

Folkestone & Hythe District Council

Dog Control Public Spaces Protection Order 2025

Anti-social Behaviour, Crime and Policing Act 2014

Folkestone & Hythe District Council (the “Council”) makes this Public Spaces Protection Order (the “Order”) in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the “Act”).

This Order may be cited as:

**‘Folkestone & Hythe District Council,
Dog Control Public Spaces Protection Order 2025’**

The Council is satisfied on reasonable grounds that the activities described below (the “Activities”) carried out in a public place within its area have had, or are likely to have, a detrimental effect on the quality of life of those in the locality and that the effect of the ‘Activities’ -

- Is, or is likely to be, of a persistent or continuing nature
- Is, or is likely to be, such as to make the activities unreasonable, and
- Justifies the restrictions imposed by the Order.

This Order applies to any land to which the public has access within the entire district.

This Order comes into force on the **1 August 2025** for a period of 3 years

For the purpose of this article a person who habitually has a dog in their 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.

The Activities which are prohibited or required by this Order are:

1. A person in charge of a dog shall be guilty of an offence if, at any time (during the time specified in the schedule if stated) they take the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies.
2. A person in charge of a dog shall be guilty of an offence if, at any time (during the time specified in the schedule if stated) on any land to which this Order applies they do not keep the dog on a lead.
3. A person in charge of a dog, shall be guilty of an offence if they allow a dog to foul and do not pick the fouling up forthwith.

Exemptions

This provision does not 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, or
- b. Is deaf in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- c. 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 prescribed charity and upon which he relies for assistance
- d. Has a reasonable excuse for failing to do so,
- e. Has the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so.

Offence of failing to comply with the Order:

1. Section 67 of the Act provides that it is an offence for a person without reasonable excuse-
 - a. To do anything that the person is prohibited from doing by the Order; or
 - b. To fail to comply with a requirement to which the person is subject under the Order

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.

2. In accordance with Section 68 of the Act, an Authorised Person may issue a Fixed Penalty Notice up to £100 to a person they have reason to believe has committed an offence under Section 63 or Section 67. An Authorised Person means a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

The Common Seal of the
District Council of
Folkestone & Hythe was
Affixed in the presence of:

Authorised

Signatory..... Date.....

This order applies to all land as described within the district of Folkestone and Hythe as defined in the approved schedules below.