

**MENDIP DISTRICT COUNCIL
PROPOSED PUBLIC SPACES PROTECTION ORDER
(COUNCIL OWNED PLAY AREAS FOR CHILDREN UNDER 5 YEARS
OF AGE)
(No.2 of 2017)**

NOTICE is hereby given that Mendip District Council ("the Council") in exercise of the power under Sections 59, 63 and 72 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, proposes to make a District Wide Public Spaces Protection Order under Section 59 of the Act in respect of Council owned play areas for children under 5 years of age.

When the Order comes into effect dogs will be prohibited from all Council owned play areas for children under 5 years of age on the land to which the Order relates ("the restricted area")

A copy of the proposed Order and accompanying documents may be viewed free of charge at Mendip District Council Reception, Cannards Grave Road, Shepton Mallet BA4 5BT during normal working hours Monday to Friday. Details may also be viewed on the Mendip District Council website at www.mendip.gov.uk.

The proposed Order is shown in the schedule below.

Representations on the proposed District Wide Public Spaces Protection Order (No.2 of 2017) should be made to Mendip District Council by **12 midnight on the 3rd October 2017** either in writing to:

Community Safety (Public Consultation)
Mendip District Council
Cannards Grave Road
Shepton Mallet
Somerset.
BA4 5BT

Or by email addressed to environmental.health@mendip.gov.uk

Representations received after 12 midnight on the 3rd October 2017 cannot be accepted.

SCHEDULE 1

MENDIP DISTRICT COUNCIL PROPOSED PUBLIC SPACES PROTECTION ORDER (COUNCIL OWNED PLAY AREAS FOR CHILDREN UNDER 5 YEARS OF AGE) (No.2 OF 2017)

The play areas detailed in Annex 1 being land owned by the Council in the area of the Council is land (the “restricted area”) to which the Anti-social Behaviour, Crime and Policing Act applies and will be protected by the making of this Order.

The order may be cited as the Mendip District Council Public Spaces Protection Order (No.2 of 2017) and shall come into force on the [insert date] for the duration of three years.

Offences

1. Exclusion of Dogs from all Council owned play areas for children under 5 years of age

A person who is in charge of the dog shall be guilty of an offence if, at any time, he takes the dog on to, or permits the dog to enter or remain on, any designated land as detailed within schedule below 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.

2. Exemptions

Nothing in this order shall apply to a person who –

- (i) Is registered blind in a register compiled under section 29 of the National Assistance Act 1948; or

- (ii) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon he relies for assistance ;or
- (iii) A person with a disability which effects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects and who relies for assistance on a dog trained by a prescribed charity.

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;
- An “authorised person” has the same meaning as under Section 63 of the Act that is, “a person authorised for the purposes of this section by the local authority that made the Public Spaces Protection Order (or authorised by virtue of section 69(1) of the Act”, i.e. a Police Community Support Officer. The authorised person must be able to present their authority upon request.
- 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)

3. Failure to comply with this order

A person guilty of an offence under this order is liable on summary conviction to a fine not exceeding level 3 on the standard scale or fixed penalty notice of a maximum £100.

Any person who fails without reasonable excuse to comply with a requirement under the order is liable on summary conviction to a fine not exceeding level 2 on the standard scale or fixed penalty notice of a maximum £100.

4. Appeals

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

- (a) a Public Spaces Protection Order, or
- (b) a variation of a Public Spaces Protection Order.

**ANNEX 1
(No.2 OF 2017)**

Council Owned under 5s Play areas for the purpose of Public Space Protection Order

Chilcompton	Station Mead Play Area		BA3 4FD
Frome	Hawksworth Close		BA11 2XW
	St Johns Road		BA11 2BH
	Blackbird Way (Chaffinch Ave.)		BA11 2SU
	Chapmans Close		BA11 2SL
	Cheddar Close		BA11 2DT
	Packsaddle (Pedlars Grove)		BA11 2SX
	Acacia Drive (Stonbridge Drive)		BA11 2TS
	Cabell Road (Cabell Court)		BA11 4BX
	Courts Barton		BA11 4QB
			BA11 4QD
	Tower View		BA11 5AP
Egford Lane		BA11 3HN	
Glastonbury	Palmers Green, (Palmers Rd)		BA6 9PT
	Paradise Est, (Helyar Cl.) & Kickabout		BA6 9QL
	Cinnamon Lane		BA6 8BQ
	Windmill Hill, Glastonbury		BA6 8EG
	Pendragon Park		BA6 9PG
	Thorndun (Holman Close/Lowerside Rd)		BA6 9BH
	Abbey Park,(Fishers Hill)		BA6 8AH
	Glastonbury Skatepark, Beckery Road		BA6 9NY
Meare	Downs Orchard, Oxenpill		BA6 9SQ
	Mooreview Close, Meare		BA6 9TB
Shepton Mallet	Draycott Road		BA4 5HS
	Barrington Place, by no. 12		BA4 5GH
	Barrington Place, by no. 69		BA4 5GH
	Mason Way		BA4 5TN
	Queens Road		BA4 5TQ
	Collett Park - Juniors & Seniors West Shepton Skate Park	TC TC	BA4 5BP BA4 5XN
Evercreech	Leighton Lane, (Westbrook Vale)		BA4 6JN
Street	Anthony Road, (Church Rd)		BA16 0AA
	Bove Moor		BA16 0DQ
	Mendip View		BA16 9SJ
	Pursey Avenue		BA16 0SJ

	Woods Batch & Kickabout	BA16 0BE
	Grangefields	BA16 0HT
	Mellanby Close	BA16 0HT
	Wraxhill Park	BA16 0HE
	Goss Drive	BA16 0RR
	Harvester Drive	BA16 0UB
	Ringolds Way	BA16 0RF
Wells	Wells Recreation Ground, & Kickabout	BA5 1UN
	Lethbridge Road	BA5 2FD
	Parsons Way	BA5 2FZ
	Bigland Rand Drive & Kickabout	BA5 2EU
	Hawkers Lane	BA5 3JH
	Tor Furlong, (via Barkham Close)	BA5 2XU