

## APPENDIX 1 Draft PSPO

### **Anti-social Behaviour, Crime and Policing Act 2014**

#### **Stockport MBC**

#### **Dog Control and Dog Fouling**

#### **Public Spaces Protection Order 2022**

Stockport Metropolitan 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. The effect of this order is to impose the following prohibitions and/or requirements in the public places described in the Schedules to this order and where appropriate shown edged in red on the plans annexed to this order.

#### **Offences**

#### **2. Fouling of land by dogs**

(a) If a dog defecates at any time on land referred to in schedule 1 of this order and the person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:

- (i) That person has a reasonable excuse for failing to do so; or
- (ii) The owner/occupier or other person or authority having control of the land has consented (generally or specifically) to that person failing to do so; or
- (iii) That person is subject to the exemptions listed in article 8.

#### **3. Means to pick up dog faeces**

(a) A person in charge of a dog on land referred to in schedule 2 of this order, shall be guilty of an offence, if, at any time, he does not comply

with a direction given to him by an authorised officer of the council to produce a device for or other suitable means of removing dog faeces and transporting it to a bin (whether or not the dog has defecated) unless:

- (i) That person has a reasonable excuse for failing to do so; or
- (ii) The owner/occupier or other person or authority having control of the land has consented (generally or specifically) to that person failing to do so; or
- (iii) That person is subject to the exemptions listed in article 8.

#### **4. Dog on lead by direction**

(a) A person in charge of a dog shall be guilty of an offence, if, at any time on land referred to in schedule 3 of this order, he does not comply with a direction given to him by an authorised officer of the council to put and keep the dog on a lead unless:

- (i) That person has a reasonable excuse for failing to do so; or
- (ii) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person failing to do so.

(b) For the purpose of this article:

- (i) An authorised officer of the council may only give a direction under this article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person or the worrying or disturbance of any other animal or bird on any land to which this article applies.

#### **5. Dogs on leads in cemeteries**

(a) A person in charge of a dog shall be guilty of an offence, if, at any time

on land referred to in schedule 4 of this order, he does not keep the dog on a lead unless:

- (i) That person has a reasonable excuse for failing to do so; or
- (ii) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person failing to do so.

#### **6. Dogs excluded**

(a) 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 land referred to in schedule 5 of this order unless:

- (i) That person has a reasonable excuse for failing to do so; or
- (ii) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person doing so; or
- (iii) That person is subject to the exemptions listed in article 8.

#### **7. Maximum number of dogs**

(a) A person in charge of more than one dog shall be guilty of an offence if, at any time he takes more than four dogs on land referred to in schedule 6 of this order unless:

- (i) That person has a reasonable excuse for failing to do so; or
- (ii) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to doing so.

#### **8. Exemptions**

(a) Nothing in articles 2, 3 and 6 shall apply to a person who:

9. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or

10. 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

11. who has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day to day activities including affecting 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 or such other charity/approved body as is considered appropriate by the council and upon which he relies for assistance or
12. is training an assistance dog for one of the prescribed charities or such other charity/approved body as is considered appropriate by the Council.
13. is not a person falling within the criteria mentioned in paragraphs i to v above but who the council considers should be exempt due to the impairment of that particular person.

(b) Nothing in the order shall apply to the normal activities of a working dog whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of HM Armed Forces and farm dogs that are being used to herd or drive animals.

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 the Council who is authorised in writing by

the Council for the purpose of giving direction under the order.

- Each of the following is a "prescribed charity".
  - Dogs for the Disabled (registered charity number 700454),
  - Support Dogs Limited (registered charity number 1088281 ),
  - Canine Partners for Independence (registered charity number (803680).

## **9. 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.

## **10. In force**

This order shall come into force on :

for a period of three years

## **Schedules to proposed order.**

**Schedule 1.** All land within the area of Stockport MBC that is open to the air and to which the public have access to.

**Schedule 2.** All land within the area of Stockport MBC that is open to the air and to which the public have access to.

**Schedule 3.** All land within the area of Stockport MBC that is open to the air and to which the public have access to.

## **Schedule 4.**

Mill Lane Cemetery Cheadle.

Highfield Cemetery, Bredbury.

Park Road Cemetery, Cheadle.

Stockport Cemetery and Crematorium, Stockport.

