

Wyre Forest District Council

Public Spaces Protection Order

Number 3 of 2020 (as varied with effect from 1 June 2021)

This Order shall come into force on 1 October 2020 and shall have effect for a period of 3 years thereafter, unless extended by further orders of Wyre Forest District Council ("the Authority").

General provisions:

1. 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 of right or by virtue of express or implied permission. The administrative area of the Authority is the land edged ~~black~~ ^{blue line} in Schedule 1.

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) and (2) 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 to a fixed penalty notice not exceeding £100.

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 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.

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

- (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 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 edged in red in Schedule 2, 3, 4 and 5 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.

6. Multiple dog walking

A person in charge of more than one dog shall be guilty of an offence, if at any time, and at the same time, he takes onto the land to which this Order applies more than 6 dogs 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)

7. Exclusion

A person in charge of a dog must not take it into or keep it within a fenced/enclosed children's play area or water play area, and 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 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.

8. Means to pick up

A person in charge of a dog on land to which this order applies must have with him an appropriate means to pick up dog faeces deposited by that dog 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.

The obligation is complied with if, after a request from an authorised officer, the person in charge of the dog produces, in the opinion of the authorised officer an appropriate means to pick up dog faeces.

9. 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 an accredited assistance dog trained by accredited members of Assistance Dogs International (ADI) or the International Guide Dog Federation (IGDF).

For the purpose of this Order:

A person who is in charge of a dog at the relevant time shall be responsible for that dog's actions.

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 Wyre Forest District Council who is authorised in writing by Wyre Forest District Council for the purposes of giving directions under the Order.

If any 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.

