



Public Spaces Protection Order (South Lakeland District) 2018

An Order of the District Council of South Lakeland to make provision in relation to dealing with particular nuisances having a detrimental effect on public health and the quality of life within the community of South Lakeland and to make further provision about certain functions of the authority to prevent Anti-social behaviour and Crime and to assist in the policing of such behaviour.

WHEREAS:-

Notice is hereby given that South Lakeland District Council ("the Authority") has made the following Public Spaces Protection Order under **section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014** ("the Act"):

1. The land described by the maps further detailed in Schedule 3 of this Order for information purposes, is land in the area of the Council is land to which the **Anti-Social Behaviour, Crime and Policing Act 2014** applies and will be protected by the making of this Order.

2. The Order may be cited as the South Lakeland District Public Spaces Protection Order and comes into force on 1st March 2018 for a duration of 3 years.

2.1 The **Fouling of Land by Dogs South Lakeland District Council Order 2012** is hereby repealed.

3. The effect of the Order is to impose the following conditions on the use of the land as set out in sections 4 – 9 of this Order below:

4. Fouling

If within the District of South Lakeland a dog (or dogs) 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 by virtue of express or implied permission and a person who is in charge of the dog (or dogs) at the time fails to remove the faeces from the land immediately from that place, that person shall be guilty of an offence unless;

(a) that person has a reasonable excuse for failing to do so, and/or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to the person failing to do so.

5. Leads by Order

5.1 A person in charge of a dog (or dogs) shall be guilty of an offence if, at any time, within the administrative area of the Authority if they do not comply with a direction given to him by a constable or an authorised officer of the authority to put and keep the dog (or dogs) on a lead;

- (a) without a reasonable excuse for failing to do so, and/or
- (b) unless the owner or Authority having control of the land has consented (generally or specifically) to the failing to do so.

5.2 A constable or an authorised officer may only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance of behaviour by the dog (or dogs) that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

6. Leads

A person in charge of a dog (or any number of dogs) 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 and shown for identification purposes on the corresponding Plan, does not keep the dog (or dogs) on a lead.

7. Means to pick up

7.1 A person in charge of a dog on land to which this order applies must have with him an appropriate means to pick up dog faeces deposited by that dog unless;

- (a) he has reasonable excuse for failing to do so, and/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.

7.2 The obligation is complied with if, after a request from an authorised officer, the person in charge of the dog produces an appropriate means to pick up dog faeces.

8. Dog Exclusion Zones

A person in charge of a dog (or dogs) shall be guilty of an offence if, at any time, that person takes the dog (or dogs) onto, or permits the dog (or dogs) to enter or to remain on any land detailed in Schedule 2 below;

- (a) without a reasonable excuse and/or
- (b) unless the owner or Authority having control of the land has consented (generally or specifically) to the failing to do so.

9. Limit on the number of dogs that can be walked at a time

A person walking more than five dogs at any one time shall be guilty of an offence if at any time that person takes the dogs onto or permits the dogs to remain on any land to which the public or any section of the public has access on payment or otherwise;

- (a) without a reasonable excuse for failing to do so and/or
- (b) unless the owner or Authority having control of the land has consented (generally or specifically) to the failing to do so.

10. Exemption

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**; and/or

(b) is deaf, in respect of a dog (or dogs) trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; and/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 (or dogs) trained by a prescribed charity and upon which he relies for assistance.

11. Penalty

11.1 A person guilty of an offence under **section 4 to 9** of this Order pursuant to section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale *or*

11.2 a fixed penalty notice of a maximum of £100.

Schedule 1

Leads

Section 6 of This Order applies to all the land and premises described below:

Ambleside Rothay Park play area - See Schedule 3 Map 64

Bowness Cemetery - See Schedule 3 Map 65

Grange Cemetery - See Schedule 3 Map 66

Grasmere Cemetery - See Schedule 3 Map 67

Kendal Castle Street Cemetery - See Schedule 3 Map 68

Kendal Parkside Cemetery - See Schedule 3 Map 69

Sedbergh Cemetery - See Schedule 3 Map 70

Ulverston Cemetery - See Schedule 3 Map 71

Windermere Cemetery - See Schedule 3 Map 72

Ambleside Waterhead Promenade - See Schedule 3 Map 73

Arnside Promenade - See Schedule 3 Map 74

Bowness Promenade - See Schedule 3 Map 75

Grange Promenade (North) - See Schedule 3 Map 76

Grange Promenade (South) - See Schedule 3 Map 77

Schedule 2

Dog Exclusion Zones

Section 8 of This Order applies to all the land and premises described below:

