

The Anti-social Behaviour, Crime and Policing Act 2014

The Public Spaces Protection Order (Control of Dogs) - (Borough Council of King's Lynn and West Norfolk) 2015

The Borough Council of King's Lynn and West Norfolk (the Council) hereby makes the following Order:

This This Order comes into force on **1st December 2015** for a period of 3 years.

1. Fouling

In the event that a dog defecates on any land within the administrative area of the Council to which the public or any section of the public have access, on payment or otherwise, as a right or by virtue of express or implied permission, the person in charge of the dog at the time shall remove the faeces from the land forthwith, save for any person who

- (1) Is registered blind in a register compiled under section 29 of the National Assistance Act 1948; or
- (2) Has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects in respect of a dog trained by a Charity registered by the Charity Commission and upon which that person relies for assistance and is reliant on at the time.

2. Exclusion

A person in charge of a dog shall not take the dog onto, permit the dog to enter or to remain on any land and during any period specified in schedule 1 to this Order save for any person who

- (1) Is registered blind in a register compiled under section 29 of the National Assistance Act 1948;
- (2) Who has a disability, in respect of a dog trained by a charity registered by the Charity Commission and upon which that person relies for assistance and is reliant on at the time.

3. Dogs on Leads

A person in charge of a dog shall keep it on lead of not more than six feet in length on any land and during any period specified in schedule 2 to this Order.

4. Definitions

- (1) 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;
- (2) 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;

5. Offence

Contrary to section 67 of the Anti-Social Behaviour, crime and Policing Act 2014:

- (1) It is an offence for a person, without reasonable excuse, to
 - a. do anything that the person is prohibited from doing in this Order; or
 - b. to fail to comply with the requirements to which the person is subject to under this Order.

- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the Council did not have power to include in this Order.

Pursuant to section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- (1) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 in relation to a public spaces protection order.
- (2) 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 a fixed penalty to a local authority specified in the notice.

Schedule 1 – Extent of Section 2 (Exclusion)

Town / Parish	Land	Period
Bircham	Children’s Play Ground, Monks Close	All Year
Burnham Market	Playing Field, Station Road	All Year
Castle Acre	Playing Field, Massingham Road	All Year
Dersingham	Children’s Play Ground, Hunstanton Road	All Year
Docking	Children’s Play Ground, Bradmere Lane	All Year
East Winch	Children’s Play Ground, Town Close	All Year
Heacham	Recreation Ground, Station Road	All Year
Hunstanton	Beach from the Power Boat Ramp TF667400 to northern extremity of the Promenade TF671414	10 April – 31 October inclusive
Hunstanton	Children’s Play Ground, Sea Lane	All Year
King’s Lynn	Children’s Play Ground, All Saints Street	All Year
King’s Lynn	Children’s Play Ground, Loke Road	All Year
King’s Lynn	Children’s Play Ground, Parkway, Gaywood	All Year
King’s Lynn	Children’s Play Ground, The Walks	All Year
Marham	Children’s Play Ground, The Street	All Year
Methwold	Playing Field, Crown Street	All Year
Ringstead	Playing Field, High Street	All Year
Sedgeford	Children’s Play Ground, Jarvie Close	All Year
Watlington	Children’s Play Ground, Church Road	All Year
Watlington	Children’s Play Ground, Stone Close	All Year

Schedule 2 – Extent of Section 3 (Dogs on Leads)

Town / Parish	Land	Period
Hunstanton	Promenade from the Power Boat Ramp TF667400 to northern extremity of the Promenade TF671414	10 April – 31 October inclusive