

Strategy and Resources Scrutiny Committee 10/10/2016

Public Spaces Protection Order for Dog Control – AMENDMENT

These pages replace Appendices A and B on pages 34 to 44 (report pages 10 to 20). The previous versions should be disregarded.

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTION 59

PUBLIC SPACES PROTECTION ORDER 2017

Cambridge City Council (in this Order called “the Council”) hereby makes the following order:

This Order comes into force on the 23 January 2017 for a period of 3 years

General provisions:

1. This Order applies to the all land within the Council’s administrative area, which is open to the air (which includes land that is covered but open to the air on at least one side) and to which the public are entitled or permitted to have access (with or without payment).
2. 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.

Obligations on persons with dogs:

3. 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 immediately unless:

- They have reasonable excuse for failing to do so; or
- 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. 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:

- They have reasonable excuse for failing to do so; or
- 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.

5. Leads

A person in charge of a dog on land detailed in Schedule 1 below must keep the dog on a lead at all times unless

- They have reasonable excuse for failing to do so; or
- 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. Exclusion

A person in charge of a dog on land detailed in Schedule 2 below must not take it into or keep it in this land at all times unless

- They have reasonable excuse for failing to do so; or
- 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. Exemptions

Nothing in section 3 of this order shall apply to a person who:

- Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- Has a disability which affects the person's 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 the person relies for assistance.

Nothing in section 6 of this order shall apply to a person who:

- Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which the person relies for assistance; or
- Has disability which affects the person's 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 the person 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 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 Cambridge City Council who is authorised in writing by Cambridge City Council for the purposes of giving directions under the Order.
- For the purposes of the Order, a "disability" means a condition that qualifies as a disability for the purposes of the Equality Act 2010.
- Each of the following is a "Prescribed Charity" –
 - Dogs for the Disabled (registered charity number 700454)
 - Support Dogs (registered charity number 1088281)
 - Canine Partners for Independence (registered charity number 803680)

Dated.....

Schedule 1

Dogs on leads areas:

- Cemeteries
 - Newmarket Road Cemetery – the whole of the cemetery
 - Histon Road Cemetery – the whole of the cemetery
- Abbey Pool play area (Access Land)
- Coldhams Lane play area (Access Land)
- Cambridge Lakes
- Cherry Hinton Hall – *area by pond / stream*
- Ditton Fields – *the whole of the park*
- Kings Hedges Recreation Ground (Pulley) – *the part of the park that contains the children's play equipment, but excluding the fenced area that contains the paddling pool*
- Molewood Close – *the whole of the park*
- Ravensworth Gardens – *Green area (upper area)*
- Velos Walk – *the whole of the park*

Schedule 2

Dog exclusion areas

- Fenced bowling greens at the following locations:
 - Alexandra Gardens
 - Christs Pieces
 - Coleridge Recreation Ground
 - Lammas Land
 - Nightingale Avenue
 - Trumpington Recreation Ground
- Fenced tennis courts at the following locations:
 - Cherry Hinton Hall
 - Christs Pieces
 - Coleridge Recreation Ground
 - Jesus Green (Access Land)
 - Lammas Land
 - Nightingale Avenue
 - Trumpington Recreation Ground
- Outdoor paddling pools at the following locations:
 - Abbey Pool Paddling Pool (Access Land)
 - Cherry Hinton Hall
 - Coleridge Paddling Pool
 - Lammas Land
 - Sheep's Green Learner Pool
- Fenced children's play areas at the following locations:
 - Aberdeen Avenue
 - Ainsdale
 - Alexandra Gardens
 - Arbury Court
 - Atkins Close
 - Bateson Road
 - Beales Way
 - Brooks Road
 - Cherry Hinton Hall
 - Cherry Hinton Recreation Ground

- Chesterton Recreation Ground
- Chestnut Grove
- Christs Pieces
- Coleridge Recreation Ground
- Discovery Way
- Dudley Road
- Edgecombe Flats
- Flower Street
- Green End Road
- Gunhild Way/Close
- Hampden Gardens
- Histon Road
- Humphreys Road
- Jesus Green (Access Land)
- Kathleen Elliot Way
- Kingfisher Way
- Neptune Close
- Nightingale Avenue
- Nuns Way
- Pearl Close
- Petersfield
- Peverel Road
- Ramsden Square
- Ravensworth Gardens (1)
- Ravensworth Gardens (2)
- Ravensworth Gardens (Upper Green)
- Reilly Way
- River Lane
- Robert May Close
- Romsey Recreation Ground
- Scotland Road
- Sleaford Street/Ainsworth Street
- St Albans Recreation Ground
- St Barnabas Court
- St Matthews Recreation Ground
- St Thomas's Square
- Stourbridge Common (Access Land)
- The Bath House (Gwydir Street_
- Thorpe Way/Fison Road
- Trumpington Recreation Ground
- Whytford Close

