

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

MEDWAY COUNCIL (Dog Management)

Public Spaces Protection Order No() of 2024

Notice is hereby given that Medway Council ("the Council") has made the following Public Spaces Protection Order pursuant to s 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") after undertaking consultation as required by Section 72 of the Act.

The Council is satisfied that activities (referred to below) have been and will continue to be carried out in the borough of Medway Council and have had a detrimental effect on the quality of life of those in the locality. The Council is further satisfied that the effect of these activities is likely to be of a persistent and continuing nature, such activities are unreasonable and the effect of the activities justifies the restrictions imposed.

This Order may be cited at Medway Council (Dog Management) Public Space Protection Order 2024 ("the order")

This Order takes effect from XXXXXXXX and remains in place for a period of 3 years.

General provisions:

1. This Order applies to all land in the administrative area of the Authority 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

Specific prohibitions

A Dog fouling

If a dog defecates at any time on land to which this order applies a person who is in charge of the dog at the time must remove the faeces from the land forthwith unless

- (a) he/she 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

B. Dogs on lead by direction

A person in charge of a dog must comply with a direction from a constable or an Authorised Officer or Person to put and keep the dog on a lead of not more 2 meters in length from handle to collar, unless

- (a) he/she 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

C. Dogs specified maximum amount.

A person in charge of more than one dog, must not take onto land to which this order applies a person, more than four (4) dogs, unless

- (a) he/she 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.

D. Dog exclusion in specified areas

A person in charge of a dog must not take it into or keep it within a fence, enclosed or defined by other means children's play area as listed in **Schedule 1**, and signed at its entrance(s) as a 'dog exclusion area' (whether the sign uses those particular words or words and/or symbols having like effect) which is marked for children's play, a multi-use games area, tennis courts, skate park, bike/BMX tracks or gym equipment zone unless

- (a) he has reasonable excuse to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to do so.

E. Dogs on leads in specified areas.

A person in charge of a dog must keep the dog on a lead of not more 2 meters in length from handle to collar, whilst on each and every length of road (including pavements, footways and verges), the pedestrianised areas and in addition areas as listed in **Schedule 2**.

- (a) he/she 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.

F. Requirement to provide name and address

For the purposes of enforcing the provisions of this Order any person who appears to a duly authorised officer of the Authority or to a Police Officer to be in charge of any dog to which the provisions of this Order apply shall confirm their full name, address and date of birth upon any request having been made in that respect whether verbally or in writing by any such officer and within such time as may be stipulated by that officer.

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) A person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects and who relies upon a dog trained by a prescribed charity for assistance.

Penalty

1. A person who fails to comply with any obligation imposed by this order is guilty of a criminal offence by virtue of section 67(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 and liable to a fine on summary conviction not exceeding level 3 on the standard scale.
2. In accordance with Section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014, an authorised person may issue a fixed penalty notice to anyone they have reason to believe has committed an offence under this Order. Such notice offers the person to whom it is issued the opportunity to discharge their liability to conviction for the offence by payment of a fixed penalty. The penalty is set at £100.00 to be paid within 28 days but is reduced to £75.00 if paid within 14 days.

Definitions

In this order "Authorised Officer" means an employee of the Authority who is authorised in writing by the Authority for the purpose of the order.

"Authorised Person" means an employee of the Authority who is authorised in writing by the Authority for the purpose of the order and a Police Community Support Officer

Given under the COMMON SEAL of MEDWAY COUNCIL (INSERT DATE)

EXECUTED AS A DEED By affixing
THE COMMON SEAL OF MEDWAY
COUNCIL
In the presence of

Authorised signatory