



Oadby & Wigston

BOROUGH COUNCIL

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE PUBLIC SPACES PROTECTION ORDER (OADBY AND WIGSTON BOROUGH COUNCIL) 2017

Oadby and Wigston Borough Council (in this order called "the Authority") hereby makes the following Order:

This Order comes into force on Monday the **XXX** of **XXX** 2017 for a period of 3 years.

Offences

1. Fouling

If within the administrative area of the authority a dog defecates at any time on land 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 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) They have 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. Leads by order

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority he 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) They have 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.

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. Leads

A person in charge of a dog shall be guilty of an offence if, at any time, (during the period specified in the schedule if stated), on land detailed in Schedule 1 below he does not keep the dog on a lead unless

- (a) They have 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. Means to pick up

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority he/she does not have with him/her an appropriate means to pick up dog faeces deposited by that dog unless:

- (a) They have 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.

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.

5. Exclusion

A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land detailed in Schedule 2 below unless

- (a) They have 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.

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
(b) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he/she relies for assistance; or
(c) A person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects and who relies upon a dog trained by a prescribed charity for assistance.

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 Oadby and Wigston Borough Council for the purposes of giving directions under the order.
(e) Each of the following is a "prescribed charity" –
 - Dogs for the Disabled (registered charity number 700454)
 - Support Dogs Limited (registered charity number 1088281)

- Canine Partners for Independence (registered charity number 803680)

7. Penalty

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

FINAL DRAFT

SCHEDULE ONE

The Keeping of Dogs on Lead

This order applies to all land described below:

Map No.	Location Geographical Area	Area	Description
Oadby			
1	Aintree Crescent	Oadby	Open space
2	Berkeley Close	Oadby	Open space
3	Hill Field	Oadby	Open space
4	Parklands	Oadby	Open space
5	Tynedale Close	Oadby	Open space
6	Hamble Road	Oadby	Open space
7	Hayden Walk	Oadby	Open space
8	St Peter's Churchyard	Oadby	Churchyard
9	5-15 London Road	Oadby	Blind Garden
10	Oadby Cemetery, Wigston Road, LE2 5QB	Oadby	Cemetery
11	Wigston Road Allotments, Wigston Road, Oadby, LE2 5JE	Oadby	Allotments
12	Brabazon Road Allotments, Brabazon Road, Oadby, LE2 5BN	Oadby	Allotments
Wigston			
13	Bodmin Avenue	Wigston	Open space
14	Herrick Way	Wigston	Open space
15	Horsewell	Wigston	Open space
16	Mablowe Fields	Wigston	Open space
17	Penney Close	Wigston	Open space
18	Acorn Way	Wigston	Open space
19	Amesbury Road	Wigston	Open space
20	Grassington Drive	Wigston	Open space
21	Rosedale	Wigston	Open space
22	Kelmarsh Avenue/ Alport Way	Wigston	Open space
23	Launceston Corner	Wigston	Open space

24	Meres Walk	Wigston	Open space
25	Lime Kilns/Heards Close	Wigston	Open space
26	Blaby Road Park	Wigston	Open Space
27	All Saints Churchyard	Wigston	Churchyard
28	St Wolstan's Churchyard	Wigston	Churchyard
29	Wigston, Welford Road, LE18 3TE	Wigston	Cemetery
30	Aylestone Lane Allotments, Aylestone Lane, Wigston, LE18 1AA	Wigston	Allotments
31	Manchester Gardens Allotments, Blunts Lane / Long Lane, Wigston, LE18	Wigston	Allotments
	South Wigston		
32	Pochins Bridge	South Wigston	Open space
33	Taylor's Bridge Road	South Wigston	Open space
34	Ellison Close	South Wigston	Open space
35	Narrow Boat Close POS	South Wigston	Open space

SCHEDULE TWO

Dog Exclusion Areas

This order applies to all land described below:

Map No.	Location Geographical Area	Area	Description
	Oadby		
36	Ellis Park Bowls Green (inside Ellis Park, Brabazon Road, LE2 5BN)	Oadby	Bowls Green
36	Tennis Courts (inside Ellis Park, Oadby, LE2 5BN)	Oadby	Tennis Courts
36	Ellis Park	Oadby	Play Area
37	Brocks Hill Country Park Small Play Area and Amphitheatre	Oadby	Play Area
37	Brocks Hill Country Park Natural Play Area	Oadby	Play Area
38	Iliffe Avenue Park	Oadby	Play Area
39	Florence Wragg Way	Oadby	Play Area
40	London Road Playground	Oadby	Play Area
41	Rosemead Park	Oadby	Play Area
42	Uplands Playing Field	Oadby	Play Area
43	Coombe Park	Oadby	Play Area
44	Fox Hollow	Oadby	Play Area
	Wigston		
45	Tennis Courts (inside Peace Memorial Park, Wigston, LE18 2PB)	Wigston	Tennis Court
46	Willow Park	Wigston	Play Area
46	Skate Park (inside Willow Park, Wigston, LE18 1AB)	Wigston	Skate Park
47	Meadows	Wigston	Play Area
48	Poplars/Freer Park	Wigston	Play Area
49	Hayes Park	Wigston	Play Area
50	Attenborough Close	Wigston	Play Area
51	Two Steeples Square	Wigston	Play Area
17	Horsewell Lane Park	Wigston	Play Area

	South Wigston		
52	William Gunning Park	South Wigston	Play Area
26	Blaby Road Park	South Wigston	Play Area

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