



Public Spaces Protection Order for Dogs Controls

South Holland District Council Anti Social Behaviour, Crime and Policing Act 2014 Part 4, Section 59. Public Spaces Protection Order Number **X** of 2024 (the 'Order')

Public Spaces Protection Order in relation to dog fouling and restrictions on dogs in children's play areas.

This Order is made by South Holland District Council (the 'Council') and shall be known as the Public Spaces Protection Order Number **X** of 2024.

The Council, in exercise of its powers under Section 59 of the Antisocial Behaviour, Crime and Policing Act 2014 (the 'Act') and being satisfied that the conditions set out in Section 59 of the Act have been met, makes the following Order:-

Period for which this Order has effect

1. This Order shall come into force at midnight on **X date** and shall expire at midnight on **X date (note 3 years)**.
2. At any point before the expiry of this three-year period, the Council can extend this Order by up to three years if it is satisfied on reasonable grounds, that this is necessary to prevent the activities identified in the Order from occurring or recurring, or to prevent an increase in the frequency or serious activities, after that time.

Land to which this Order applies

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3. The land to which this Order applies (unless otherwise specified) is any land within the area administered by the Council, which is open to the air and to which the public are entitled or permitted to have access either with or without payment; and this includes all access land as specified by The Countryside and Rights of Way Act 2000. In respect of highways, it relates to roads and their associated footpath or verge, where the speed limit is 40mph or less.

Statutory Conditions

4. The Council is satisfied that the activities identified in this Order have been carried out in public places within the area administered by South Holland District Council and have had a detrimental effect on the quality of life of those in the locality; and/ or it is likely that the activities will be carried out within that area and have such an effect.
5. The Council is satisfied that 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 this Order
6. The activities:-
 - a. The failure to remove dog faeces
 - b. The failure to provide evidence of a suitable receptacle or other means to pick up dog faeces
 - c. The failure to keep dogs out of enclosed children's play areas.

Picking up dog faeces and carrying the means to do so

7. A person in charge of a dog on land to which this order applies, must carry a suitable receptacle or other means to pick up dog faeces and place the collected faeces in a suitable bin, unless:-
 - a. He / she has a reasonable excuse for failing to do so.

Dogs excluded from fenced-off children's play areas

8. A person in charge of a dog on land to which this order applies, must not allow their dog to enter an enclosed children's play area, unless:-
 - a. He / she has a reasonable excuse for failing to do so.

Exemptions

9. The following exemptions apply:-

Nothing in sections 7 and 8 above shall apply to a person in control of a dog who:-

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- a. Is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
- b. Has a disability which affects his / her mobility, manual dexterity, physical co-ordination, or ability to lift, carry or move everyday objects; in respect of a dog under their control which is trained by a prescribed charity and upon which he / she relies for assistance.

Fixed Penalty Notices

10. An authorised officer may issue a fixed penalty notice to anyone he or she believes, or has reason to believe, has committed an offence under this order.
11. A Fixed Penalty Notice is a notice offering the person to whom it is issued, the opportunity of discharging any liability to conviction for the offence by payment of £100 to South Holland District Council.
12. Failure to pay a fixed penalty notice may result in legal proceedings being instigated.

PUBLIC NOTICE

The Public Spaces Protection Order - (South Holland District Council)

NOTICE IS HEREBY GIVEN THAT :-

South Holland District Council ('the Council') in exercise of its powers under the Anti-Social Behaviour Crime Policing Act 2014 implements a Public Spaces Protection Order (PSPO - Dog Controls) on **DATE TBC.**

The PSPO will cover any place within the administrative area of the South Holland District 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 (s67(1) of the act). The PSPO shall have effect for a period of 3 years.

Dog Fouling

1. It will be an offence for any person in charge of a dog, which defecates on land specified within the Order, to fail to remove the faeces forthwith, unless he can show a reasonable excuse for failing to do so.
2. It will be an offence for any person in charge of a dog to fail to provide evidence of the means of a suitable receptacle to pick up dog faeces when requested to do so by an authorised officer. This control will apply to all land within the administrative area of the South Holland District to which the public have access.

Dog Exclusion

1. It will be an offence for any person in charge of a dog to take the dog onto or permit the dog to enter or remain on land within a dog exclusion zone unless he can show a reasonable excuse for doing so or the owner/occupier of the land has consented to his doing so.
2. This control will apply to enclosed children's play areas within the administrative area of the South Holland District to which the public have access.

Exemptions

Nothing in sections 7 and 8 above shall apply to a person in control of a dog who:-

- c. Is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
- d. Has a disability which affects his / her mobility, manual dexterity, physical co-ordination, or ability to lift, carry or move everyday objects; in respect of

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a dog under their control which is trained by a prescribed charity and upon which he / she relies for assistance.

Fixed Penalty Notices

South Holland District Council intends to issue fixed penalty notices to enforce the controls, the fine will be £100 and failure to pay may lead to summary conviction and a fine not exceeding level 3 (£1,000) on the Standard Scale.