Schedule 1 Map of whole district

Schedule 2 Map of Kidderminster Cemetery

Schedule 3 Map of QEII Gardens

Schedule 4 Map of the Stackpool, Springfield Park

Schedule 5 Map of Hurcott Pools, Hurcott Woods

THE COMMON SEAL of
WYRE FOREST DISTRICT COUNCIL

Was hereunto authenticated

in the presence



Authorised Signatory





Wyre Forest District Council



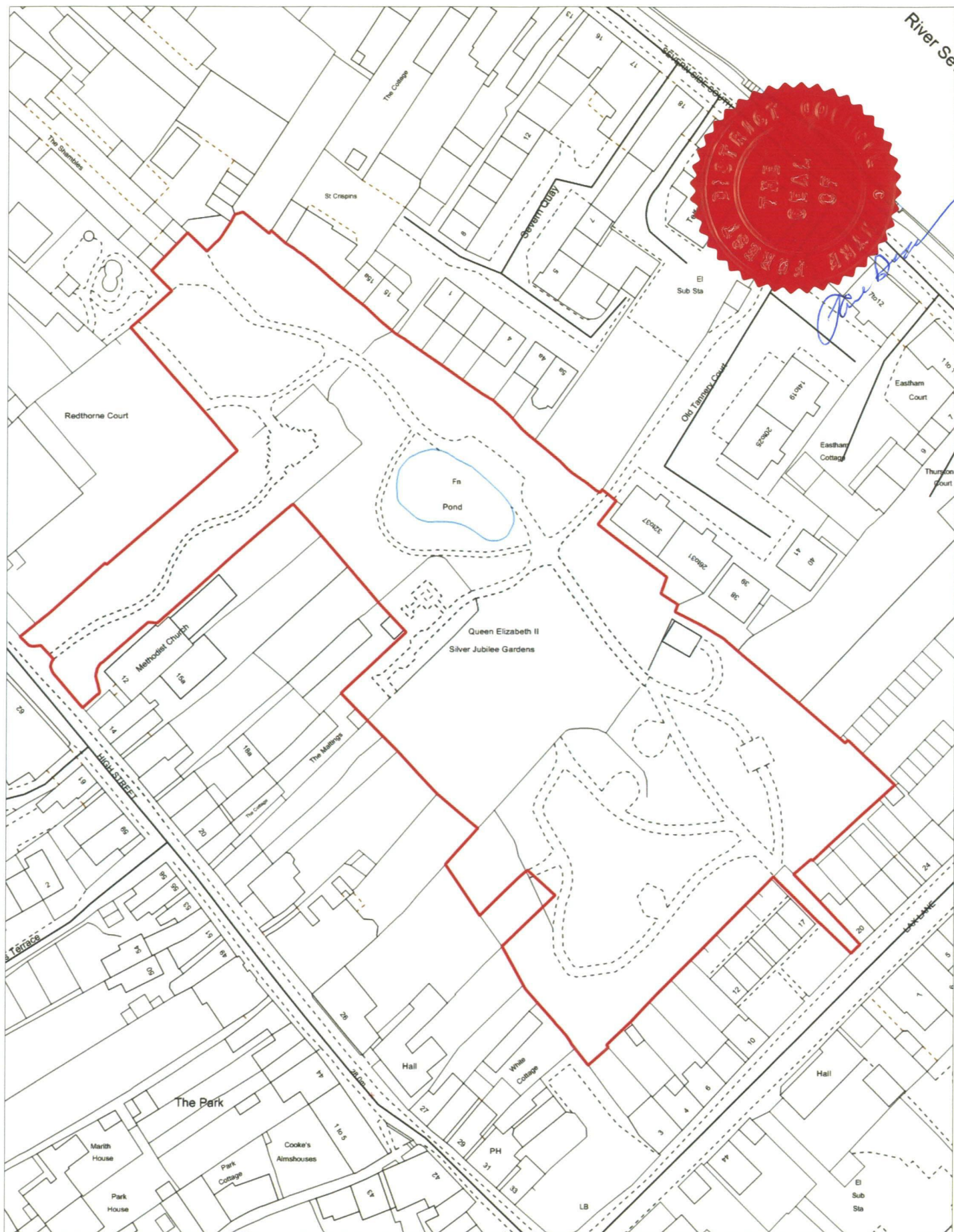
1:100000 @ A4

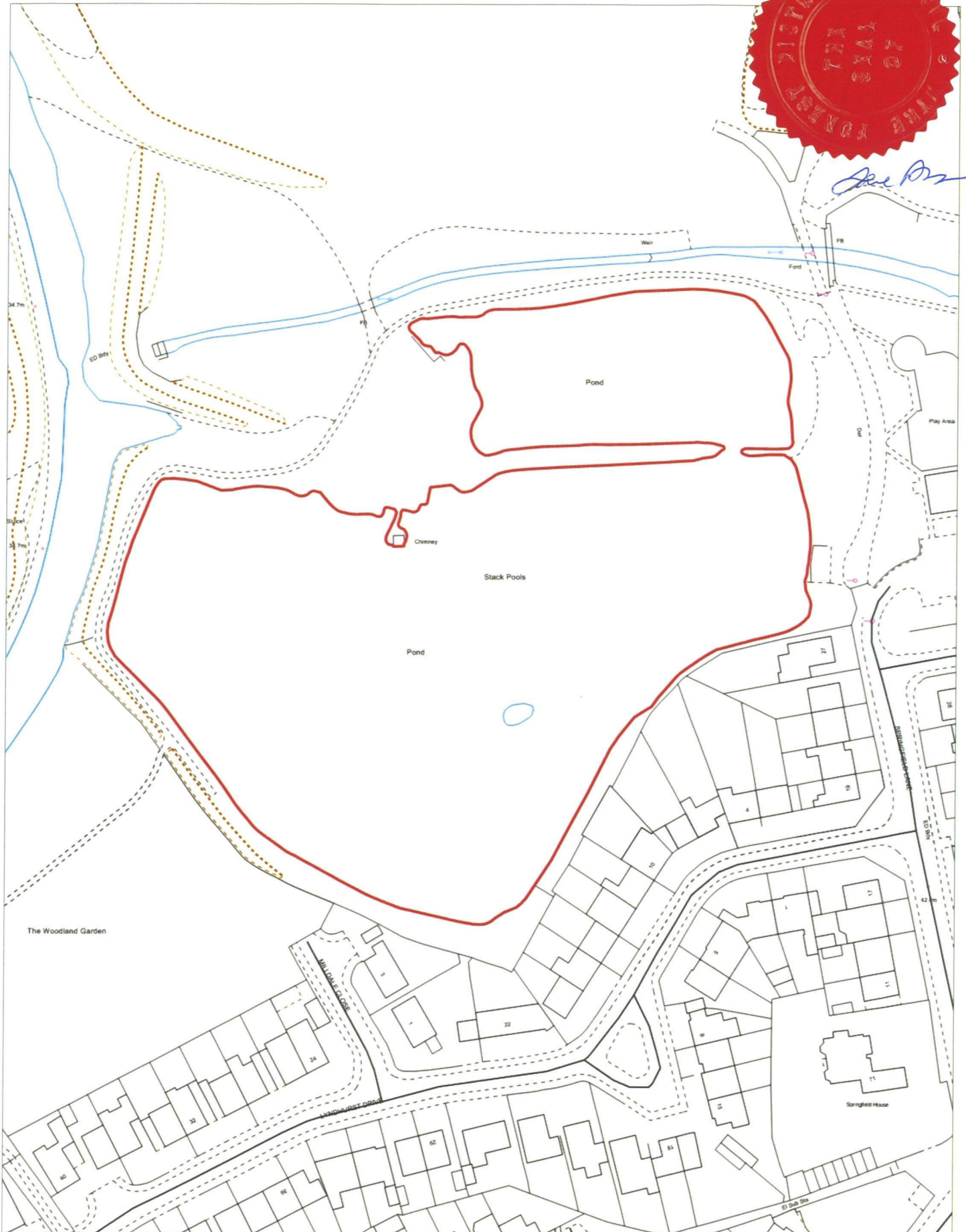


Crown Copyright 100018317 03 September 2020

Schedule 1 Map of whole district





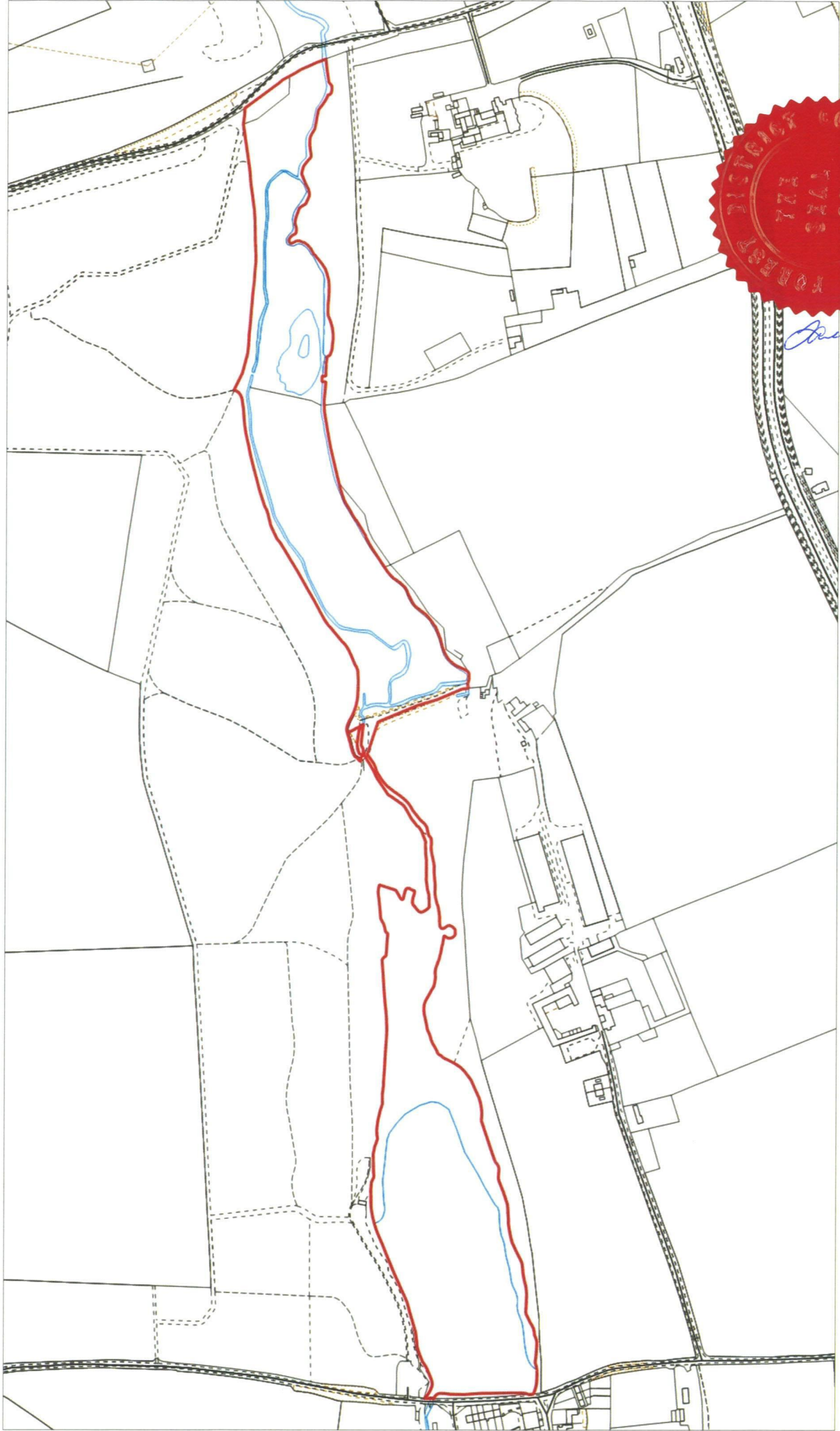




Wyre Forest District Council



1:5000 @ A4



Crown Copyright 100018317 20 July 2020

Schedule 5 Hurcott Wood and Pools, Hurcott, Kidderminster