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

## The Public Spaces Protection Order - (Dover District Council) 2022

Dover District Council ("the Authority") makes this Public Spaces Protection Order (the "Order") in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the "Act"). This Order may be cited as The Public Spaces Protection Order (Dover District Council) 2022

The Council is satisfied on reasonable grounds that the activities described below (the "Activities") carried out in a public place within its area have had, or are likely to have, a detrimental effect on the quality of life of those in the locality and that the effect of the Activities -
a) is, or is likely to be, of a persistent or continuing nature
b) is, or is likely to be, such as to make the activities unreasonable, and
c) justifies the restrictions imposed by the Order.

This Order comes into force on the 26th July 2022 for a period of 3 years.

## Activities which are prohibited or required by this Order are:

## 1. Dog 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) he 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.

## 2. Dogs on 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 he does not comply with a direction given to him by an authorised officer of the authority to put and keep the dog on a lead unless
(a) he 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 a bird or another animal.

## 3. Dogs on 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 below he does not keep the dog on a lead unless
(a) he 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 exclusion

A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land detailed in Schedule 2 below unless
(a) he has reasonable excuse for failing to do so.
or
(b) done so with the consent (generally or specifically) of the owner, occupier or other person having control of the land.
5. Consumption of alcohol in public places

The consumption of alcohol or anything which a constable or authorised person reasonably believes to be alcohol having been required by a constable or authorised person not to consume it.

## Consumption of alcohol in breach of this order

Section 63 of the Act provides where a constable or an authorised person reasonably believes that a person (P):-
(a) is or has been consuming alcohol in breach of a prohibition in a public spaces protection order, or
(b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

The constable or authorised person may require P -
(a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
(b) to surrender anything in P's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

A constable or an authorised person who imposes a requirement as set out above must tell $P$ that failing without reasonable excuse to comply with the requirement is an offence.

## 6. Unauthorised camping

No person shall position any vehicle, caravan, tent or other temporary structures that are designed or intended to provide shelter or accommodation for the purpose of an overnight stay or stays, within any public space within the Dover District Area without prior express consent of the owner or person in lawful control of the land, proof of which shall lie with the person remaining in any such vehicle, caravan or other temporary structure.

If instructed to do so by an Authorised Person, a person with responsibility for or utilising any vehicle or temporary structure shall remove the same and / or any associated equipment, animals or paraphernalia from the land as previously described without delay.

## 7. Exemptions

Nothing in Parts 1, 2, 3 and 4 of 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 Dover District Council who is authorised in writing by Dover District Council for the purposes of giving directions under the Order.
- Each of the following is a "prescribed charity" -
$>\quad$ Dogs for the Disabled (registered charily number 700454)
$>\quad$ Support Dogs Limited (registered charity number 1088281)
> Canine Partners for Independence (registered charity number (803680)

Nothing in Part 5 of this order shall apply to
(a) premises authorised by a premises license to be used for the supply of alcohol.
(b) premises authorised by a club premises certificate to be used by the club for the supply of alcohol.
(c) a place within the curtilage of premises within (a) or (b).
(d) premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time.
(e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses).

## 8. Penalty

(a) A person who fails without reasonable excuse to comply with a requirement or a prohibition imposed under Parts $1,2,3,4$, and 6 of this order is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
(b) A person who fails without reasonable excuse to comply with a requirement imposed under Part 5 of this order is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

## Schedule One

## The Keeping of Dogs on Lead

This order applies to all land described below:

| Map no . | Location | Geographical Area | Ward/Parish |
| :---: | :---: | :---: | :---: |
| 1 | Battle of Britain Memorial, New Dover Road | Capel-Le-Ferne | Capel-Le-Ferne |
| 2 | St Peter's Churchyard, Church Whitfield Road | Church Whitfield | Whitfield |
| 3 | Cowdray Square Playing Field | Deal | Mill Hill |
| 4 | Deal Pier | Deal | North Deal |
| 5 | Hamilton Road Cemetery | Deal | Middle Deal \& Sholden |
| 6 | Sandown Castle Gardens and the Seafront Promenade from Sandown Castle to Deal Castle | Deal | North Deal |
| 7 | Barton Foot Path | Dover | St Radigunds |
| 8 | Charlton Cemetery, Old Charlton Road | Dover | Castle |
| 9 | Dover Pier | Dover | Town \& Pier |
| 10 | Pencester Gardens, Pencester Road | Dover | Castle |
| 11 | St Andrew's Churchyard, Crabble Meadows | Dover | St Radigunds |
| 12 | St James's Cemetery, Old Charlton Road | Dover | Castle |
| 13 | St Mary's Cemetery, Old Charlton Road | Dover | Castle |
| 14 | The Marina Curve, Seafront Promenade and Grassed Areas Including Granville Gardens and Marine Parade Gardens | Dover | Town \& Pier and Castle |
| 15 | St Augustine's Churchyard, The Street | East Langdon | St Margaret's |
| 16 | St Mary's Churchyard, Church Street | Eastry | Eastry |
| 17 | St Martin's Churchyard, Mongeham Church Close | Great Mongeham | Eastry |
| 18 | St Martin of Tours Churchyard, East Langdon Road | Guston | St Margaret's |
| 19 | Nonington Village Pond and Recreation Ground, Holt Street | Nonington | Aylesham |
| 20 | St Mary's Graveyard, Old Court Hill | Nonington | Aylesham |
| 21 | Kearsney Abbey Park, (Café side), Alkham Road and | River | River |


