

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

OLDHAM BOROUGH COUNCIL

HIGHER MEMORIAL PARK, FAILSWORTH

PUBLIC SPACES PROTECTION ORDER 2017

Oldham Borough Council ("the Council") in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") and of all other enabling powers being satisfied that the conditions set out in section 59 of the Act have been met hereby makes the following Order:-

1. This Order applies to the public place described in the schedule to this Order and shown edged in red on the plan annexed to this Order ("the Restricted Area").
2. A person who brings, or is in control of, more than three dogs in the Restricted Area on any single occasion, shall be guilty of an offence.
3. A person in charge of a dog shall be guilty of an offence if, at any time in the Restricted Area he/she does not keep the dog on a lead.
4. If a dog defecates at any time in the Restricted Area and a person who is in charge of the dog at the time fails to remove the faeces from the Restricted Area forthwith, that person shall be guilty of an offence.
5. A person in charge of a dog shall be guilty of an offence if he/she allows the dog to enter onto the children's play area, the bowling green, informal recreation area or games courts in the Restricted Area.
6. A person shall be guilty of an offence if he/she deposits waste or leaves any other article in the Restricted Area, in any place other than a waste bin or receptacle designated for the disposal of waste items.
7. A person shall be guilty of an offence if he/she does not comply with an instruction given by a Police Officer or other authorised person, not to consume alcohol or to surrender alcohol or a container for alcohol, within the Restricted Area.
8. A person shall be guilty of an offence if he/she enters onto the bowling green or games courts in the Restricted Area for any other purpose than to engage in lawful sporting activity or other activity which the Council has expressly permitted.
9. A person shall be guilty of an offence if he/she brings any mechanically propelled vehicle into the Restricted Area, without the express consent of the Council.

10. For the purposes of Articles 2, 3, and 4;
 - a) A person who habitually has a dog in his possession shall be taken to be in charge of the dog unless at that time some other person is in charge of the dog;
 - b) Placing the faeces in a receptacle in the Restricted Areas which is provided for that purpose or for the disposal of waste, shall be sufficient removal from the Restricted Areas;
 - c) 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.

11. For the purposes of Article 8, lawful sporting activity upon the bowling green means crown green bowling.

12. Any person who, without reasonable excuse, fails to comply with the requirements of Articles 2, 3, 4, 5, 6, 7, 8 or 9 of this Order commits an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

13. This Order shall come into force on 1 June 2017 for a period of three years.

SCHEDULE

Restricted Area

Higher Memorial Park, Joseph Street, Failsworth, Oldham

THE COMMON SEAL of)
 OLDHAM BOROUGH)
 COUNCIL was hereunto)
 affixed on 17th May 2017)
 in the presence of: -)



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Number in Seal book
 3002/17



 **Unitypartnership**

Scale :1:1250
 Drawing No :
 Drawn By :

Date :22/02/2017
 OS Ref :

Unity Partnership
 Civic Centre
 West Street
 Clitheroe OL1 1UH



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A.P.D.