



EAST LINDSEY DISTRICT COUNCIL PUBLIC SPACE PROTECTION ORDER

Notice is hereby given of the intention of East Lindsey District Council to enforce Orders pursuant to its powers under sections 59, 67 & 68 of the Anti-Social Behaviour, Crime and Policing Act 2014 in relation to Environmental Crime & Dog Control. This supersedes The Public Space Protection Order 2021.

This Order applies to all land, which is within the administrative area of East Lindsey District Council ('the Council').

This Order is effective for three years beginning on the *****DATE TBC*****

Dog Control

1(a) Removal of Dog Faeces

This Order makes it an offence not to remove dog faeces from the following areas:

- Any public road;
- Any private road to which the public have access (unless the owner of the road declares that he or she does not wish the Order to cover it);
- Any public footpath;
- Any private footpath to which the public have access (unless the owner of the footpath declares that he or she does not wish the Order to cover it);
- Any other land, which is open to the air and to which the public are entitled or permitted to have access (with or without payment).

1(b) Means to Remove Dog Faeces

A person in charge of a dog on any land detailed in Part 1(a) of this Order, must comply with a direction given to them by an Authorised Person, to produce, when requested, a device or other suitable means of removing dog faeces and transporting it to a bin (whether or not the dog has defecated). Failure to produce an appropriate means for removal of faeces on demand is an offence.

Please note that "Person in charge" of a dog means a person who has the dog in his/her possession, care or company at the time the relevant offence is committed, or the person who habitually has the dog in his/her possession, care or company.

An appropriate means is defined as any poop scoop bag, disposal bag or other suitable container for disposal of dog faeces. By way of guidance a trouser or coat or other pocket is not such an item. Neither is a handbag, rucksack, purse or sports bag.

2) Seasonal Beach Ban Areas

This Order enforces Seasonal Beach Bans:

- To ban all dogs on the beaches identified below and as outlined and shaded blue on maps contained within this Order from 1st May to 30th September in any same year:

- I. Skegness
- II. Sutton on Sea
- III. Mablethorpe

Please see Appendices i, ii & iii for Seasonal Beach Ban location maps

3) Dogs on Leads Areas

This Order requires all dogs to be placed and kept on a lead on the following Promenades, in line with the Seasonal Beach Ban areas:

- Promenade, Skegness 1st May – 30th September
- Promenade, Sutton on Sea 1st May – 30th September
- Promenade, Mablethorpe 1st May – 30th September

Please see Appendices i, ii & iii for location maps.

4) Children's Play Areas & Paddling Pools

This Order excludes dogs permanently from the following areas:

- Any fully enclosed and fenced designated children's play area containing play equipment within the area of East Lindsey District Council.
- Any of the following Paddling Pools at our seaside towns:

Skegness - Fairy Dell Paddling Pool;
Sutton on Sea – York Road Pleasure Gardens Paddling Pool;
Mablethorpe - Queen's Park Paddling Pool

Please see Appendices iv, v & vi for Paddling Pool location maps.

5) Dogs on Lead by Direction

- It is an offence not to place and keep a dog on a lead when requested to do so by an appropriately Authorised Person. This applies to any public open spaces as identified in the Order. This direction can be exercised when an Authorised Person feels that a dog is out of control or is causing alarm or distress to members of the public.

Exemptions

There are exemptions for any person who:

- i. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- ii. is for the time being in charge of an Assistance Dog registered with Assistance Dogs UK and upon which he/she relies for assistance.

6) Restriction on unauthorised Street Trading (Skegness).

- No person(s) may erect any temporary stall or attempt to sell any form of goods or services in the street in the areas marked on the map in Appendix vii.

Exemptions

- i. Any person(s) who holds and can produce a current and valid Pedlars Certificate issued by the Police under The Pedlars Act 1871/1881.
- ii. Any person(s) who holds and can produce written and current permission from East Lindsey District Council to trade in any of the areas marked blue on the map in Appendix vii.
- iii. A stall erected specifically for the purposes of raising funds for a registered charity.
- iv. An organised market, fair or other similar temporary event within the areas on the map in Appendix vii.

Enforcement of the Order

It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.

East Lindsey District Council Officers or any other person authorised in writing, who is working on behalf of a Parish Council referred to in this Order, will issue £100 Fixed Penalty Notices, under section 68 of the Act, to persons who fail to comply with any requirements of the Public Space Protection Order (PSPO). Anyone who fails to pay a Fixed Penalty Notice within the 14 day period may be prosecuted.

It is an offence for a person in charge of a dog to breach the Public Space Protection Order. In accordance with section 67 of the Act, any relevant person found to be in breach of the Order is

liable on summary conviction in the Magistrates Court, to a maximum penalty of a level 3 fine (£1,000).

