

HUNTINGDONSHIRE DISTRICT COUNCIL
PUBLIC SPACES PROTECTION ORDER (DOG CONTROL) 2017

The Order

Huntingdonshire District Council ('the Council') in exercise of its powers pursuant to Section 59 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 ('the Act') hereby makes the following Order ('the Order')

1. This Order shall come into operation on **20 October 2017** and shall have effect for a period of 3 years from that date.

The areas to which the Public Space Protection Order (PSPO) applies;

2. This Order relates to the areas (land to which this Order applies) within the administrative District of Huntingdonshire, as shown on the attached maps, and applies to all the land which is open to the air and to which the public are entitled or permitted to have access (with or without payment).
3. For the purposes of this Order, any land which is covered is deemed to be land which is "open to the air" if it is open to the air on at least one side.

Persons who the order applies to

4. For the purposes 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.
5. Nothing in this Order applies to a person who is in charge of:
 - a. an assistance dog which has been trained to guide a blind person;
 - b. an assistance dog which has been trained to assist a deaf person;
 - c. an assistance dog which has been trained to assist a person who has a disability who has a disability of epilepsy or otherwise affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects; or
 - d. an assistance dog which has been trained to assist a person who has a disability (other than one described above) of a prescribed kind.
6. For the purposes of the Order, a "disability" means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and an "assistance dog" has the meaning given by the Equality Act 2010

Impact of the Order

7. The effect of this Order is to impose the following prohibitions and requirements on land to which this Order applies, specified as follows:

Dog faeces to be picked up and taken away or disposed of in a suitable bin

8. In all land to which this Order applies, specified in Schedule 1 to the Order, if a dog defecates at any time on any part of the land, a person who is in charge of the dog at that time and who fails to remove the faeces from the land forthwith, shall be guilty of an offence unless:
 - a. he has a 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.
9. For the purposes of this Order:
 - a. placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
 - b. 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.

Persons in control of dogs to be required to carry a suitable receptacle for picking up and disposing of dog faeces, and to demonstrate this on request by an authorised officer

10. In all land to which this Order applies, specified in Schedule 1, a person who is in charge of the dog shall, on instruction by a constable or authorised officer of the Council, demonstrate to the satisfaction of the constable or authorised officer that he has in his possession a device for or other suitable means of removing the dog's faeces.

Dogs to be placed on a lead upon request by any authorised officer

11. In all land to which this Order applies, specified in Schedule 1, a person in charge of a dog shall be guilty of an offence if, at any time, he does not comply with a direction given to him by a constable or authorised officer of the Council to put and keep the dog on a lead of not more than 2 metres in length unless:
 - a. he has a 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.
12. A constable or authorised officer of the Council may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which this Order applies or the worrying or disturbance of any animal or bird.
13. In this Order 'an authorised officer of the Council' means any person authorised in writing for the purposes of this Order by Huntingdonshire District Council (the Council).

Dogs to be kept on a lead at all times in specified areas

14. In any land to which this Order applies, as specified in Schedule 2, a person in charge of a dog shall be guilty of an offence if, at any time, he does not keep the dog on a lead of not more than 2 metres in length, unless:
- a. he has a reasonable excuse for doing so; or
 - b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

Dogs to be excluded at all times in specified areas

15. In any land to which this Order applies, as specified in Schedule 3, 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 to any part of the land unless:
- a. he has a reasonable excuse for doing so; or
 - b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

Enforcement of the conditions of this Order

16. It is an offence for a person without reasonable excuse to do anything prohibited by this Order, or to fail to comply with a prohibition or requirement to which a person is subject pursuant to this Order.
17. A Police Constable, a Police Community Support Officer or an 'authorised person' may issue a Fixed Penalty Notice (FPN) to anyone he or she has reason to believe has committed an offence under this Order.
18. An 'authorised person' and 'an authorised officer of the Council' means any person authorised in writing for the purposes of this Order by Huntingdonshire District Council (the Council). A constable means a Police Constable in whatever capacity.
19. A person found to be in breach of this Order is liable upon summary conviction to a fine not exceeding level 3 on the standard scale (currently £1000.00); or to be made subject to a FPN of £100.00.
20. The Council is satisfied that the conditions set out in Sections 59 and 72 of 'the Act' have been met: that activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality; and that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by this notice. The Council believe that it is reasonable to impose the above prohibitions and requirements in order to prevent the detrimental effect from continuing, occurring or recurring, and to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
21. Any interested person (an individual who lives or regularly visits or works) in land to which this Order applies who desires to question

the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, may apply to the High Court within six weeks from the date upon which this Order is made.

Schedule 1 - the areas subject to the conditions:

- (1) Dog faeces to be picked up and taken away or disposed of in a suitable bin.
- (2) Persons in control of dogs to be required to carry a suitable receptacle for picking up and disposing of dog faeces, and to demonstrate this on request by an authorised officer.
- (3) Dogs to be placed on a lead upon request by any authorised officer.

