

OXFORD CITY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT
2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

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Oxford City Council (the Council) in exercise of the power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in section 59 of the Act have been met, makes the following order:

Dogs on Leads

1. Any person in charge of a dog in a public place within the Restricted Area shall be in breach of this Order if he/she, at any time, on any land in the Restricted Area, fails to keep the dog on a lead and under physical control at all times, unless:
 - a. he/she has a reasonable excuse for failing to do so; or,
 - b. the owner, occupier or other person or authority having control of the relevant land has consented to him/her failing to do so.

Definitions

2. The Authority means Oxford City Council (the Council).
3. Authorised Officer means a police officer, an employee of the Council or other person who is authorised in writing by the Council.
4. Person in charge means the person who has the dog in his/her possession, care or company at the time the relevant offence is committed, or, the person who habitually has the dog in his/her possession, care or company.
5. Restricted Area means the land designated in the Schedule Of Land to this Order.
6. This Order comes into force on 27 November 2017 and will remain in force for a period of three years from that date.

Exemptions

7. Nothing in this order applies 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. has a disability which affects his/her 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/she relies for assistance.

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Penalty

8. Any person who, without reasonable excuse fails to comply with this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

SCHEDULE OF LAND

This Order applies to all land in the area of SS Mary and John Church, Cowley Road, Oxford, that is open to the air and to which the public are entitled to or permitted to have access (with or without payment). For the purposes of this Schedule land which is covered is to be treated as land which is 'open to the air' if it is open to the air on at least one side.

CHALLENGING THE VALIDITY OF ORDERS

An interested person may apply to the High Court to question the validity of—

- a) This Order, or
- b) A future variation of this Order.

“Interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.

An appeal against this Order or a future variation of this Order may be made to the High Court within six weeks from the date on which the order or variation is made, on the grounds that:

- a) Oxford City Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
- b) a requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the order or variation.

Date:

Signature:

Position:

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