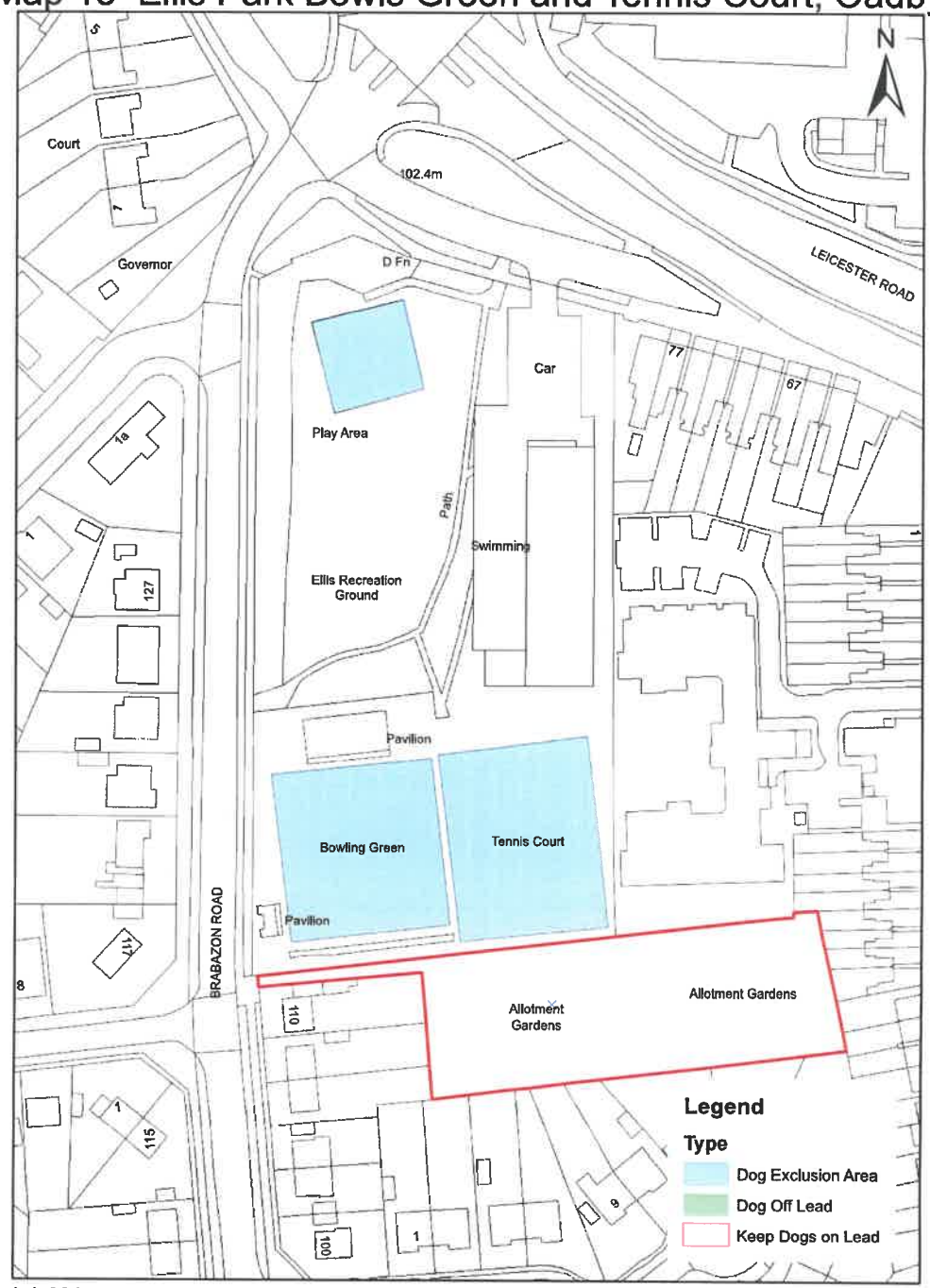
Map 13 Ellis Park Bowls Green and Tennis Court, Oadby



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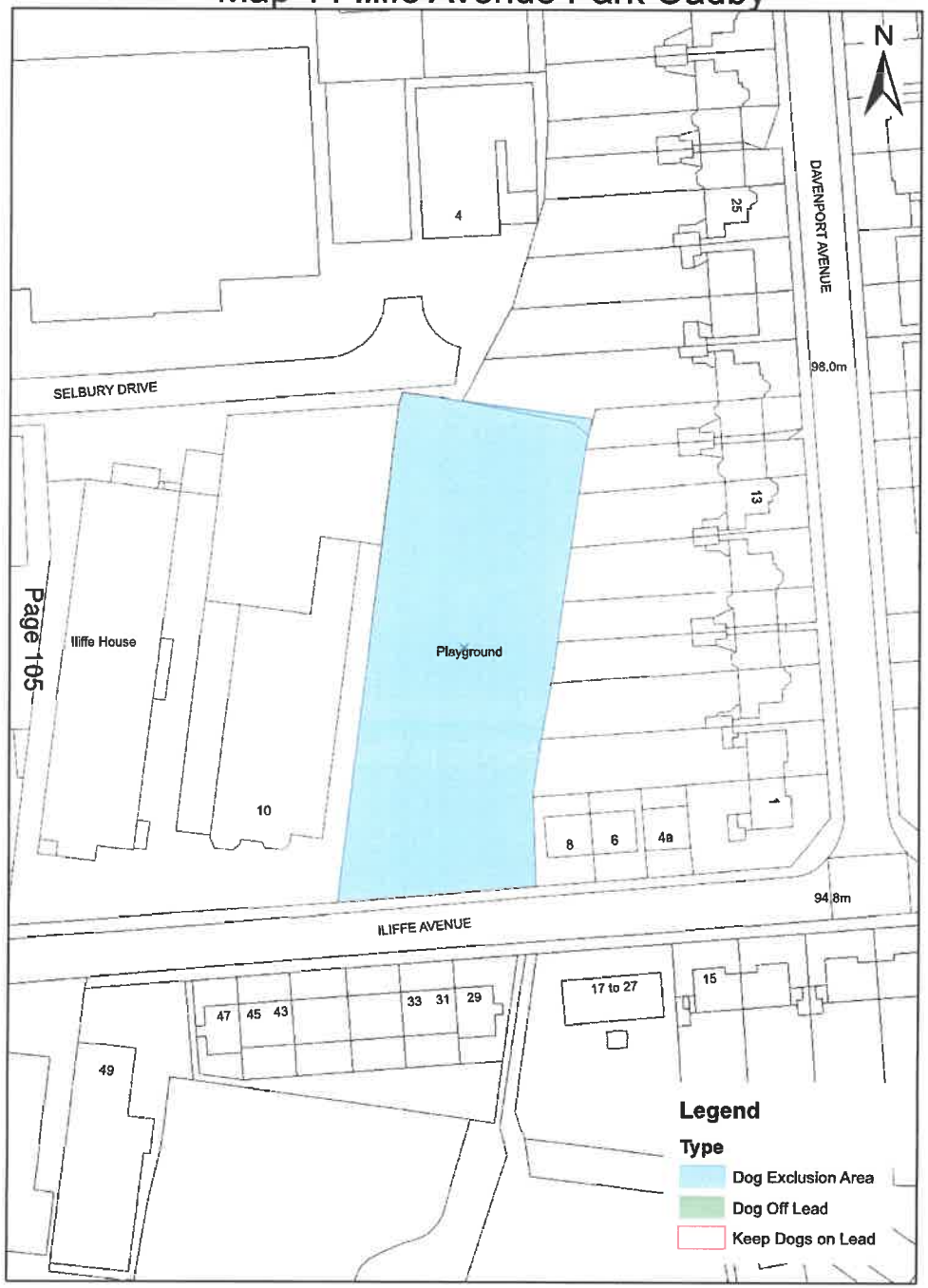
Map 14 Illife Avenue Park Oadby