Willow Grove Cemetery, Reddish.

**Schedule 5.**

<b>Play Areas</b>
Abbeydale Close Lap 1
Abbeydale Close Lap 2
Adder Park
Adswood Park
Alexandra Park
Balmoral Gardens
Bean Leach Road
Blackstone Road Play Area
Blair Close
Bloomfield Close Lap
Bognor - Alderley
Bognor - Bexhill
Bognor - Goodwood
Bonar Park
Boothby Street
Brabyns Park
Bradshaw Hall
Bramhall Park
Bredbury Rec. Ground
Briars Mount - Briars Hollow
Briars Mount - Briars Mount 1

Briars Mount - Tennyson
Briars Mount -Briars Mount 2
Briars Mount -Briars Mount 3
Brigehall
Brindale Road
Brinnington Park
Brookside
Bruntwood Park
Cale Green Park
Carrs Road
Catterwood Drive
Cheadle Heath Rec.
Cheadle Rec. Ground
Cheadlewood 1
Cheadlewood 2
Cheadlewood 3
Cherry Tree Drive ( Tannock)
Cheviot Road
Clarendon Road
Conway Road
Coppice Court
Cornfield Road
Cote Green Road
Covent Garden
Craig Road
Crescent park

Cromwell Avenue
Dysart Street
East Avenue
Eden Park Play Area
First House
Foggbrook Close
Gatley Rec. Ground
Glenville Close Lap
Gorse Bank Park
Gotherage Lane
Goyt Valley Road (Shakespeare Road)
Grafton Street
Great Moor Park
Green Lane
Greenlands Close Lap
Half Moon Lane
Hallam Gardens
Hawk Green
Heathbank Road
Heaton Mersey Park
Heaton Moor Park
Heaton Norris Rec.
High Lane park
Highfield Park 1
Highfield Park 2
Hollywood Park



Houldsworth Park
Ince Close
Kingfisher Road
Lancashire Hill
Lavington Avenue 1
Lavington Avenue 2
Lavington Avenue 3
Lavington Avenue 4
Lavington Avenue 5
Ludworth Rec. Ground
Lumb Lane
Manchester Road
Maple Avenue Park
Marbury Road
Marple Memorial Park
Mellor Rec. Ground
Millbrow Rec. Ground
Millwood Close Lap
Moat Walk
Mount Drive
Norris Hill Farm
North Reddish Park
Oakleigh Road Lap
Overdale
Parkside
Peak Street

Pennine Road
Peregrine Road
Riversdale View
Romiley Rec. Ground
Rose Vale
Ruskin Grove
Scholars Green
Scholars Green 2
Shaw Heath Park
Sleddale Road
Smithy Green
South Park
South Reddish Park
St John's Wood - Cherry
St John's Wood - Farcroft
St John's Wood - Hall Pool
St John's Wood - Old Pasture
St John's Wood - Owens Farm
St John's Wood - Woodtop
St John's Wood Fields
St Thomas's Park
Stansbury Play
Strines Road
Thorn Grove
Thornfield Park
Three Acres Drive

Torkington Park
Treetops
Turnstone Road
Unity Park
Walnut Tree
Waters Edge
William Scholes
Windlehurst Road
Woodbank Park
Woodlands Park
Motram St Piazza
<b>New sites added to previous order</b>
Peel Moat Play Area
Cavalier LAP 1
Cavalier LAP 2
Chapel Street LAP
Simpson St LAP
Strawberry Fields LAP

<b>Bowling Green Sites</b>
Bramhall Park
Brinnington
Cale Green Park
Diamond Jubilee Recreation Ground, Cheadle
Ladybridge Park, Cheadle Hulme
Alexandra Park, Edgeley
Gatley Recreation Ground
Torkington Park, Hazel Grove

Heaton Moor Park
Thornfield Park, Heaton Moor
Heaton Norris Park
Marple Memorial Park
North Reddish Park
St Thomas' Recreation Ground
Vernon Park, Offerton
Houldsworth Park, Reddish
South Reddish Park

