

**Borough Council of Wellingborough
Anti-Social Behaviour, Crime and Policing Act 2014
Part 4, Section 59 Public Spaces Protection Order**

Notice is hereby given that The Borough Council of Wellingborough (in this order called the "Authority") hereby makes a Public Spaces Protection Order (PSPO) under section 59 of The Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) and all other enabling powers.

General provisions:

1. The Order will be cited as the Borough Council of Wellingborough (Dog Control) Public Spaces Protection Order ("the Order").
2. This order applies to all land in the administrative area of the Authority to which the public or any section of the public has access, on payment or otherwise, as or right or by virtue of express or implied permission.
3. The Order will come into effect on 10th November 2020 and shall remain in place for a period of 3 years unless extended by further order under the Council's statutory powers.
4. A person who fails to comply with any obligation imposed by this order is guilty of a criminal offence by virtue of section 67(1) of the Anti-social Behaviour Crime and Policing Act, 2014 and liable to a fine on summary conviction not exceeding level 3 on the standard scale or fixed penalty notice of a maximum £100.
5. If any interested person 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, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Obligations on persons with dogs:

6. Fouling

If a dog defecates at any time on land to which this order applies a person who is in charge of the dog at the time must remove the faeces from the land forthwith 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.

7. Leads by order

A person in charge of a dog on land to which this order applies must 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) 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.

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.

8. Leads

A person in charge of a dog on land detailed in Schedule 1 below must keep the dog on a lead 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.

9. Exclusion

A person in charge of a dog must not take it into or keep it within land detailed in Schedule 2 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.

10. 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) 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 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 for 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 for 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 Authority” means an employee, partnership agency or contractor of the Borough Council of Wellingborough who is authorised in writing by the Borough Council of Wellingborough for the purposes of giving directions under the Order.

Dated: 10th November 2020

THE COMMON SEAL of
BOROUGH COUNCIL of WELLINGBOROUGH
affixed hereto is authenticated by the
undermentioned person authorised by the
Council to act for that purpose:

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Mayor

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Managing Director

Schedule 1

1. This order applies to all land which is within the administrative area of the Borough Council of Wellingborough and which is: -

- (i) A highway, footway, cycleway or footpath maintainable at the public expense, any grass verge managed by the local authority and which is adjacent to any carriageway or footway of any highway, any road subject to a 30 mph speed limit or less to that part of the carriageway of a highway which forms part of the gutter.

(ii) The following pedestrian and parking areas: -

The pedestrian areas and car parks at the:

- Tithe Barn and Croyland Hall, Tithe Barn Road, Wellingborough
- Swanspool House, London Road, Wellingborough
- The Castle Theatre, Castle Way, Wellingborough
- Redwell Leisure Centre, Barnwell Road, Wellingborough
- Waendel Swimming Pool, Cannon Street, Wellingborough
- Swansgate Multi-storey Car Park, Commercial Way, Wellingborough
- High Street Car Park, Wellingborough
- Embankment Car Park, Wellingborough
- Car park on Palk Road/Knox Road, Wellingborough

(iii) The following parks or cemeteries: -

- Swanspool Gardens, Wellingborough
- London Road Cemetery, Wellingborough
- Doddington Road Cemetery, Wellingborough
- Wollaston Cemetery Cobb's Lane, Wollaston
- Earls Barton Cemetery, Wellingborough Road, Earls Barton
- Summer Leys Local Nature Reserve
- Village Green, London Road, Bozeat
- Finedon Bowling Green, Recreation Ground, Wellingborough Road Finedon
- Finedon Banks, Wellingborough Road, Finedon
- Grendon St Mary's Church Cemetery, Grendon
- All Hallows Churchyard, Wellingborough
- Croyland Gardens, Wellingborough

Schedule 2

1. This order applies to all land which is within the administrative area of the Borough Council of Wellingborough and which is: -

(i) a fenced/enclosed children's play area and multi-court signed at its entrance(s) as a "dog exclusion area" (whether the sign uses those particular words or words and/or symbols having like effect) which is designated and marked for children's play.

(ii) The following playing fields and cemeteries:

- Bozeat Cemetery, Easton Lane, Bozeat
- Playing field adjacent to Grendon CE School
- Playing field Grendon Sapphires Youth Football Club, Yardley Road Grendon
- Playing field, Webb's Lane, Sywell

(ii) The Embankment Splash Pool