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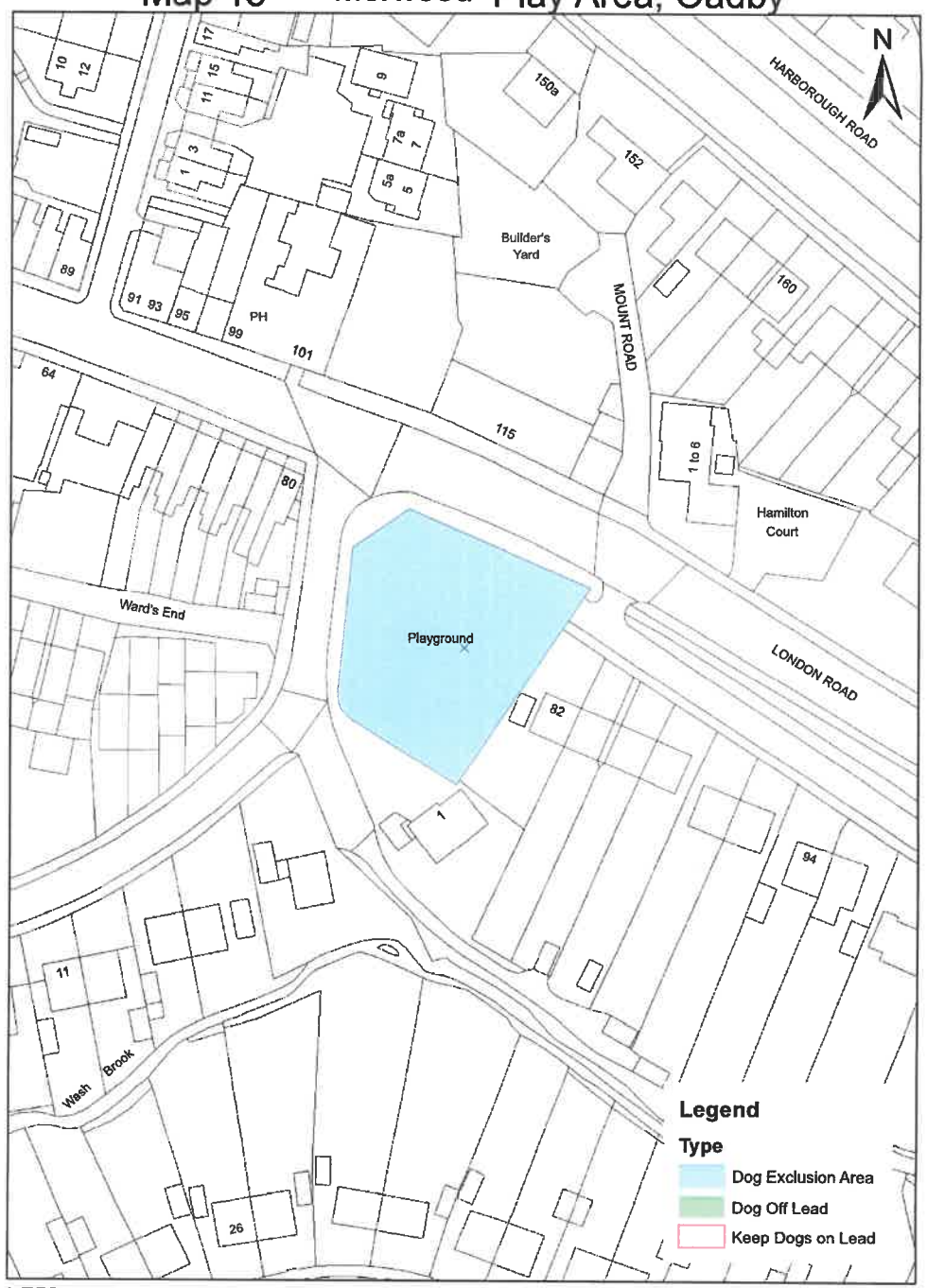
Map 15 Morwood Play Area, Oadby



