

The Anti-social Behaviour, Crime and Policing Act 2014

Section 59

Manchester City Council (Dogs on Leads) Public Spaces Protection

Order 2019

Manchester City Council (in this Order called "the Council") in exercise of its powers under Section 61(1)(a) of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act ") hereby varies the above Order:

The Order is varied on the XXXX and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

General provisions:

1. This Order applies to all land in the Restricted Area to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in Article 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activity unreasonable and justifies the restrictions imposed by this Order.
3. The Order is available for inspection on the Council's website and also at the offices of the Customer Services Centre, Ground Floor, Town Hall Extension, Manchester M60 2LA.
4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Obligations on persons with dogs:

Compliance with Leads

5. A person in charge of a dog on land specified in the Schedule to this Order must keep the dog on a lead 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.

Exemptions

Nothing in this Order shall apply to a disabled person (within the meaning of the Equality Act 2010) whose disability restricts his ability to comply with the Order and the dog is their guide dog or assistance dog.

For the purpose of this Order:

- (a) Restricted Area means the land designated in the Schedule to this Order.
- (b) 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.
- (c) An assistance dog, in general, is one that is trained to aid or assist a disabled person.

Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

**THE COMMON SEAL OF THE COUNCIL
OF THE CITY OF MANCHESTER**

was hereunto affixed in the pursuance of an order of the Council of the said City:-

Authorised signatory

Date this XX day of XX

Schedule

All roads, pavements, footpaths, alleyways, cemeteries and crematoria in the City of Manchester and to the areas listed below all being open to the air and to which the public are entitled or permitted to have access (with or without payment)

| | Site Name | Area / Facility |
|----|---|---|
| 1 | Ardwick Green Park, Hyde Road, M12 6FX | All Areas |
| 2 | Bellott Street Park, Bellott Street, M8 OAZ | All Areas except dog exercise area |
| 3 | Boggart Hole Clough, Charlestown Road, M9 7DH | Boating Lake and Fishing Pond |
| 4 | Broadhurst Park, Lightbowne Road / Saint Mary's Road, M40 OFJ | Picnic Area |
| 5 | Cheetham Park, Elizabeth Street, M8 8BQ | All areas |
| 6 | Didsbury Park, Wilmslow Road, M20 . 5LS | Café Garden |
| 7 | Fletcher Moss Gardens, Wilmslow Road, M20 2SW | Picnic Gardens |
| 8 | Goldstone Gardens, Halliwell Lane, M8 9ER | All Areas |
| 9 | Heaton Park, Middleton Road, M25 2SW | Western pleasure ground, Farm Centre Courtyard, Stables Café Frontage, Horticultural Centre , Pavilion Café Lake Frontage , Kennel Fields, Bowling Complex & Greens |
| 10 | Old Parsonage Gardens, Wilmslow Road, M20 2RQ | All areas |
| 11 | Parsonage Gardens, Parsonage, M60 1NU | All Areas |

| | Site Name | Area / Facility |
|----|--|------------------------|
| 12 | Sackville Street Gardens, Sackville Street, M1 3WA | All Areas |
| 13 | Saint John's Gardens, Lower Byrom Street, M3 4AP | All Areas |
| 14 | Saint Wilfrid's Park, Chevassut Street, M15 5LR | All Areas |
| 15 | Whitworth Park, Oxford Road / Moss Lane East, M14 4PW | All Areas |
| 16 | Wythenshawe Park, Wythenshawe Road, M22 0AB | Hall Gardens |

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