

# **The Anti-Social Behaviour, Crime and Police Act 2014**

## **Section 59**

### **South Kesteven District Council (Dog Exclusion)**

### **Public Spaces Protection Order 2024**

South Kesteven District Council (in this Order called "the Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act ") hereby makes the following Order:

The Order is made on the \_\_\_\_\_ and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

#### **General provisions:**

1. This Order applies to land in the Restricted Areas specified in the Schedule to this Order.
2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in paragraph 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activity unreasonable and justifies the restrictions imposed by this Order.
3. The Order is available for inspection on the Council's website and also by appointment, at the offices of South Kesteven District Council. Appointments can be made by contacting 01476 406080 or emailing [neighbourhoods@southkesteven.gov.uk](mailto:neighbourhoods@southkesteven.gov.uk)
4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

#### **Prohibitions on persons with dogs under their control:**

5. Dog Exclusion

A person in charge of a dog must not take it onto or permit the dog to enter or to remain on, any land specified in the Schedule to this Order 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.

## **Exemptions**

Nothing in this Order shall apply to a disabled person (within the meaning of the Equality Act 2010) whose disability restricts his/her ability to comply with the Order and the dog is their guide dog or assistance dog.

## **For the purpose of this Order:**

- (a) Restricted Area means the land designated in the Schedule to this Order
- (b) 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
- (c) An assistance dog, in general, is one that is trained to aid or assist a disabled person.
- (d) An "authorised officer" means an officer who is authorised in writing by the Council for the purposes of giving directions under the Order.

## **Penalty**

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

An authorised officer may issue a fixed penalty notice (currently £100) to a person who they reasonably believe has breached the requirements of this Order. A fixed penalty notice offers the recipient the opportunity to discharge the liability to conviction for the offence by paying the fixed penalty notice within 14 days of issue of the notice.

Date Order Made:

Executed as a DEED by affixing the )

COMMON SEAL of SOUTH KESTEVEN )

DISTRICT COUNCIL )

In the presence of:

Full name:

## Schedule

This Order applies to all land within the administrative area of South Kesteven District Council and which is an enclosed children's play area detailed below and edged red in the attached plans.

<b>Plan Number</b>	<b>Site Name</b>
1	Gonerby Road, Grantham
2	Harrowby Lane, Grantham
3	Trent Road, Grantham
4	Wyndham Park, Hill Avenue, Grantham
5	Dysart Park, Bridge End Road, Grantham
6	Beechcroft Road, Grantham
7	Linchfield Road, Deeping St James
8	Crowson Way, Deeping St James
9	Church Street, Market Deeping
10	Godsey Lane, Market Deeping
11	Manor Lane, Bourne
12	Recreation Road, Bourne
13	Northfields, Bourne
14	Manor Close, Langtoft
15	Blackbull Green, Stowe Road, Langtoft
16	Recreation Ground Road, Stamford
17	Drift Road, Stamford
18	Elizabeth Road, Stamford
19	Water Lane, South Witham
20	Honington Road, Barkston
21	Village Hall, Main Road, Dowsby
22	Bottesford Road, Allington
23	Braceby Road, Ropsley
24	Carlton Road, Hough on the Hill
25	Main Street, Woolsthorpe by Belvoir
26	Colster Way, Colsterworth
27	Woolsthorpe Road, Woolsthorpe by Colsterworth
28	Lawrance Park, Crown Lane, Thurlby
29	Belton Lane, Great Gonerby
30	Arnoldfield, Gonerby Road, Grantham

31	Princess Drive, Grantham
32	Elgar Way, Stamford
33	Pinewood Close, Bourne
34	Churchfield Close, Deeping St James
35	Hereward Way, Deeping St James
36	Wellington Way, Market Deeping