

Appendix 2: Draft Waterways PSPO

OXFORD CITY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

PUBLIC SAFETY ON OXFORD'S WATERWAYS

- 1 The Order applies to the public areas shown delineated by the black line on the plan annexed to this Order (the Restricted Area):

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:

- 1 The Order applies to all waterways within the Oxford City Council local authority area shown delineated by the blue line on the plan annexed to this Order, and land within five metres of these waterways where the public has express or implied access (the Restricted Area):
- a. **No person shall moor any boat or amphibious craft to any land without the consent of the land owner, or managing authority, or breach any conditions imposed by the land owner or managing authority;**
 - b. **No person shall obstruct a footpath, river bank, canal bank or waterway;**
 - c. **No person shall store items or erect structures without the consent of the landowner on land adjoining the river bank or canal bank;**
 - d. **No person shall create smoke or noise pollution causing annoyance to others;**
 - e. **No person shall tamper with waterways habitats, signage, lifebelts, fencing or other waterways infrastructure;**
 - f. **No person shall refuse to stop drinking alcohol, or to hand over containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer in order to prevent a public nuisance or disorder;**
 - g. **Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she:**
 - **Fails to put the dog on a lead and keep it under control when requested to do so by an authorised officer.**
 - **is found to be in charge of more than four dogs at the same time whilst in a public place.**

- **Allows the dog to foul in a public place and then fails to remove the waste and dispose of it in an appropriate receptacle.**

The provisions of this Order relating to the control of dogs shall not apply to any person who is registered blind in accordance with section 29 of The National Assistance Act 1948, to any person who is deaf and in charge of a dog trained by Hearing Dogs for Deaf People and to any person suffering a disability and in charge of a dog trained to assist with his/her mobility, manual dexterity, physical coordination or ability to lift and carry everyday objects and the said dog has been trained by a prescribed charity.

- 2 Any person who, without reasonable excuse, fails to comply with the requirements of this Order commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- 3 This Order shall come into force on and remain in place for a period of three years.

Dated

2016

Signed

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THE RESTRICTED AREA

[To be inserted]

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.

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