

# Folkestone

Hythe & Romney Marsh

Shepway District Council



## **The Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") The Public Spaces Protection Order - (Shepway District Council) 2016**

Shepway District Council (in this order called "the Authority") hereby makes the following Order:

This Order comes into force on 18<sup>th</sup> January, 2016 for New Romney Recreation Ground (also known as Fairfield Recreation Ground).

### **1. Activities which are prohibited or required by this Order are:**

**All dogs with the exception of guide and assistance dogs are prohibited from this land.**

The Authority has made a Public Spaces Protection Order under section 59 of the Act as it is reasonably satisfied that two conditions are met.

(2)The first condition is that—

- (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
- (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

(3)The second condition is that the effect, or likely effect, of the activities—

- (a) is, or is likely to be, of a persistent or continuing nature,
- (b) is, or is likely to be, such as to make the activities unreasonable, and
- (c) justifies the restrictions imposed by the notice.

The Public Spaces Protection Order legislation is being used to restrict the access of dogs in a specific place. In the past Dog Control Orders (DCO's) have been used to restrict access to certain public spaces where there is clear evidence of environmental hazards in that locality. This legislation has now been superseded by Public Spaces Protection Order legislation under the above Act.

## **2. Failure to comply with Activities which are prohibited or required by this Order**

Under Section 67 of the Act:

(1) It is an offence for a person without reasonable excuse—

(a) to do anything that the person is prohibited from doing by a public spaces protection order, or

(b) to fail to comply with a requirement to which the person is subject under a public spaces protection 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. Authorised Persons**

This Order will give Authorised Person (s) the power to issue a fixed penalty notice or consideration for prosecution to an individual who is witnessed to be allowing their dog on the recreation ground outlined red on the attached map.

An Authorised Person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

## **4. Definitions**

“Act” means The Anti-social Behaviour, Crime and Policing Act 2014

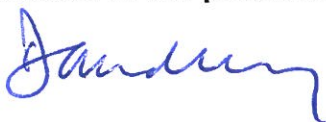
“Authority” means the District Council of Shepway.

“Authorised Person” means a Police Constable, Police Community Support Officer or Council Officer who must be able to present their authority upon request.

**5. This Order shall come into effect on 18<sup>th</sup> January 2016.**

**6. This Order shall have effect for a period of three (3) years.**

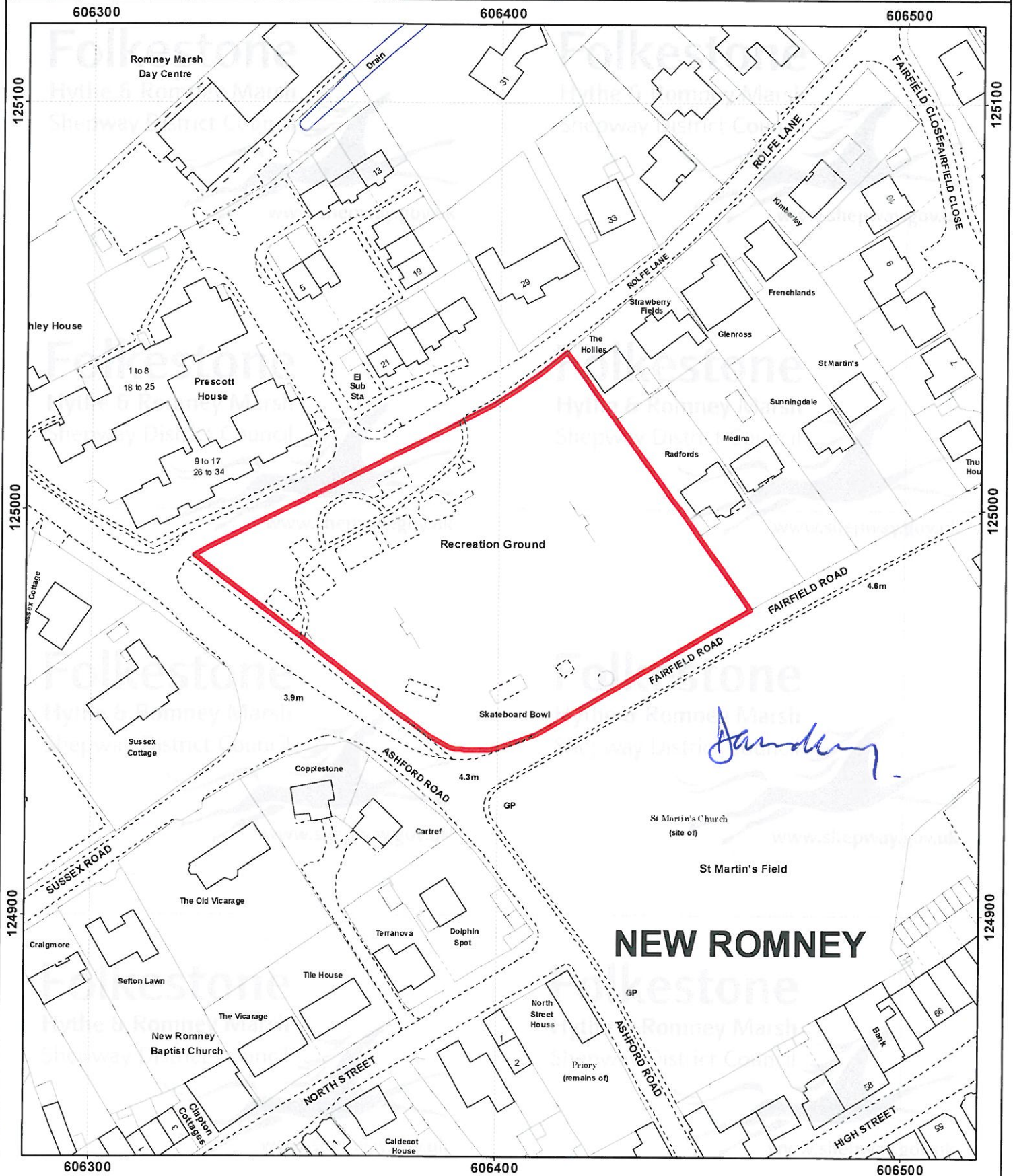
The Common Seal of the  
District Council of Shepway  
Was affixed in the presence of:



**Authorised signatory**

**This order applies to all land edged red on the map attached.**  
New Romney Recreation Ground (Fairfield Recreation Ground)  
Area bordering Rolfe Lane, Ashford Road and Fairfield Road

# Recreation Ground, Fairfield Road, New Romney



Contains Ordnance Survey data  
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 Shepway District Council 100019677 - 2015

0 12.5 25 50 75 100 125 Meters



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 Shepway District Council



Drawn at 1: 1,250 on A4