|  | walkway adjacent Abbey Lake <br> accessed from Minnis Lane <br> Russell Gardens, Alkham Road | River |  |
| :---: | :--- | :--- | :--- |
| $\mathbf{2 2}$ | Boatman's Hill Cemetery, <br> Woodnesborough Road | Sandwich | Lydden \& Temple <br> Ewell |
| $\mathbf{2 4}$ | Princes Golf Course Dunes <br> Path, Sandwich Bay | Sandwich Bay | Sandwich |
| $\mathbf{2 5}$ | St Clement's Churchyard, <br> Knightrider Street | Sandwich | Sandwich |
| $\mathbf{2 6}$ | St Margaret's Civic Cemetery <br> and the Dare Garden of <br> Remembrance, Dover Road | St Margaret's Bay | St Margaret's at <br> Cliffe |
| $\mathbf{2 7}$ | St Margaret's Church, High <br> Street | St Margaret's | St Margaret's at <br> Cliffe |
| $\mathbf{2 8}$ | St Margaret's Bay promenade, <br> car park and grassed amenity <br> Area. | St Margaret's Bay | St Margaret's at <br> Cliffe |
| $\mathbf{2 9}$ | Walmer Green, The Strand <br> 1st of May to 30th September <br> between the hours of 9am and <br> 6pm | Walmer | Walmer |
| $\mathbf{3 0}$ | St Peter and St Paul's <br> Churchyard, Jubilee Road, The <br> Street | Worth | Sandwich |



























(




## Schedule Two Dog Exclusion Areas

This order applies to all land described below:

| Map no. | Location | Area | Ward/Parish |
| :---: | :---: | :---: | :---: |
| 1 | Enclosed children's play area, Collar Maker's Green | Ash | Little Stour \& Ashstone |
| 2 | Enclosed children's play areas, Queen's Road | Ash | Little Stour \& Ashstone |
| 3 | Aylesham \& Snowdown Sport and Welfare Club sporting pitches and MUGA | Aylesham | Aylesham |
| 4 | Enclosed children's play area, Hobnail Path | Aylesham | Aylesham |
| 5 | Enclosed children's play area, Market Square | Aylesham | Aylesham |
| 6 | Skate Park, Green Space Rear of Burgess Road and Bell Grove | Aylesham | Aylesham |
| 7 | Enclosed children's play area Pentaque Plage and SkatePark, Lancaster Avenue | Capel-Le-Ferne | Capel-Le-Ferne |
| 8 | The beach from Sandown Castle to Deal Castle $1^{\text {st }}$ of May to $30^{\text {th }}$ of September between the hours of 9am and 6pm | Deal | North Deal |
| 9 | Children's play area, Cowdray Square | Deal | Mill Hill |
| 10 | Enclosed children's play area, Hyton Drive | Deal | North Deal |
| 11 | Enclosed play area and multiuse games area (MUGA), North Deal Playing Field), Western Road, | Deal | North Deal |
| 12 | Enclosed children's play areas Travers Road | Deal | Middle Deal \& Sholden |
| 13 | Enclosed children's play areas, tennis courts, skate park \& MUGA, Victoria Park | Deal | Middle Deal \& Sholden |
| 14 | Enclosed children's play area, William Pitt Avenue | Deal | Middle Deal \& Sholden |
| 15 | Enclosed children's play area, Wilson Avenue | Deal | Mill Hill |
| 16 | MUGA and enclosed children's play area at the end of St David's Avenue, Aycliffe | Dover | Town \& Pier |


