



## **Public Spaces Protection Order (South Lakeland District) 2021**

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 Authority and 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 2021. This Order is made on 8 October 2021 for a duration of three years unless extended, varied or discharged under the Authority's statutory powers.
3. The effect of the Order is to impose the following conditions on the use of the land as set out in sections 4 to 10 of this Order below:
4. **Fouling**
  - 4.1 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; or
    - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person failing to do so.

## **5. Dogs on 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 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 reasonable excuse for failing to do so, and/or
- (b) unless the owner of the land 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. Dog on Leads**

A person in charge of a dog (or any number of dogs) shall be guilty of an offence if at any time on land detailed in Schedule 1 below and shown for identification purposes on the corresponding plans in Schedule 3, does not keep the dog (or dogs) on a lead.

## **7. Means to pick up**

7.1 A person in charge of a dog (or any number of dogs) on land within the administrative area of the Authority to which this Order applies must have with him an appropriate means to pick up dog faeces deposited by that dog or dogs 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 that person failing to do so;

7.2 This obligation is complied with if, after a request from a constable or an authorised officer, the person in charge of the dog (or dogs) 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 or in charge of 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 that person failing to do so

## 10. Prohibition of unauthorised fires and barbeques

This section applies to land specified in Schedule 4 of this Order (“the Restricted Areas”). All persons within the Restricted Areas are prohibited from:

- (a) lighting a fire of any type or size without prior written consent of the Authority.
- (b) lighting a barbecue without prior written consent of the Authority.

## 11. 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; and/or
- (d) is not a person falling within the criteria mentioned in paragraphs 10(a) to (c) above but who the Authority consider should be exempt due to the impairment of that particular person; and/or
- (e) in charge of a working dog carrying out normal activities including dogs being used for work in connection with emergency search and rescue, law enforcement, HM Armed Forces or farm dogs herding or driving animals and/or
- (f) is training an assistance dog for a registered charity or such other approved body as is considered appropriate by the Authority.

## **12. Penalty**

12.1 A person guilty of an offence under section 4 to 10 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

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

DATED 8 October 2021

Linda Fisher

Legal, Governance and Democracy Lead Specialist (Monitoring Officer)

## **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
- Kendal Golf Course – see Schedule 3 Map 80
- Jubilee Fields, Endmoor Car Park – see Schedule 3 Map 81

## **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 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 Dallam Chase play area - See Schedule 3 Map 34
- Milnthorpe Chestnut Way 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
- Netherfield Sport Field/Pitches – see Schedule 3 Map 78
- The Paddock at Maryfell, Sedbergh – see Schedule 3 Map 79
- Jubilee Playing Fields, Endmoor – see Schedule 3 Map 82



## Schedule 3

## **Schedule 4**

### **Prohibition of unauthorised fires and barbeques**

Section 10 of this Order applies to all the land and premises known as the Restricted Areas described below:

- Rayrigg Meadow, Windermere – See Schedule 3 Map 83
- The Glebe , Bowness – See Schedule 3 Map 84
- Lightburn Park, Ulverston – See Schedule 3 Map 85
- Nobles Rest, Kendal – See Schedule 3 Map 86
- Abbot Hall, Kendal – See Schedule 3 Map 87
- Borrans Park, Ambleside – See Schedule 3 Map 88