#### Enclosed Sports Area

Adder Park	Multi Use Games Area
Adswood Park	Multi Use Games Area
Alexandra Park	Wheeled Sports
Alexandra Park	Multi Use Games Area
Bredbury Recreation Ground	Multi Use Games Area (Tennis)
Bredbury Recreation Ground	Wheeled Sports
Bridgehall Play Area	Multi Use Games Area
Brinnington Park	Wheeled Sports
Brookside Play Area & BMX Track	Wheeled Sports
Brookside Recreation Ground (Ash Road)	Mulit use sports area
Bruntwood Park	Wheeled Sports
Cale Green Park	Multi Use Games Area (Tennis)
Carrs Road	Multi Use Games Area
Cheadle Recreation Ground	Multi Use Games Area
East Avenue	Multi Use Games Area
Gatley Recreation Ground	Multi Use Games Area (Tennis)
Gatley Recreation Ground (temporarily removed to be replaced)	Wheeled Sports

Cheadle Heath Park	Multi Use Games Area
Gotherage Lane	Multi Use Games Area
Great Moor Park	Multi Use Games Area
Half Moon Lane	Multi Use Games Area
Heaton Norris Rec.	Multi Use Games Area
Heaton Moor Park	Multi Use Games Area (Tennis)
High Lane Park & Skate	Wheeled Sports
Houldsworth Park	Multi Use Games Area
Ludworth Rec. Ground	Multi Use Games Area
Lumb Lane	Multi Use Games Area
Marbury Road	Multi Use Games Area
Marple Memorial Park	Multi Use Games Area
Marple Memorial Park	Wheeled Sports
North Reddish Park	Multi Use Games Area (Tennis)
North Reddish Park	Multi Use Games Area
Penny Lane MUGA	Multi Use Games Area
Shaw Heath Recreation Ground	Multi Use Games Area
South Park	Multi Use Games Area
South Park	Wheeled Sports
South Reddish Park	Multi Use Games Area
St Thomas's Park	Multi Use Games Area
Thorn Grove	Multi Use Games Area
Thornfield Park	Multi Use Games Area
Thornfield Park	Multi Use Games Area (Tennis)
Torkington Park (temporarily removed to be replaced)	Wheeled Sports
Torkington Park	Multi Use Games Area

Woodlands Park	Multi Use Games Area
William Scholes	Enclosed football pitch/informal running area

#### Schedule 6

<b>SITE</b>
<b>Reddish Vale Country Park</b>
<b>Etherow Country Park</b>
<b>Woodbank Park</b>
<b>Bruntwood Park</b>
<b>Brabyns Park</b>
<b>Chadkirk Country Estate</b>
<b>Abney Hall Park</b>
<b>Mersey Vale Nature Park</b>
<b>Bramhall Park</b>
<b>Happy Valley</b>
<b>Middle Wood / Norbury Hollow</b>
<b>Redbrow Wood</b>
<b>Torkington Park</b>
<b>Poise Brook</b>
<b>Penny Lane Open Space</b>
<b>Bridgehall Playing Fields</b>
<b>Middlewood Way</b>
<b>Brookfield Park</b>
<b>Ladybrook Valley / Mickerbrook</b>

<b>Davenport Playing Fields</b>
<b>Vernon Park</b>
<b>Heaton Mersey Common</b>
<b>Gatley Carrs</b>
<b>St Thomas's Park</b>
<b>William Scholes Park</b>
<b>North Reddish Park</b>
<b>Rosevale Park</b>
<b>Alexandra Park</b>
<b>Adswood Park</b>
<b>Warth Meadow Playing Fields</b>
<b>Heaton Norris Park</b>
<b>Woodford Recreation Ground</b>
<b>Marple Memorial Park</b>
<b>Brinnington Park</b>
<b>Bradshaw Hall New Playing Field</b>
<b>Heaton Mersey Bowl</b>
<b>Bowerfold Lane Open Space</b>
<b>Blackstone Road Park</b>
<b>Hollywood Park</b>
<b>Mill Lane Recreation Ground</b>
<b>Harcourt St.open Space &amp; Play</b>
<b>Heathbank Road Playing Field</b>
<b>Outwood Road Recreation Ground</b>
<b>Norris Hill Farm Open Spaces</b>
<b>Frederick Whittaker Scott Playing Fields</b>