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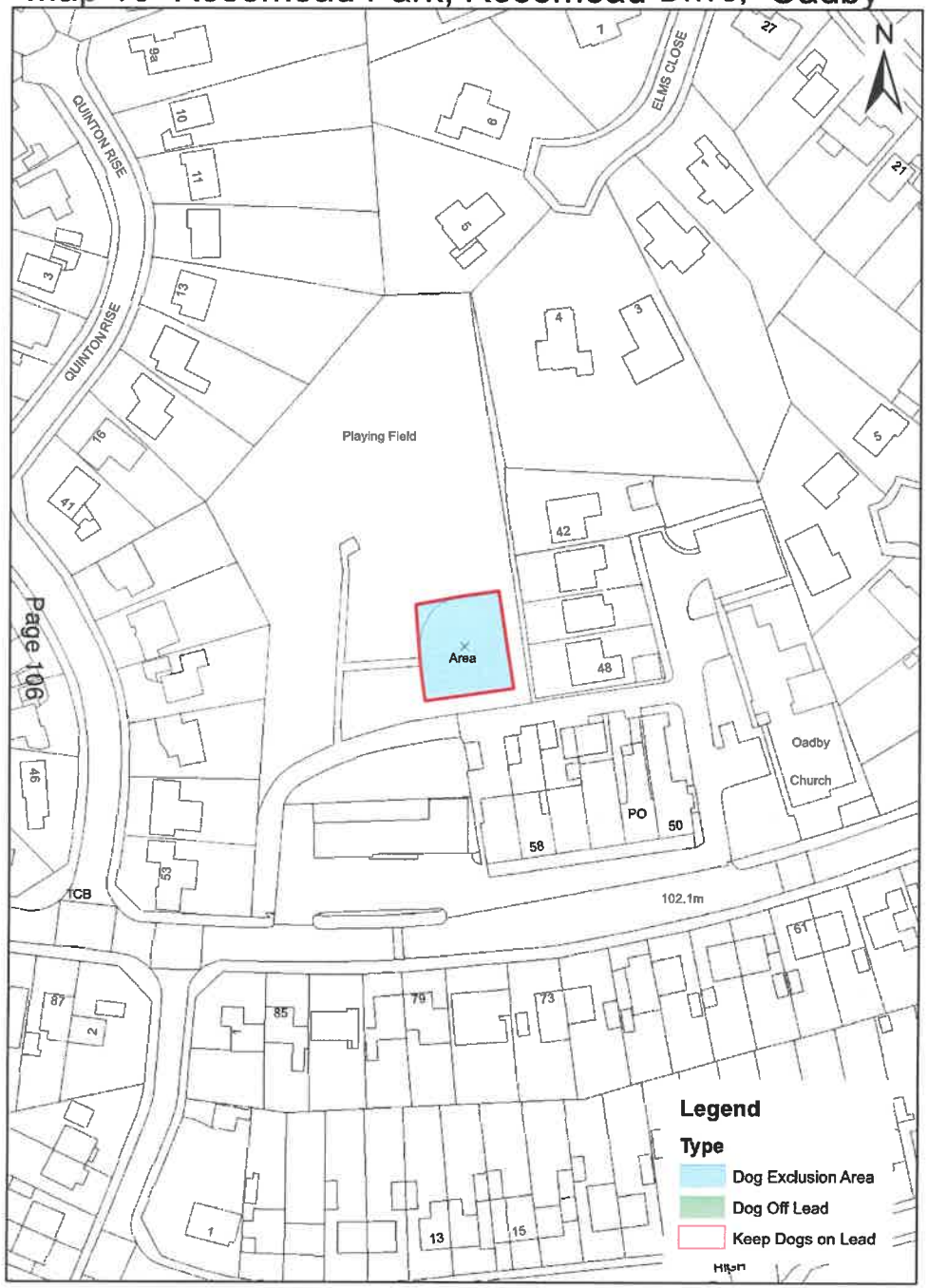
Map 16 Rosemead Park, Rosemead Drive, Oadby



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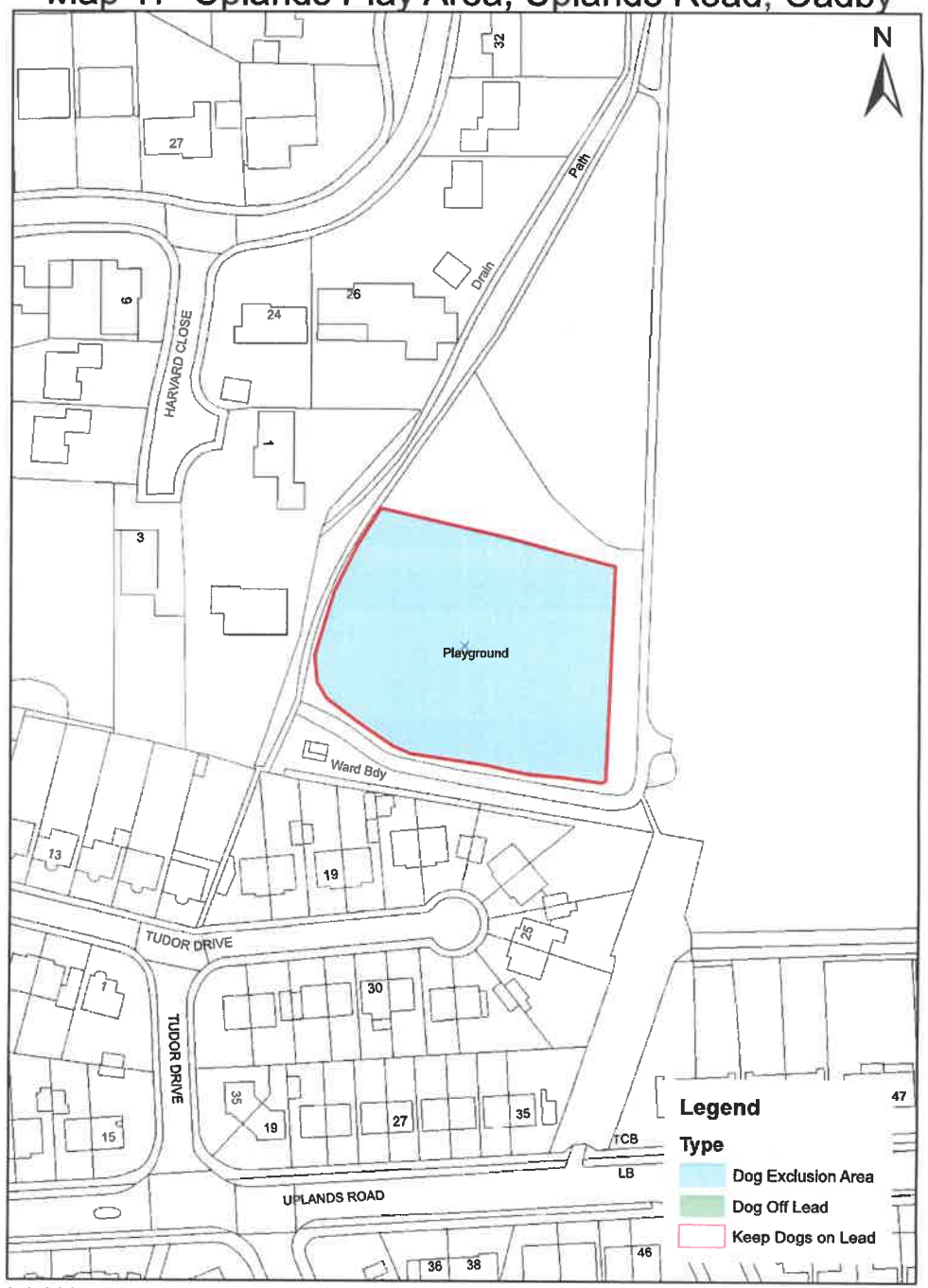
Map 17 Uplands Play Area, Uplands Road, Oadby