Appendix B: Proposed locations of Orders

Location	Area	Restriction	Introduction date	Proposal	Comments
Abbey Pool Paddling Pool (Access Land)	Outdoor paddling pool	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Abbey Pool Paddling Pool (Access Land)	Children's play area	Dog on leads area	July 2013	Keep as a dogs on leads area	Has right of way through the park
Aberdeen Avenue	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Ainsdale	The whole of the park	Dog on leads area	July 2013	Create a dog exclusion area	Park now fully enclosed
Alexandra Gardens	Fenced bowling green	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Alexandra Gardens	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Arbury Court	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Arbury Court	The whole of the park, excluding the fenced area	Dog on leads area	July 2013	Remove dogs on leads restriction	
Ashbury Close	The whole of the park	Dog on leads area	July 2013	Remove dogs on leads restriction	
Atkins Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Barnwell Road	Fenced bowling greens	Dog exclusion area	July 2013	Remove dog exclusion restriction	
Barnwell Road	Fenced tennis courts	Dog exclusion area	July 2013	Remove dog exclusion restriction	
Bateson Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Beales Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Brooks Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Brooks Road	The whole of the park, excluding the fenced area	Dog on leads area	July 2013	Remove dogs on leads restriction	
Cambridge Lakes	The whole area	None	None	Consider dog on leads restriction	
Cherry Hinton Hall	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Cherry Hinton Hall	Outdoor paddling pools	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Cherry Hinton Hall	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Cherry Hinton Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Cherry Hinton Hall	Pond / stream area	None	None	Create a dogs on lead area	
Chesterton Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Chestnut Grove	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Christs Pieces	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Christs Pieces	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Christs Pieces	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Coldhams Lane play area (Access Land)	Play area	Dog on leads area	July 2013	Keep as a dogs on leads area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Coleridge Recreation Ground	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Coleridge Paddling Pool	Outdoor paddling pools	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Coleridge Recreation Ground	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Coleridge Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Discovery Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	Subject to consultation with land owners
Ditton Fields	The whole of the park	Dog on leads area	July 2013	Keep as a dog on leads area	
Dudley Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Dundee Close	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads restriction	
Edgecombe Flats	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Ekin Road	Fenced children's play areas	Dog exclusion area	July 2013	Remove dogs exclusion restriction	
Flower Street	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
George Nuttall Close	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads restriction	
Great Eastern Street	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads restriction	
Green End Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Green End Road	the whole of the park, excluding the fenced area	Dog on leads area	July 2013	Remove dogs on leads restriction	

Location	Area	Restriction	Introduction date	Proposal	Comments
Gunhild Way/Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Hampden Gardens	Fenced children's play area	None	None	Add as a dog exclusion area	
Histon Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Histon Road Cemetery	the whole of the cemetery	Dog on leads area	July 2013	Keep as a dogs on leads area	
Humphreys Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Jesus Green (Access Land)	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Jesus Green (Access Land)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Kathleen Elliot Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Kingfisher Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Kings Hedges Recreation Ground	The part of the park that contains the children's play equipment	Dog on leads area	July 2013	Keep as a dog on leads area	
Kings Hedges Recreation Ground	Outdoor paddling pools	Dog exclusion area	July 2013	Remove dogs exclusion restriction	Area no longer fenced off
Lammas Land	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Lammas Land	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Lammas Land	Outdoor paddling pools	Dog exclusion area	July 2013	Keep as a dog exclusion area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Lammas Land	the part of the park that contains the children's play equipment, but excluding the unfenced area that contains the paddling pool	Dog on leads area	July 2013	Remove dogs on leads restriction	
Mill Road Cemetery	the whole of the cemetery	Dog on leads area	July 2013	Remove dogs on leads area	Currently suspended
Molewood Close	the whole of the park	Dog on leads area	July 2013	Keep as a dogs on leads area	
Neptune Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Newmarket Road Cemetery	the whole of the cemetery	Dog on leads area	July 2013	Keep as a dogs on leads area	
Nightingale Avenue	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dogs on leads area	
Nightingale Avenue	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Nightingale Avenue	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Nuns Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Pearl Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Petersfield	Fenced children's play areas	Dog exclusion area	July 2013	Keep	
Peverel Road	Children's play area	None	None	Add a dog exclusion area	
Ramsden Square	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Ravensworth Gardens (1)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Ravensworth Gardens (2)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Ravensworth Gardens	Green area (upper area)	None	None	Add a dog exclusion or dogs on leads restriction	
Reilly Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
River Lane	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Robert May Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Romsey Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Scotland Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Sheep's Green Learner Pool	Outdoor paddling pools	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Shelly Road	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads area	
Shenstone House	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads area	
Sleaford Street/Ainsworth Street	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
St Albans Recreation Ground	Fenced children's play areas	None	None	Add a dog exclusion area	
St Barnabas Court	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
St Matthews Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
St Thomas's Square	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Stourbridge Common (Access Land)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Tenby Close	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads area	
The Bath House (Gwydir Street)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Thorpe Way play	The whole of the park, excluding the fenced area that contains children's play equipment.	Dog on leads area	July 2013	Remove dogs on leads area	
Thorpe Way/Fison Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Trumpington Recreation Ground	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Trumpington Recreation Ground	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Trumpington Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Velos Walk	the whole of the park	Dog on leads area	July 2013	Keep as a dog on leads area	
Whytford Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	

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