

The Anti-Social Behaviour, Crime and Policing Act 2014

**The Public Spaces Protection Order ('PSPO') –
(Bradgate Park and Swithland Wood) Control of Dogs 2023**

DATED 20TH FEBRUARY 2023

Charnwood Borough Council ("the Council") in exercise of its power under section 60 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 60 of the Act have been met hereby extends the following Order:

Part i: Dog Fouling

If a dog defecates at any time on land to which this Order applies across the entire Estate a person who is in charge of the dog at the time must 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.

Part ii: 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 Trust to put and keep a dog on a lead across the entire Estate 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.

NB: An authorised Officer shall only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or disturbance to any other person, or to a bird or another animal.

Part iii: Leads required at all times

A person in charge of a dog on land detailed in yellow on the Plan shall be guilty of an offence if, at any time he does not keep the dog on a lead 9am and 10pm 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.

Part iv: 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 the Protected Deer Sanctuary areas and Wildlife Protection Zones shown in grey on the Plan 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.

1. 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 –

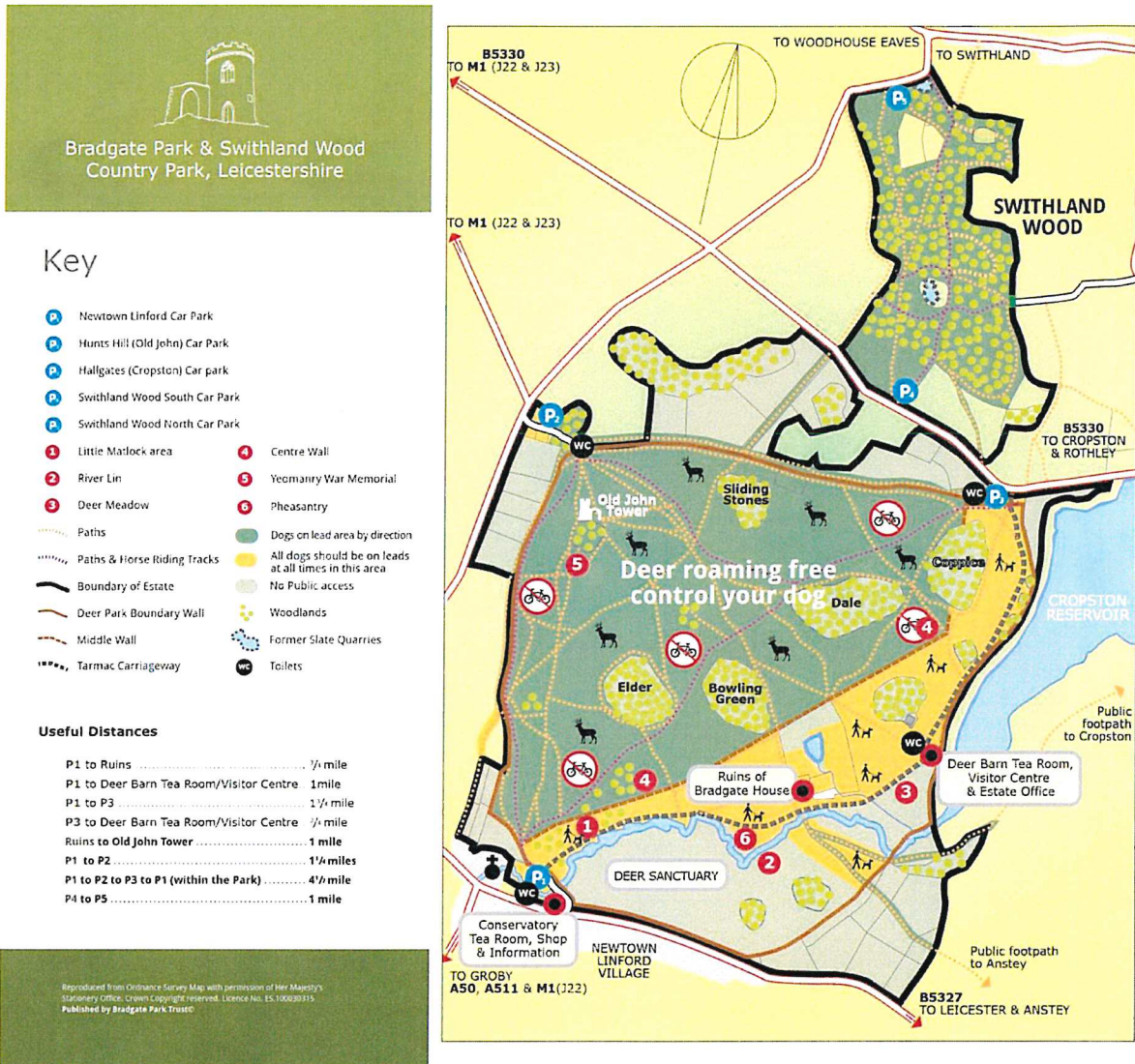
- A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- Placing the faeces in a receptacle on the land which is provided for the purpose, or the disposal of waste, shall be sufficient 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 Authority” 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)

2. 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. If the fixed penalty notice is paid within 10 days the discounted rate of £50 applies, if paid within 14 days the full amount of £100 is required.

Bradgate Park and Swithland Wood Map



**THE COMMON SEAL of THE COUNCIL OF
THE BOROUGH OF CHARNWOOD**
was hereunto affixed this 16th day
of February 2023.

In the presence of:

Authorised Signatory



2022-23-117