<b>Gotherage Lane Playing Field</b>
<b>Oakhurst Drive Playing Field &amp;</b>
<b>Woodsmoor Playing Field</b>
<b>Sandringham Road Playing Field</b>
<b>Lavington Avenue Sports Ground</b>
<b>Walnut Tree Playing Field</b>
<b>Etchells Road Open Space</b>
<b>Cale Green Park</b>
<b>Overdale Road Recreation Ground</b>
<b>South Park</b>
<b>Marple Recreation Ground</b>
<b>Marbury Road Playing Field</b>
<b>Ladybridge Sports Ground</b>
<b>Linney Road Playing Field</b>
<b>South Reddish Park</b>
<b>Grange Park Road Playing Field</b>
<b>Naseby Road</b>
<b>Heaton Mersey Park</b>
<b>Woodlands Park</b>
<b>Diamond Jubilee Recreation Ground</b>
<b>Cross Road Playing Field</b>
<b>Meadows Road Playing Field</b>
<b>Woods Lane Sports Ground</b>
<b>Argyll Road Open Space</b>
<b>Sykes Reservoirs</b>
<b>Goyt Valley Open Space &amp; Rec.</b>



<b>Craig Road Playing Field</b>
<b>Green Lane Recreation Ground</b>
<b>New Zealand Road Playing Field</b>
<b>Gorsey Bank Park</b>
<b>Rectory Fields</b>
<b>Meadow Bank Open Space</b>
<b>Brookfield Recreation Ground</b>
<b>Thornfield Park</b>
<b>Chester Road Playing Field</b>
<b>Higher Mill Open Space</b>
<b>Great Moor Park</b>
<b>Tangshutts Playing Field</b>
<b>Bradshaw Hall Old Playing Field</b>
<b>Lumb Lane Recreation Ground</b>
<b>Heaton Moor Park</b>
<b>HAWK GREEN RECREATION GROUND</b>
<b>Outwood Road Open Space</b>
<b>Bonar Park</b>
<b>Bakery Bridge Playing Field</b>
<b>Bredbury Recreation Ground</b>
<b>BROOKSIDE LANE RECREATION GROU</b>
<b>Daisyfield Playing Field</b>
<b>Ludworth Recreation Ground</b>
<b>New House Farm Estate</b>
<b>East Avenue Recreation Ground</b>
<b>Romiley Recreation Ground</b>

<b>Gatley Recreation Ground</b>
<b>Park Road Stadium</b>
<b>Half Moon Lane Recreation Grou</b>
<b>Houldsworth Park</b>
<b>Parkside Play Area</b>
<b>Thorn Grove Recreation Ground</b>
<b>Cote Green Lane Recreation Gro</b>
<b>Manchester Road Park</b>
<b>Devonshire Park</b>
<b>St Andrews Road Playing Field</b>
<b>Shaw Heath Park</b>
<b>Peregrine Road Play Area</b>
<b>Lloyd Street Recreation Ground</b>
<b>Oak Meadow Park</b>
<b>Mellor Recreation Ground</b>
<b>Adder Park</b>
<b>Craig Road Allotments</b>
<b>Torkington Road Allotments</b>
<b>St Johns Wood Fields</b>
<b>Brookfold Road Playing Field</b>
<b>Riversdale View Open Space &amp; P</b>
<b>Poise Brook Park</b>
<b>Crescent Park</b>
<b>Cheviot Road Play Area</b>
<b>Edgeley Park</b>
<b>Dial Park Road Play Area</b>

<b>Carrs Road Play Area</b>
<b>Bradshaw Hall Play Area</b>
<b>Brooklyn Park</b>
<b>Heathbank Road Play Area</b>
<b>Unity Park</b>
<b>Smithy Green Rec Ground &amp; Open</b>
<b>Boothby Street Park</b>
<b>Tannock Road Play Area</b>
<b>Hallam Gardens Open Space</b>
<b>Mile End Meadow</b>
<b>Mill Lane Cemetery</b>
<b>Willow Grove Cemetery</b>
<b>Highfield Cemetery</b>
<b>Park Road Cemetery</b>
<b>Riverside Open Spaces</b>

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this order
2. In accordance with Section 67 of the act, a person found to be in breach of this order other than by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 3 fine (up to £1000) or to a Fixed Penalty Notice of £100.

## **APPEALS**

In accordance with Section 66 of the Act, any interested person who wishes to challenge the validity of this order on the grounds that the Council did not have power to make the order or that a requirement under the Act has not

been complied with may apply to the High Court within six weeks from the date upon which the order is made.