Ambleside Castlefield Estate play area - See Schedule 3 Map 1

Ambleside Kirkfield Estate play area - See Schedule 3 Map 2

Bowness Longlands Road play area - See Schedule 3 Map 3

Burneside Hall Park play area - See Schedule 3 Map 4

Burton Boon Town play area - See Schedule 3 Map 5

Cark in Cartmel Old Auction Mart play area - See Schedule 3 Map 6

Dent Dragon Croft play area - See Schedule 3 Map 7

Grange Fell Close play area - See Schedule 3 Map 8

Grange Yew Tree Memorial Fields play area - See Schedule 3 Map 9

Grasmere Broadgate Meadow play area - See Schedule 3 Map 10

Grasmere High Fieldside play area - See Schedule 3 Map 11

Holme Pear Tree Park Estate play area - See Schedule 3 Map 12

Kendal Abbot Hall play area - See Schedule 3 Map 13

Kendal Acre Moss play area - See Schedule 3 Map 14

Kendal Archers Meadow play area - See Schedule 3 Map 15

Kendal Briery Meadows Estate play area - See Schedule 3 Map 16

Kendal Brockbeck Kirkbarrow play area - See Schedule 3 Map 17

Kendal Chambers Close play area - See Schedule 3 Map 18

Kendal Greenwood play area - See Schedule 3 Map 19

Kendal Howe Bank play area - See Schedule 3 Map 20

Kendal Kendal Parks Road play area - See Schedule 3 Map 21

Kendal Lowther Park play area - See Schedule 3 Map 22

Kendal Maple Drive play area - See Schedule 3 Map 23

Kendal Michaelson Road play area - See Schedule 3 Map 24

Kendal Murley Moss play area - See Schedule 3 Map 25

Kendal Rinkfield play area - See Schedule 3 Map 26

Kendal Sandylands play area - See Schedule 3 Map 27

Kendal The Oaks play area - See Schedule 3 Map 28

Kendal Valley Drive play area - See Schedule 3 Map 29

Kendal Vicars Field play area - See Schedule 3 Map 30

Kendal Yeats Close play area - See Schedule 3 Map 31

Kendal, Esthwaite Avenue play area - See Schedule 3 Map 32

Kendal, Kendal Utd, Castle Drive play area - See Schedule 3 Map 33

Milnthorpe Beech Close play area - See Schedule 3 Map 34

Milnthorpe Grisley mires play area - See Schedule 3 Map 35

Milnthorpe Owlett Ash play area - See Schedule 3 Map 36

Oxenholme Bolefoot play area - See Schedule 3 Map 37

Oxenholme Helmside Gardens play area - See Schedule 3 Map 38

Sedbergh Maryfell play area - See Schedule 3 Map 39

Troutbeck Troutbeck Play Area play area - See Schedule 3 Map 40

Ulverston Croftlands play area - See Schedule 3 Map 41

Ulverston Dale Street play area - See Schedule 3 Map 42

Ulverston Lightburn Park play area - See Schedule 3 Map 43

Ulverston Lund Farm Estate play area - See Schedule 3 Map 44

Ulverston Mill Dam play area - See Schedule 3 Map 45

Ulverston North Lonsdale Road play area - See Schedule 3 Map 46

Windermere Mill Beck Close play area - See Schedule 3 Map 47
Windermere Mill Rise play area - See Schedule 3 Map 48
Windermere Queens Park play area - See Schedule 3 Map 49
Windermere Rayrigg Meadow play area - See Schedule 3 Map 50
Windermere School Knott Estate play area - See Schedule 3 Map 51

Ambleside Rothay Park sport pitches - See Schedule 3 Map 52

Kendal Acre Moss sport pitches - See Schedule 3 Map 53

Kendal Acre Moss sports pitches - See Schedule 3 Map 54

Kendal Dean Gibson sport pitches - See Schedule 3 Map 55

Kendal Jubilee Fields sport pitches - See Schedule 3 Map 56

Kendal Kendal Leisure Centre - See Schedule 3 Map 57

Kendal Kendal Utd Castle Drive sport pitches - See Schedule 3 Map 58

Kendal Rinkfield sport pitches - See Schedule 3 Map 59

Kendal Wattsfield sport pitches - See Schedule 3 Map 60

Ulverston Sports Complex - See Schedule 3 Map 61

Windermere Queens Park sport pitches - See Schedule 3 Map 62

Windermere Rayrigg Meadow sport pitches - See Schedule 3 Map 63

SCHEDULE 3