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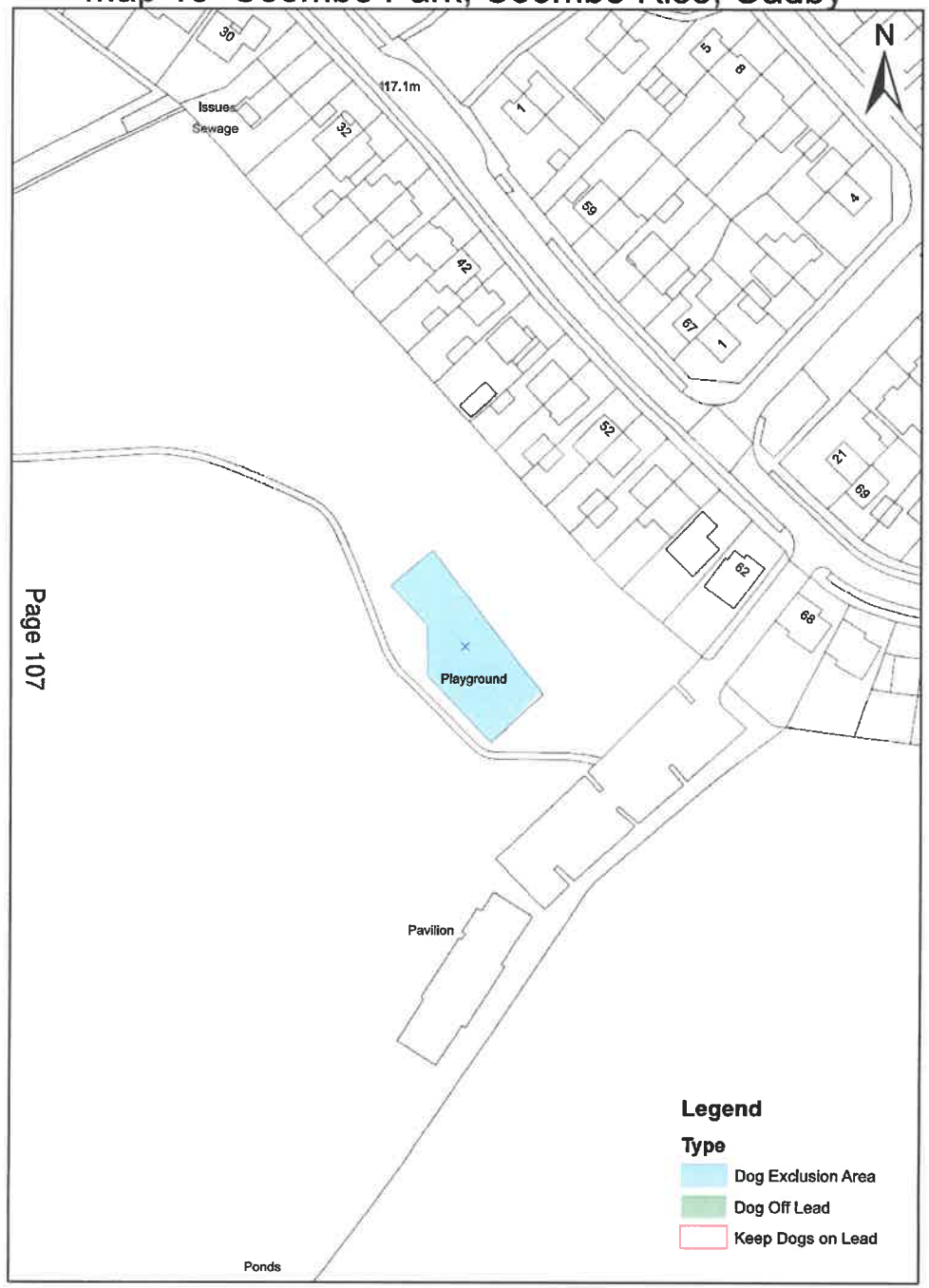
Map 18 Coombe Park, Coombe Rise, Oadby



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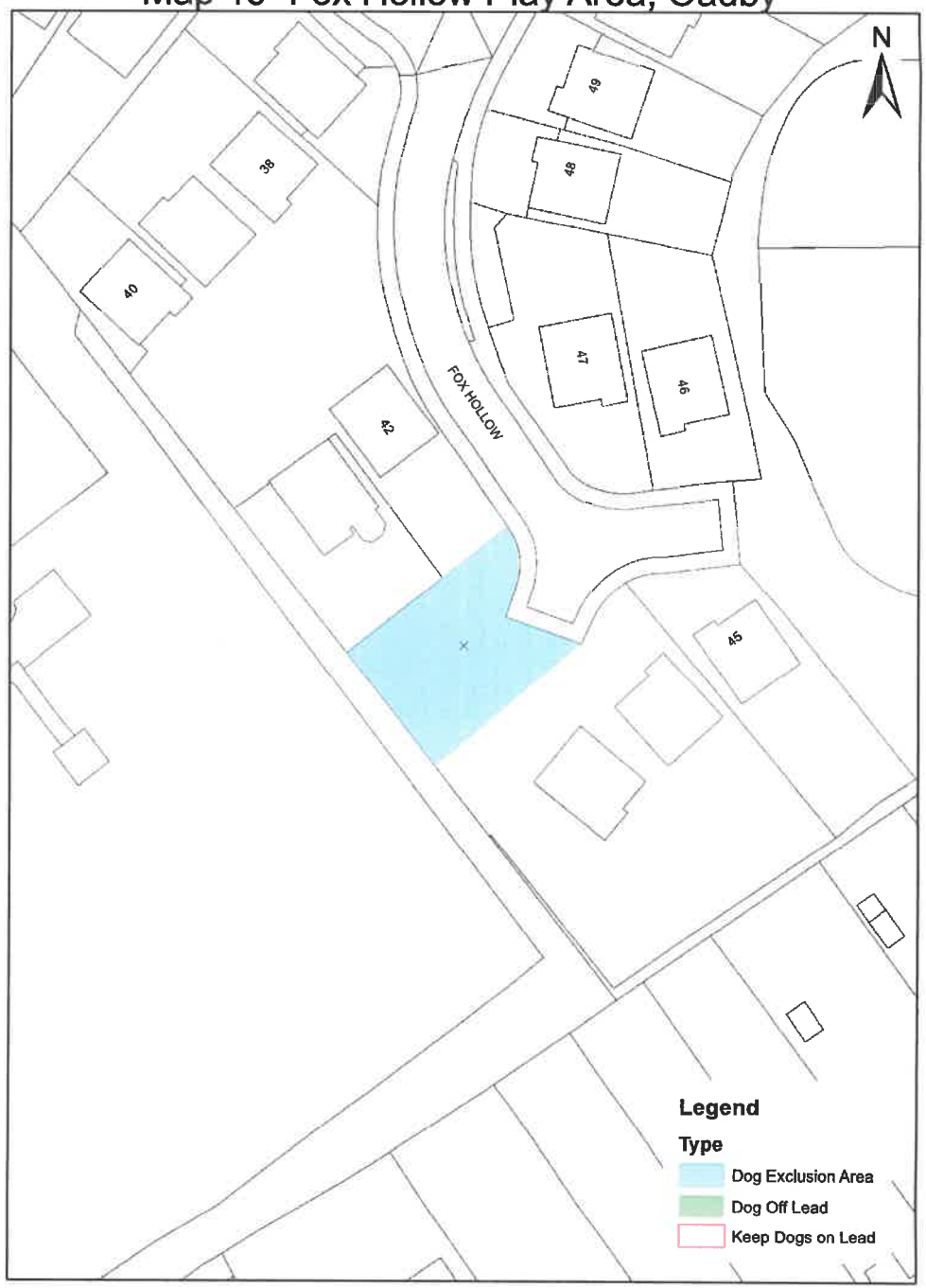
Map 19 Fox Hollow Play Area, Oadby



