



## **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) 2018**

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

This Order comes into force on **1<sup>st</sup> December 2018** 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
All Towns & Parishes within the administrative area of the Council	Enclosed children’s play areas	All Year
Hunstanton	Beach from the Power Boat Ramp TF667400 to northern extremity of the Promenade TF671414	10 April – 31 October inclusive

**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

Dated this 23rd day of November 2018

THE COMMON SEAL of )  
 THE BOROUGH COUNCIL OF )  
 KING’S LYNN AND WEST NORFOLK )  
 was hereunto affixed in the )  
 presence of )

*S. M. M. M. M.*  
 S. M. M. M. M.



Duly authorised signatory