

The Anti-Social Behaviour, Crime and Policing Act 2014

The Public Spaces Protection Order – Dog Control Charnwood Borough Council 2016

Charnwood Borough Council (“the Council”) in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and of all other enabling powers being satisfied that that the conditions set out in section 59 of the Act have been met hereby makes the following Order:

1. Fouling

If within the administrative area of the Council 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 that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:

- (a) he 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. Leads by Order

A person in charge of a dog shall be guilty of an offence if, at any time, on land detailed in Schedule 1 does not comply with a direction given to him by an officer authorised by the Council to put and keep the dog on a lead (no more than 1.5 metres in length) unless:

- (a) he 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.

3. 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 he does not keep the dog on a lead no more than 1.5 metres in length unless:

- (a) he 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

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 remain on, any land detailed in Schedule 3 below unless:

- (a) he 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. 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 relies for assistance; or
- (c) 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.

For the purpose of this Order –

- 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;
- Placing the faeces in a receptacle on the land which is provided for the purpose, or the disposal of waste, shall be sufficient removal from the land;
- Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.
- “An authorised officer of the Council” means an employee, partnership agency or contractor of Charnwood Borough Council who is authorised in writing by Charnwood Borough Council for the purposes of giving directions under the Order.
- Each of the following is a “prescribed charity” –
 - Dogs for the Disabled (registered charity number 700454)
 - Support Dogs Limited (registered charity 1088281)
 - Canine Partners for Independence (registered charity number 803680)

6. 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.

A person may be offered a Fixed Penalty Notice of £100 by way of discharging liability for the offence. The Fixed Penalty Notice is reduced to £50 if paid within 10 days of issue.

Schedule One

Dogs on Lead by Direction

Map No.	Location	Geographical Area	Ward/Parish/Town
1.	Charnwood Water	Loughborough	Hastings
1.	Booth Wood	Loughborough	Garendon
1.	Shelthorpe Pitch and Putt	Loughborough	Shelthorpe
14.	Springfield Lake, Kelcey Road	Quorn	Quorn/Mountsorrel

Schedule Two - The Keeping of Dogs on Leads

Map No.	Location	Geographical Area	Ward/Parish/Town
1.	Cemetery – Leicester Road	Loughborough	Shelthorpe
6.	Cemetery – Groby Lane	Anstey	Anstey
7.	Cemetery – Cotes Road	Barrow Upon Soar	Barrow Upon Soar
8.	Cemetery – Greengate Lane	Birstall	Birstall
8.	School Lane Playing Fields Meadow Lane Playing Fields Harrowgate Fields - Playing Fields	Birstall	Birstall
9.	Cemetery – Melton Road	Burton on the Wolds	Burton on the Wolds, Cotes and Prestwold
11.	Cemetery – Wymeswold Lane	Corner of Wymeswold Lane and Rempstone Road	Hoton
12.	Cemetery – Groby Lane	Newtown Linford	Newtown Linford
13.	Cemetery – South Croxton Road	Queniborough	Queniborough
14.	Cemetery – Church Lane	Off the High Street and Station Road	Quorn
14.	Closed Churchyard – St Bartholomew's Church	Church Lane	Quorn
15.	Cemetery – Mountsorrel Lane	Rothley	Rothley
16.	Cemetery - Charnwood Road	Shepshed	Shepshed
18.	Cemetery – Barkby Road	System	System
19.	Cemetery – Leicester Road, Cropston	Cropston	Thurcaston and Cropston
21.	Cemetery – Rempstone Road	Wymeswold	Wymeswold
22.	Cemetery – Cemetery Road	Sileby	Sileby
23.	Cemetery – Green Hill Rise	Hathern	Hathern
24.	Cemetery – off A607	Thurmaston	Thurmaston
25.	Cemetery – Loughborough Road	Mountsorrel	Mountsorrel

Schedule Three

Dogs Exclusion – Parish and Town Councils

Map No.	Location	Geographical Area	Ward/Parish/Town
6.	Children's Play Area,	Stadon Road	Anstey
6.	Children's play area	Hollow Road	Anstey
7.	Toddler Play Area	Wycliffe Avenue	Barrow Upon Soar
8.	Children's Play Area	Meadow Lane Harrowgate Drive School Lane Playing Fields Tithe Close	Birstall
9.	Children's Play Area	Towles Fields Hubbard Road	Burton on the Wolds
10.	Children's Play Area	Jubilee Playing Fields, Long Furrow	East Goscote
11.	Children's Play Area	Old Parsonage Lane	Hoton
13.	Children's Play Area	King George V Playing Fields, Coppice Lane	Queniborough
14.	Children's Play Area	Stafford Orchard, Station Road	Quorn
15.	Children's Play Area	Town Green Street Play Area	Rothley
16.	Children's Play Area	Oakley Road	Shepshed
17.	Children's Play Area	King George V Playing Field	South Croxton
18.	Skate Park, Central Park	Melton Road	System
19.	Children's Play Area	Jubilee Park, Latimer Road, Cropston	Thurcaston and Cropston
21.	Toddler Play Area	Memorial Hall Playground, Clay Street	Wymeswold
22.	Children's Play Area, Memorial Park	Seagrave Road	Sileby
23.	Children's Play Area Hathern Park	Pasture Lane	Hathern
24.	Children's Play Area	Garden Street Recreation Ground and Elizabeth Park	Thurmaston
25.	Children's Play Area	Loughborough Road Play Area and Leicester Road Playing Fields	Mountsorrel

Dogs Exclusion – Loughborough

Map No.	Location	Geographical Area
1.	Children’s Play Area: <ul style="list-style-type: none"> • Braddon Road • Brush Drive • Cumberland Road • Garendon Road • Great Central Road • Hartington Street • Holt Drive • Jubilee Park (children and toddlers play areas) • Kirkstone Drive • Moat Road • Newstead way • Queens Park • Radmoor Road • Rendell Street • Shortcliff Park • Sidings Park • Epinal Court • Farnham Road • Matthew Arnold Court • Meadow Avenue • Warwick Court 	Loughborough