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Map 20 Hill Field Park Florence Wragg Way, Oadby

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Map 23 William Gunning Park, South Wigston

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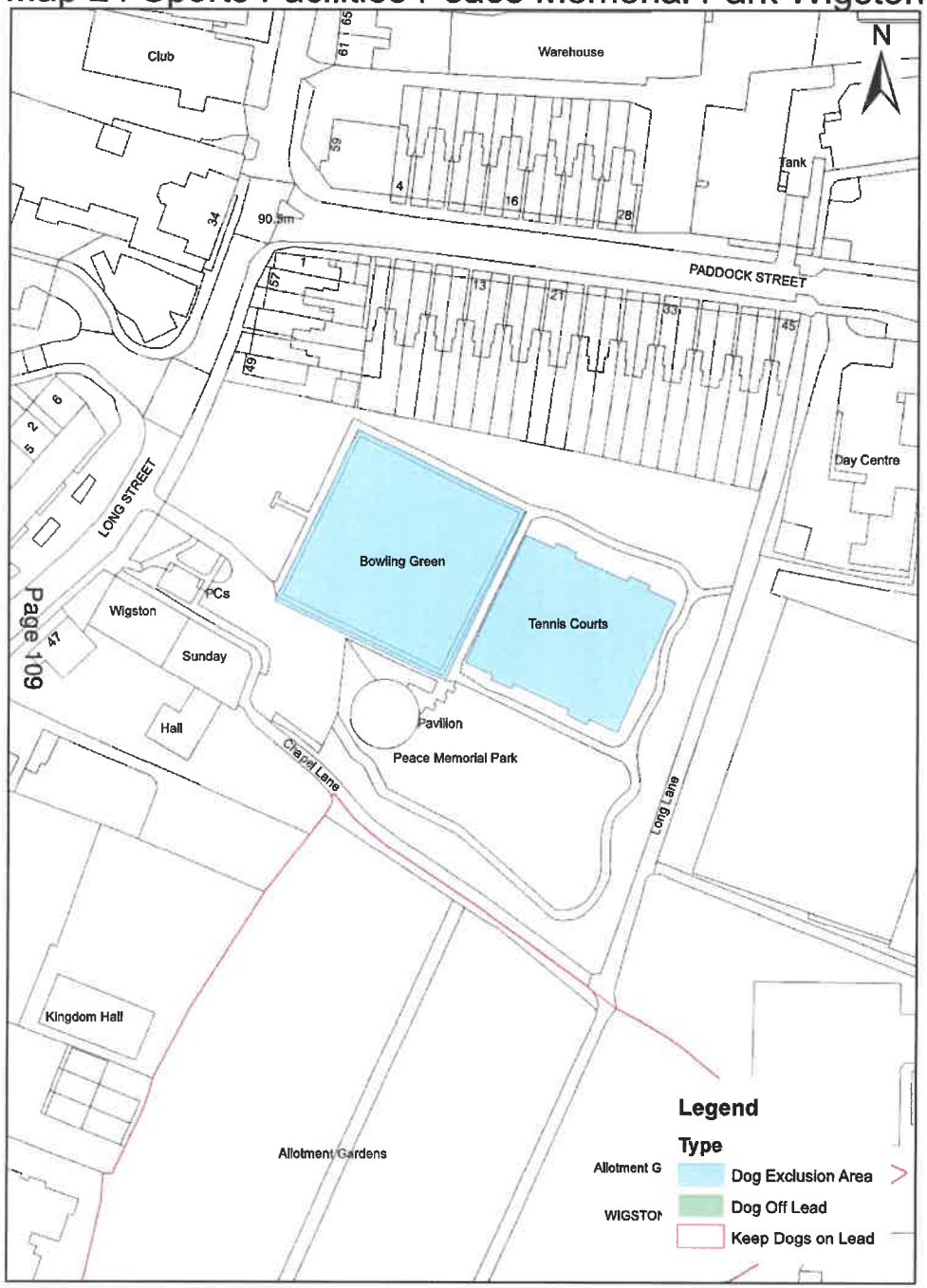
Map 24 Sports Facilities Peace Memorial Park Wigston