The entire administrative district of Huntingdonshire.

Schedule 2 - the areas subject to the Dogs On Leads condition

Land Designated by Description

All road carriageways with a speed limit of 40 mph or less and adjoining footpaths and verges.

AND

Land Designated Specifically

Eaton Ford- Riverside Park, St Neots Road, Eaton Ford, St Neots: That part of the lands situated to the south of St Neots Road and west of the River Great Ouse and excluding those fenced areas which contain children's play equipment.

Eaton Ford- Sudbury Meadow, Crosshall Road, Eaton Ford, St Neots: That part of the lands situated to the north of Cavendish Court which abuts Crosshall Road and with the north and west boundary being dense tree/fence lined.

Hartford- Hartford Meadow, Church Lane, Hartford, Huntingdon: That part of the lands known as Hartford Meadow situated between Church Lane and the River Great Ouse, Huntingdon.

Hartford- Marylands Avenue, Hartford, Huntingdon: The whole of the park excluding the area which is fenced and contains children's play equipment.

Houghton- Houghton and Wyton Playing Fields, Houghton. All of the area of land known as Houghton and Wyton Playing Fields, bounded by St Ives Road, Victoria Crescent, Laughtons Lane and the A1123.

Huntingdon- Riverside Park, Riverside Road, Huntingdon: That part of the lands situated to the south of the tree/fence line commencing from a point opposite East Street, leading from Hartford Road to the River Great Ouse and with the southern boundary being opposite the Bridge Hotel with the River Great Ouse to one side and River Road/Hartford Road to the north-west, excluding those fenced areas which contain children's play equipment.

Huntingdon- Hinchbrook Country Park, Hinchbrook Park Road, Huntingdon: That part of the park known as the Wildlife Area consisting of the western part of Bob's Wood and including the triangular plantation to the south of the area. This area lies to the west of a track running north-north-east from a point 250 metres to the west of the Visitors Centre. It is bounded on the north by a housing estate and on the west by a fence.

St Ives- Wilhorn Meadow, London Road, St Ives: The land situated to the east of Bridge Terrace and west of the River Great Ouse, St Ives.

Little Paxton- Playing Fields, High Street, Little Paxton: The whole of the playing field including the access road and car park, excluding the area which is fenced and contains children's play equipment.

Schedule 3 - the areas subject to the Dogs Exclusion condition

Land Designated by Description

All lands within the Council's administrative area that is fenced and/or hedged and/or walled and signed at the entrance as a "dogs exclusion area" (whether the sign uses these particular words or words and/or symbols having like effect) and comprises of: children's play areas; bowling greens; croquet lawns; tennis courts; sporting or recreational facilities; skateboard parks; cycle enclosures; putting greens; or parks.

AND

Land Designated Specifically

Bluntisham- The Bluntisham Recreation Field:- All land within the area bounded by Colne Road and Mill lane, known as the Bluntisham Recreation Field but not including that part of the playing field which is fenced and contains children's play equipment or the fenced and/or hedged area designated as a dog walking area.

Eaton Ford- Playground, River Road, Eaton Ford, St Neots: That part of the park situated to the south of the Indoor Bowling Club, off River Road, which is fenced and contains children's play equipment.

Eaton Ford- Playground, Riverside Park, St Neots Road, Eaton Ford, St Neots: That part of the park adjoining the main St Neots Road which is fenced and contains children's play equipment.

Eynesbury- Playground, Coneygeare Park, Hardwick Road, Eynesbury, St Neots: That part of the park situated to the north east of the car park which is fenced and contains children's play equipment.

Hartford- Playground, Marylands Avenue, Hartford, Huntingdon: That part of the park which is fenced and contains children's play equipment.

Hartford- Playground, Sapley Road, Hartford, Huntingdon: That part of the park which is fenced and contains children's play equipment.

Huntingdon- Town Park, Brookside, Huntingdon.

Huntingdon - Playground, Nursery Road, Huntingdon: That part of the park which is fenced and contains children's play equipment.

Huntingdon – St John's Churchyard, High Street, Huntingdon.

Huntingdon - Playground, Riverside Park, Riverside Road, Huntingdon: That part of the park adjoining the main car park off Harford Road which is fenced and contains children's play equipment.

Somersham- The Millennium Sports Field, the Trundle, Somersham.

Somersham- Norwood Playing Field: All land within the area bounded by Parkhall Road, The Trundle, Ditchfields, The Green, Green End Walk and

Coronation Avenue known as the Norwood Playing Field but not including that part of the playing field which is fenced and contains children's play equipment.

St Ives- Holt Island, Church Street, St Ives: That part of the island lying south of the Sea Scouts Headquarters facing towards the bridge, St Ives.

St Neots - Playground, Priory Hill Park, Priory Hill Road, St Neots: That part of the park adjoining the southern boundary of the park which is fenced and contains children's play equipment.

Warboys- Adam Lyons Playing Field, Church Road, Warboys