

SWINDON BOROUGH COUNCIL

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTION
59**

LYDIARD PARK, LYDIARD TREGOZE, SWINDON SN5 3PA

PUBLIC SPACES PROTECTION ORDER 2015

This Order is made by Swindon Borough Council ("the Council") under the Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 ("the Act").

1. This Order relates to the public space known as Lydiard Park, Swindon as edged in black on the plan which appears at Appendix One, being public space in the Council's area to which the Act applies ("the restricted area").

2. The Council is satisfied that the two conditions below have been met, in that:-

(a) activities carried on in the restricted area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;

(b) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

BY THIS ORDER

3. The effect of the Order is to impose the following requirements at all times:-

Dogs on leads

Any person in charge of a dog, at any time, must keep the dog on a lead no longer than two metres in the specified areas detailed in Appendix Two, unless

—

- a) he has a 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; or
- c) Is subject to the exemptions listed in Appendix Four below.

The area described in Appendix Two is subject to these restrictions between the 1st day of April to the last day of September inclusive; between the hours of 10:00 to 18:00 hours.

4. **Dogs excluded**

A person in charge of a dog is prohibited from taking that dog onto, or permitting the dog to enter or to remain within the securely fenced (and/or hedged, and/or walled) specified area known as the Walled Garden and Rick Yard as detailed in Appendix Three unless - .

- a) he has a reasonable excuse for doing so; or
- b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so; or
- c) Is subject to the exemptions listed in Appendix Four below.

5. The Order will remain in force for a period of 3 years from the date of this Order, unless extended by further Orders under the Council's statutory powers.

6. A person guilty of an offence of failing to comply with the Order under Section 67 of the Act, is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000.00) or if in receipt of a Fixed Penalty Notice to a penalty of a maximum £100.00.

7. In making this Order the Council has had particular regard to the rights of freedom of expression and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights.

List of Appendices:

- Appendix One: Map showing public space known as Lydiard Park, Lydiard Tregoze, Swindon SN5 3PA as edged in black
- Appendix Two: Map and description showing designated area at Lydiard Park within which dogs must be kept on leads.
- Appendix Three: Map and description showing designated area at Lydiard Park within which dogs are excluded.
- Appendix Four: List of exemptions

APPENDIX TWO

The designated area at Lydiard Park that dogs must be kept on leads comprising of: the south east side of the main entrance drive (including drive & verges), area around visitors centre, house, front lawn, café and BBQ/picnic field, south of the church drive (including drive & verges) up to the clearly marked park boundary; fall within this boundary.

Map showing area crosshatched in red



APPENDIX THREE

The designated area at Lydiard Park that dogs are excluded comprising of: the Walled Garden and Rick Yard; fall within this boundary.

Map showing area crosshatched in red



APPENDIX FOUR

Exemptions

Nothing in this order shall apply to any 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.

Dated: XXXXX

Signed

Richard Bell

Head of Planning, Regulatory Services and Heritage

Swindon Borough Council