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Map 26 Willow Park, Wigston

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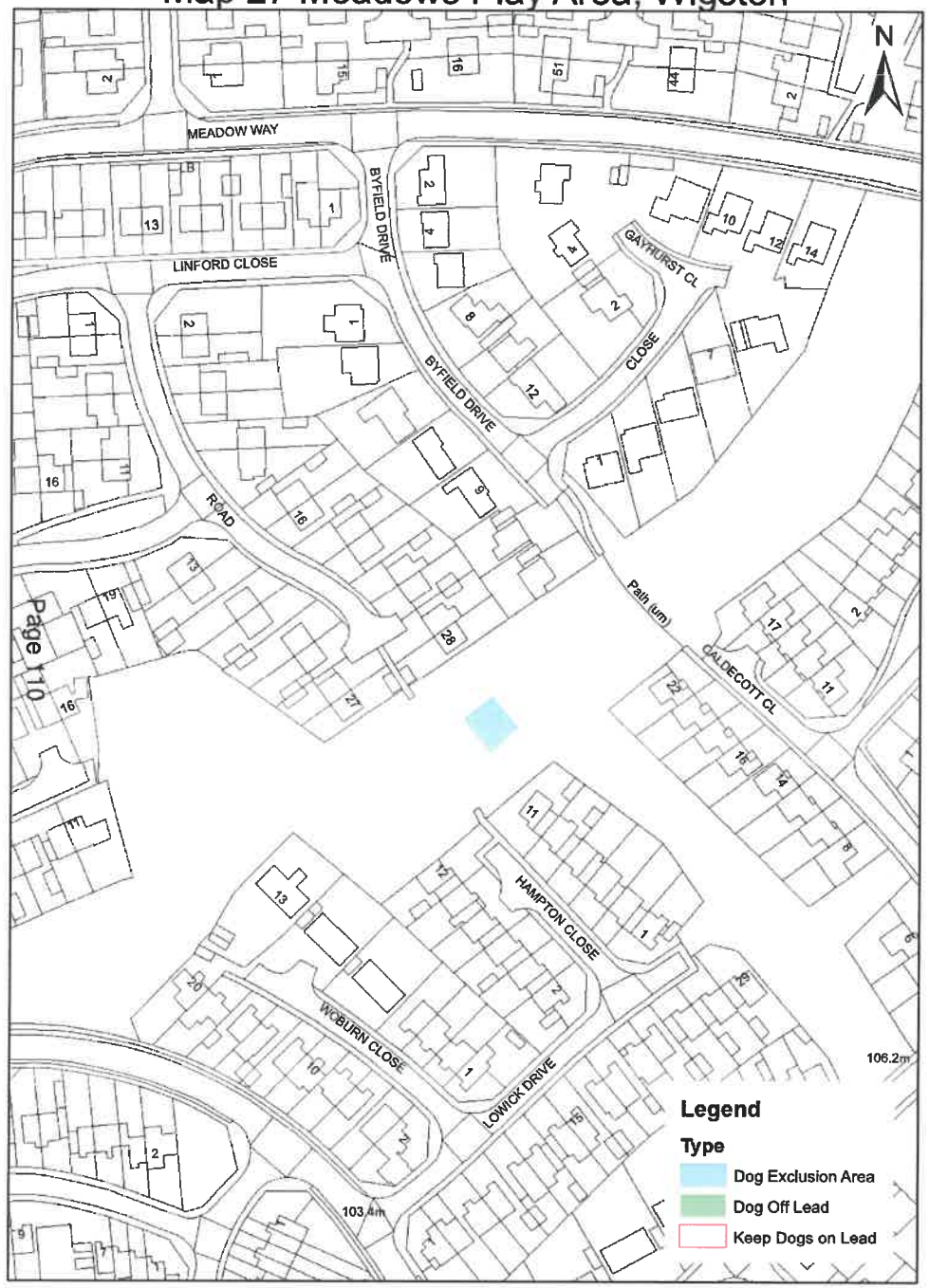
Map 27 Meadows Play Area, Wigston



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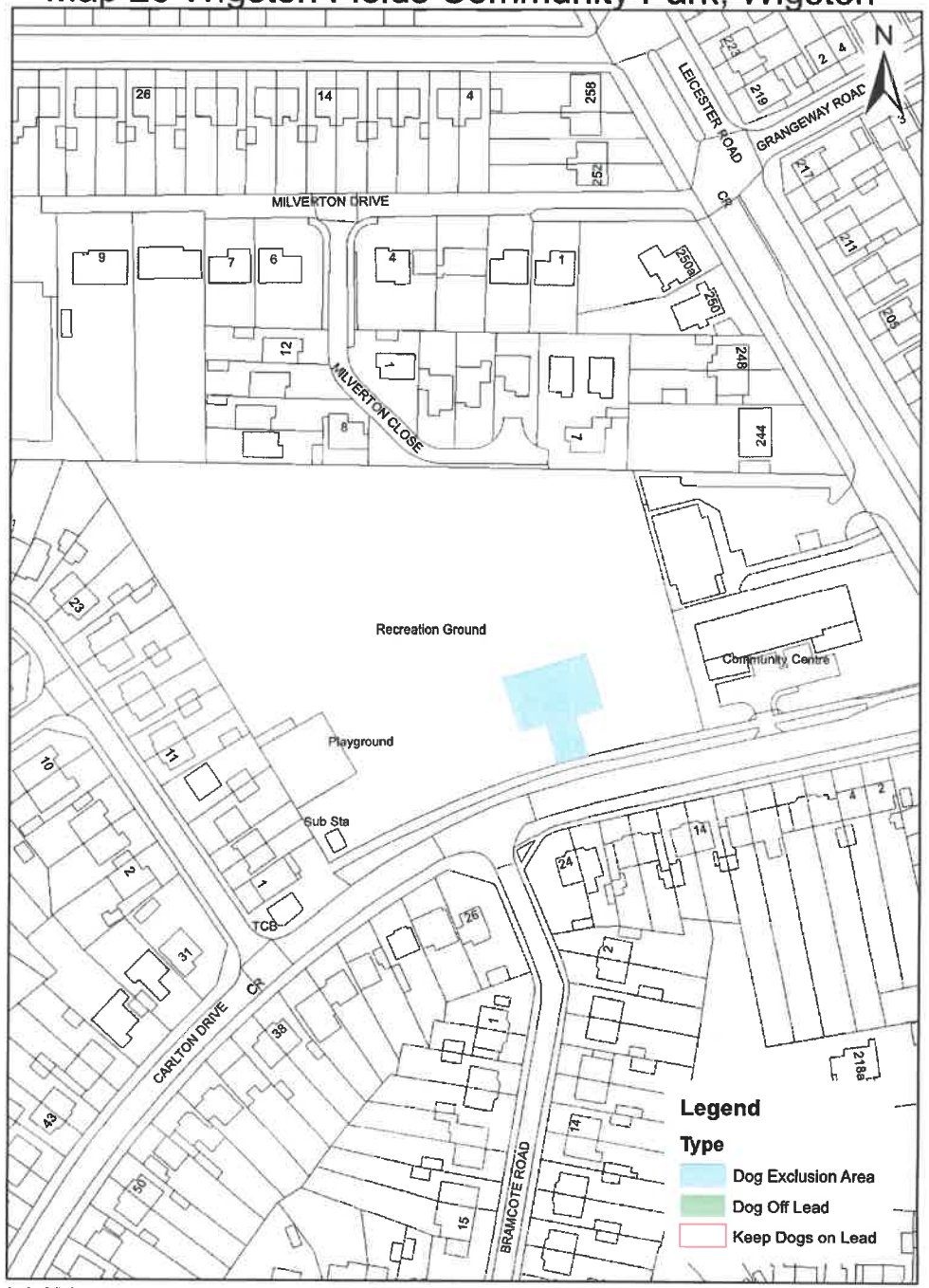
Map 28 Wigston Fields Community Park, Wigston



