

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

## The Public Spaces Protection Order – (Thanet District Council)

2020

Thanet District Council (in this order called “the Authority”) hereby makes the following Order:

This Order comes into force on the 25 October 2020 for a period of 3 years.

### **Offences**

#### **1. Fouling**

If within the administrative area of the Authority a dog defecates at any time on land 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 and a 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

- a) has reasonable excuse for failing to do so;
- 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. Leads by Order**

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority they do not comply with a direction given to them by an authorised officer of the Authority to put and keep the dog on a lead unless

- a) 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.

An authorised officer may only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to wildlife or another animal.

### **3. Leads**

A person in charge of a dog shall be guilty of an offence if, at any time, (during the period specified in the schedule if stated), on land detailed in schedule 1, and 2 below they do not keep the dog on a lead unless

- a) 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.

### **4. Dog faeces Receptacle**

If within a public place in the administration area of the Authority a person who owns or is in in charge of a dog must have a suitable dog faeces receptacle to remove dog faeces, on their person, if the person does not have in their possession a suitable dog faeces receptacle, that person shall be guilty of an offence unless

- a) has reasonable excuse for failing to do so;
- 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.

### **5. Exclusion**

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority he takes the dog onto, or permits the dog to enter or to remain on, any land detailed in schedule 3 unless

- a) has reasonable excuse for failing to do so;
- 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.

## **6. Failing to protect wildlife**

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority, they fail to protect wildlife by allowing dog(s) and humans to interfere with, trap or attempt to trap or snare, chase or disturb any wildlife on council owned or controlled land.

## **7. Exemptions**

Nothing in this order shall apply to a person who –

a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948

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

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.

**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 Thanet District Council who is authorised in writing by Thanet District Council for the purposes of giving directions under the Order.
- Each of the following is a “prescribed charity”

1. Dogs for the disabled (registered charity number 700454)
2. Support Dogs Limited (registered charity number 1088281)
3. Canine Partners for Independence (registered charity number (803680

## 8. Penalty

A person who is guilty of an offence under this order without reasonable excuse shall be liable a £100 on the spot (a 'Fixed Penalty Notice') or if it goes to court a summary conviction to a fine not exceeding level 3 on the standard scale

### Schedule 1

#### The Keeping of Dogs on a Lead between the hours of 10am to 6pm from 1st May to 30th September

This order applies to all land described below, which includes Blue Flag & Seaside Award beaches:

Location	Geographical Area
Louisa Bay	Broadstairs
Walpole Bay	Cliftonville
Westbrook Bay	Margate

### Schedule 2

#### The Keeping of Dogs on a Lead 24 hours a day all year round

This order applies to all land described below:

Location	Geographical Area
Pegwell Bay (Upper Chalk Shore)	Ramsgate
Ramsgate Cemetery	Ramsgate
St George's Church yard	Ramsgate
St Peter's Church yard	Broadstairs

Margate Cemetery	Margate
St John's Church yard	Margate
All Saints	Birchington

### Schedule 3

#### Dog Exclusion Areas

#### Seasonal exclusion of dogs from 1<sup>st</sup> May to 30<sup>th</sup> September

Location	Geographical Area
Minnis Bay	Birchington
Viking Bay	Broadstairs
Margate Main sands	Margate
Ramsgate Main sands	Ramsgate

#### Seasonal exclusion of dogs between the hours of 10am and 6pm from 1<sup>st</sup> May to 30<sup>th</sup> September

West Bay	Westgate
St Mildred's Bay	Westgate
Botany Bay	Broadstairs
Joss Bay	Broadstairs
Stone Bay	Broadstairs

#### Ramsar & SSSI beach – All year round exclusion of dogs

Location	Geographical Area
Pegwell Bay (mudflats & saltmarsh and upper chalk)	Ramsgate

**Designated Fenced children's play areas – All year round exclusion of dogs**

<b>Location</b>	<b>Geographical Area</b>
Princess Margaret Avenue	Ramsgate
Lancaster Gardens	Ramsgate
Stirling Way	Ramsgate

Nethercourt Park	Ramsgate
Coleman Crescent	Ramsgate
King George VI	Ramsgate
Boundary Road	Ramsgate
La Belle Alliance	Ramsgate
Conygham close	Ramsgate
Prestedge Avenue	Ramsgate
St Peters Recreation	Broadstairs
Jacky Bakers	Ramsgate
Courtstairs Park	Ramsgate
Warre Recreation	Ramsgate
Ellington Park	Ramsgate
Cliffsend Play area	Ramsgate
Minnis Bay	Birchington
Crispe Park	Birchington
Birchington Recreation	Birchington
Dane Park	Margate
Dane Valley Road	Margate

Laleham Road	Margate
Swinford Gardens	Margate
Northdown Park	Margate
Hartsdown Park	Margate
Garlinge Recreation	Margate
Tivoli Park	Margate
Lymington Road	Westgate

Viking Play area	Cliftonville
Dalby Square	Cliftonville
Memorial Park	Broadstairs
Pierremont Park	Broadstairs
Vincent Close	Broadstairs