

The Anti-social Behaviour, Crime and Policing Act 2014

The Public Spaces Protection Order – (Thanet District Council) 2017

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

This Order comes into force on Monday 16th October 2017 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) 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; or
- 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; or
- 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 ”-
 - Dogs for the disabled (registered charity number 700454)
 - Support Dogs Limited (registered charity number 1088281)
 - Canine Partners for Independence (registered charity number (803680

8) Penalty

A person who is guilty of an offence under this order shall be liable on 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:

Map no	Location	Geographical Area	Ward / Parish
1	West Bay	Westgate	Westgate-on-Sea
2	St Mildred’s Bay	Westgate	Westgate-on-Sea

3	Westbrook Bay	Margate	Westbrook Ward
4	Stone Bay	Broadstairs	Bradstowe
5	Botany Bay	Broadstairs	Kingsgate Ward
6	Joss bay	Broadstairs	Kingsgate Ward
7	Louisa Bay	Broadstairs	Viking Ward
8	Minnis Bay (part)	Birchington	Birchington North
9	Walpole Bay	Cliftonville	Cliftonville East
10	Viking Bay	Broadstairs	Viking Ward

Schedule 2

The Keeping of Dogs on a Lead 24 hours a day from the 1st May to 30th September

This order applies to all land described below:

All designated fenced children's play areas, cemeteries, ball courts, and tennis courts

Map no	Location	Geographical Area	Ward / Parish
11	Pegwell Bay	Ramsgate	
12	Margate Main Sands	Margate	
13	Ramsgate Main Sands	Ramsgate	

Schedule 3

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

This order applies to all land described below:

All designated fenced children's play areas, cemeteries, ball courts, and tennis courts

TO BE UPDATED FOLLOWING COMMUNITY FEEDBACK