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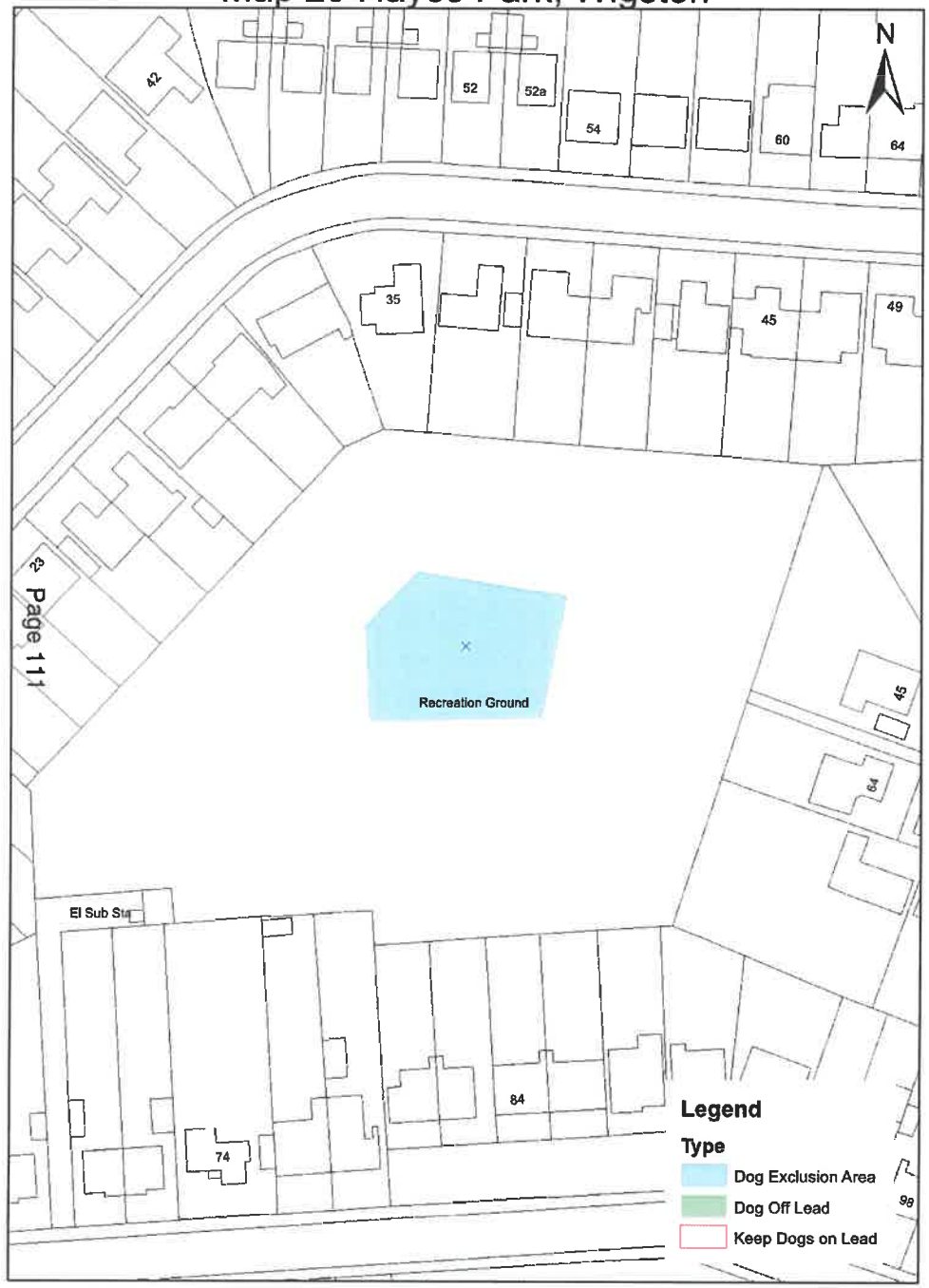
Map 29 Hayes Park, Wigston



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Map 30 Attenborough Close, Wigston