| 17 | Enclosed children's play area, Bunkers Hill Avenue | Dover | St Radigunds |
| :---: | :---: | :---: | :---: |
| 18 | Enclosed children's play area, Bunkers Hill Road junction with Bunkers Hill Avenue | Dover | St Radigunds |
| 19 | Enclosed tennis courts \& enclosed children's play area, Connaught Park | Dover | Castle |
| 20 | MUGA \& enclosed children's play area, Elms Vale Recreation Ground | Dover | Maxton, Elms Vale \& Priory |
| 21 | Enclosed children's play area, Evison Close | Dover | Buckland |
| 22 | The beach at Dover Seafront, Waterloo Crescent \& Marine Parade $1^{\text {st }}$ of May to $30^{\text {th }}$ of September between the hours of 9am and 6pm | Dover | Town \& Pier and Castle |
| 23 | Enclosed children's play area, Northbourne Avenue, Tower Hamlets | Dover | Tower Hamlets |
| 24 | Enclosed children's play area, Ottawa Crescent | Dover | Buckland |
| 25 | Enclosed children's play areas and Skate-Park Pencester Gardens | Dover | Castle |
| 26 | Enclosed children's play area \& MUGA, Sheridan Road (Buckland Estate) | Dover | Buckland |
| 27 | Enclosed children's play area, Barwick Road | Dover | St Radigunds |
| 28 | The Danes Recreation Ground (football pitches) | Dover | Castle |
| 29 | Enclosed children's play area, East Langdon Road, | East Langdon | St Margaret's at Cliffe |
| 30 | Enclosed children's play area, Centenary Gardens | Eastry | Eastry |
| 31 | Enclosed children's play areas \& Skate-Park, Gun Park Recreation Ground | Eastry | Eastry |
| 32 | Enclosed children's play area and MUGA, Elvington <br> Recreation Ground St John's Road | Elvington | Eythorne \& Shepherdswell |
| 33 | Enclosed children's play area, Eythorne playing field, Willow Waye | Eythorne | Eythorne \& Shepherswell |
| 34 | Enclosed children's play area, Chance Meadow | Guston | St Margaret's At Cliffe |
| 35 | Guston Green, The Lane | Guston | St Margaret's At Cliffe |
| 36 | Enclosed children's play area, The Drove, | Northbourne | Eastry |
| 37 | Enclosed children's play areas, Queens Rise | Ringwould | Ringwould \& Kingsdown |
| 38 | Crabble Athletic Football and Rugby Ground | River | St Radigunds |


| 39 | Enclosed children's play area, Kearsney Abbey Park, Alkham Road | River | River |
| :---: | :---: | :---: | :---: |
| 40 | Enclosed children's play areas, tennis courts \& sports pitches, River Recreation Ground, Lewisham Road | River | River |
| 41 | Enclosed children's play area, Poulders Gardens | Sandwich | Sandwich |
| 42 | Enclosed children's play areas The Bulwarks | Sandwich | Sandwich |
| 43 | Enclosed children's play area, skate-park \& MUGA The Butts, | Sandwich | Sandwich |
| 44 | Monks Wall Nature Reserve | Sandwich | Sandwich |
| 45 | Sandwich Nature Reserve, Off Gazen Salts | Sandwich | Sandwich |
| 46 | Sandwich Bay Mudflats and Salt Marshes | Sandwich | Sandwich |
| 47 | Enclosed children's play area, Shepherdswell Recreation Ground, Approach Road, | Shepherdswell | Eythorne \& Shepherdswell |
| 48 | Beach at St Margaret's <br> $1^{\text {st }}$ of May to $30^{\text {th }}$ of September between the hours of 9am and 6pm | St Margaret's | St Margaret's at Cliffe |
| 49 | Enclosed children's play area \& tennis courts, King Georges field, Well Lane | St Margaret's | St Margaret's at Cliffe |
| 50 | Enclosed Children's Play Area, (site next to village hall) Chapel Road | Tilmanstone | Eastry |
| 51 | The Drill Field, Cornwall Road | Walmer | Walmer |
| 52 | Enclosed children's play areas \& tennis courts, Marke Wood, Dover Road | Walmer | Walmer |
| 53 | Paddling Pool, Walmer Green, The Strand | Walmer | Walmer |
| 54 | Putting Green, The Strand, Walmer Green | Walmer | Walmer |
| 55 | Enclosed children's play area, Aspen Drive off Kinson Way | Whitfield | Whitfield |
| 56 | Enclosed children's play area, Peverell Road off Hirst Close, | Whitfield | Buckland |
| 57 | Enclosed children's play area, Green Close | Whitfield | Whitfield |
| 58 | Enclosed children's play area \& MUGA, Whitfield Recreation Ground, off Cranleigh Drive | Whitfield | Whitfield |
| 59 | Enclosed children's play area, Galahad Way | Whitfield | Whitfield |
| 60 | Enclosed children's play area, Whyte Close | Whitfield | Whitfield |
| 61 | Enclosed children's play area, Willingdon Road | Whitfield | Whitfield |
| 62 | Wingham Recreation Ground enclosed children's play areas and MUGA | Wingham | Little Stour \& Ashstone |

























































© Crown copyright and database rights 2019 Ordnance Survey

Dover District Council Honeywood Close
White Cliffs Business Park

## Whitfield

DOVER
CT16 3PJ

Dover District Council Public Spaces
Protection Order 2022
Schedule 2 Map 56

Enclosed Children's Play Area, Peverell Road, Whitfield