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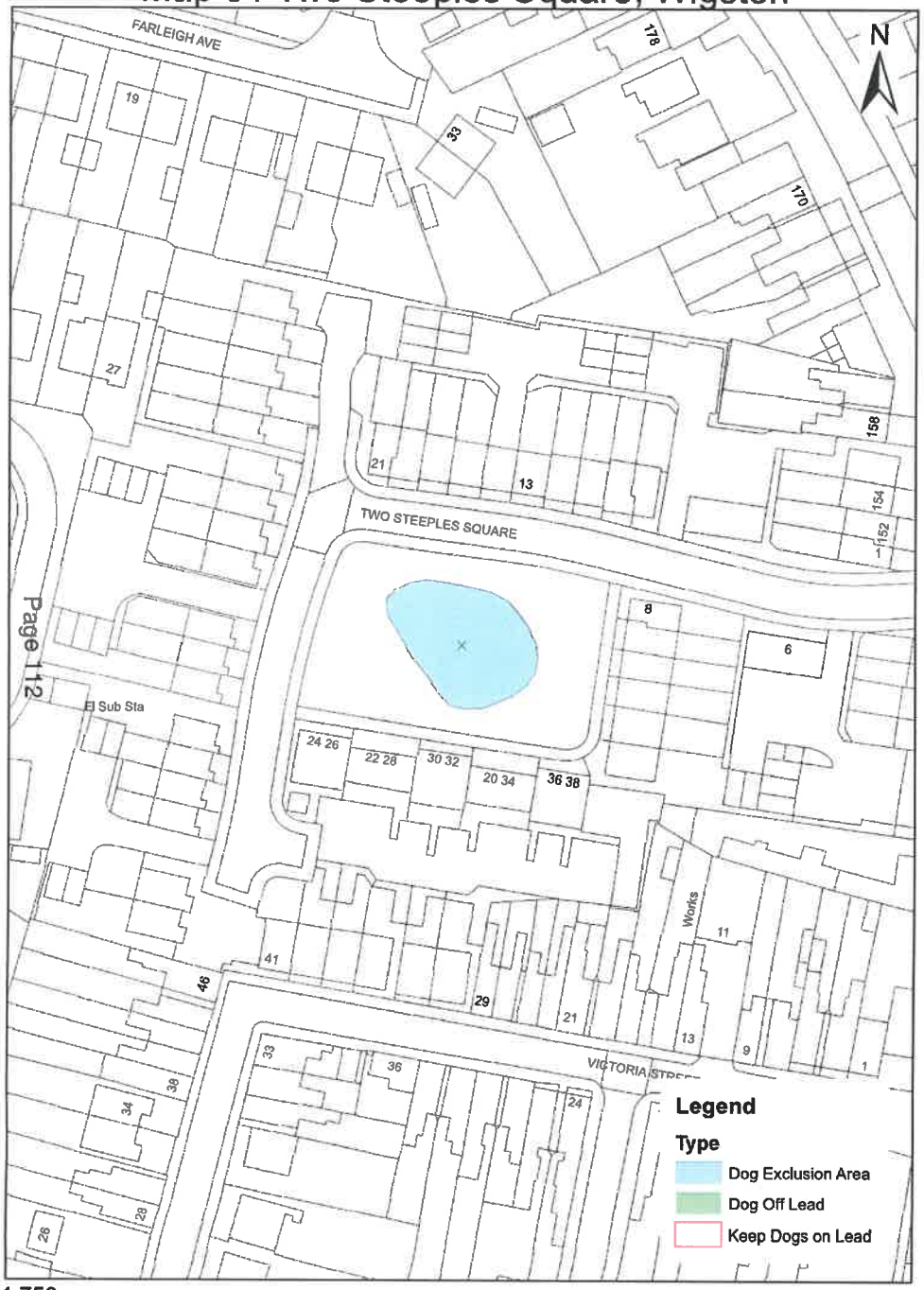
Map 31 Two Steeples Square, Wigston



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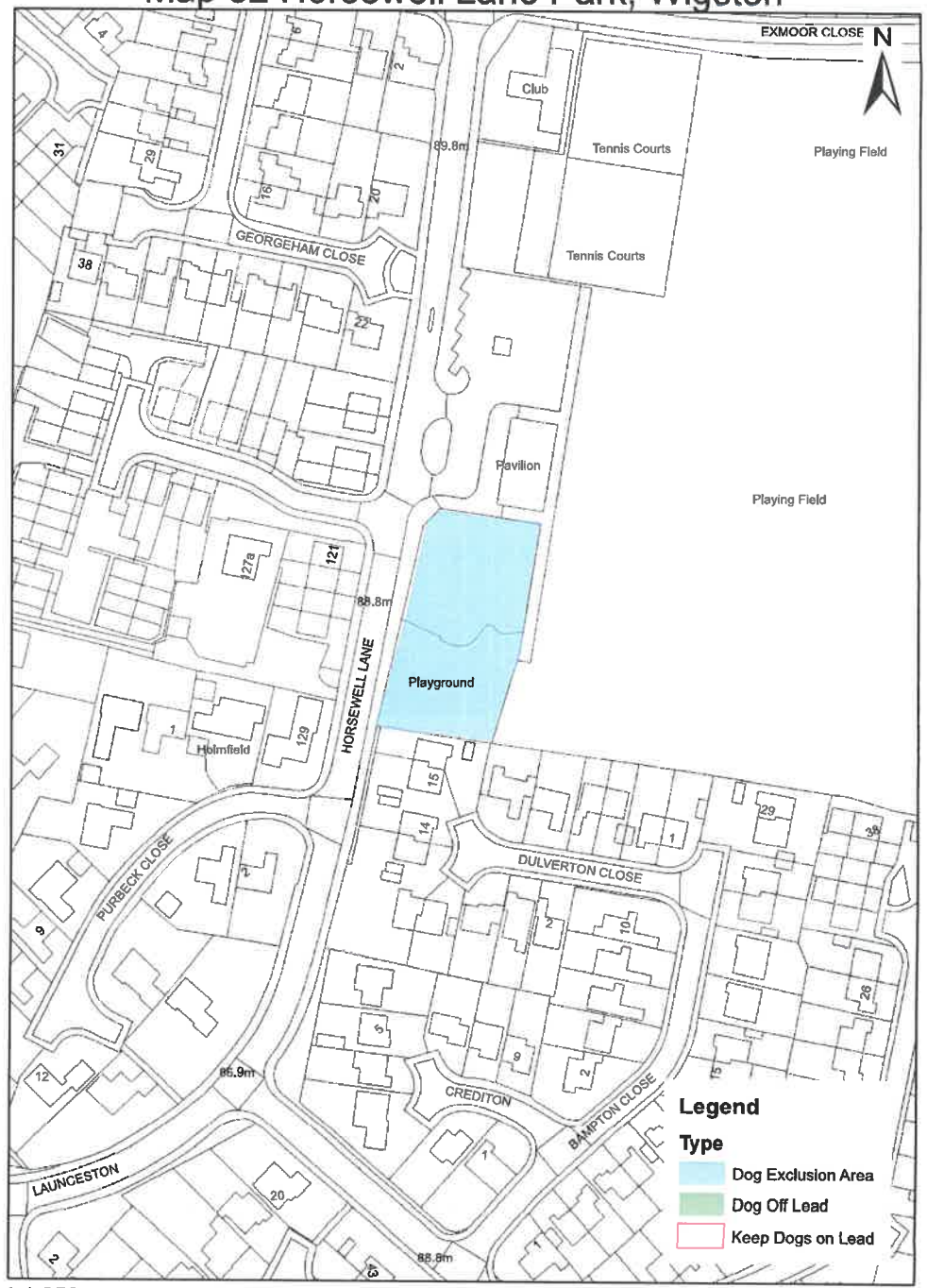
Map 32 Horsewell Lane Park, Wigston



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