An 'Authorised Person' means any Police Constable, Police Community Support Officer, Council Officer (or an agent contractor appointed by them and/or any appropriately authorised person acting on behalf of a Town or Parish Council) who must produce evidence of their identity upon request.

The Council is satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the required activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

APPEALS:

In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

Signed:

Robert Barlow
Chief Executive

East Lindsey District Council

Date:

Appendix i

SKEGNESS

SEASONAL DOG BAN AREA – BEACH

SEASONAL DOGS ON LEADS AREA - PROMENADE

DRAFT

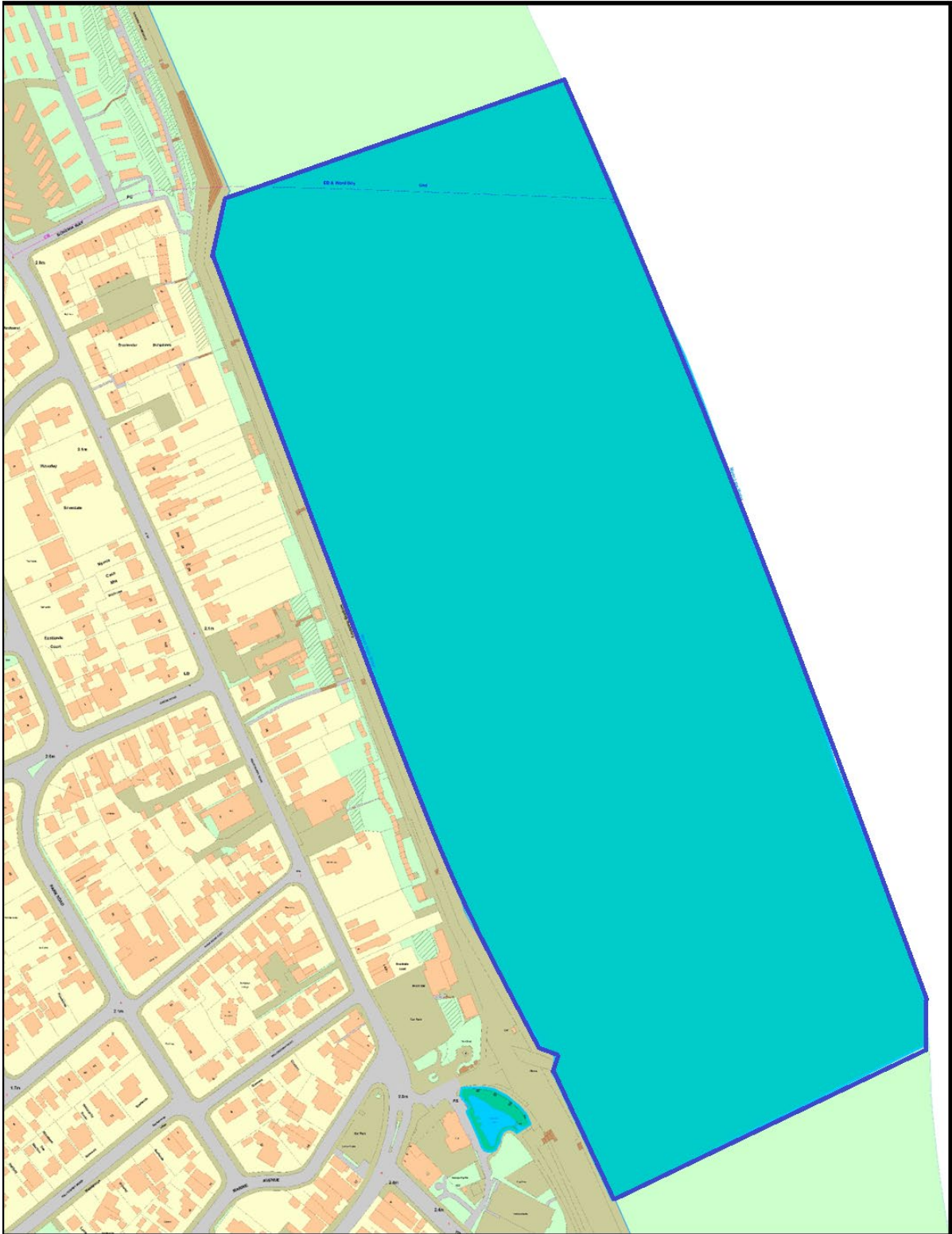


Appendix ii

SUTTON ON SEA

SEASONAL DOG BAN AREA – BEACH

SEASONAL DOGS ON LEADS AREA - PROMENADE

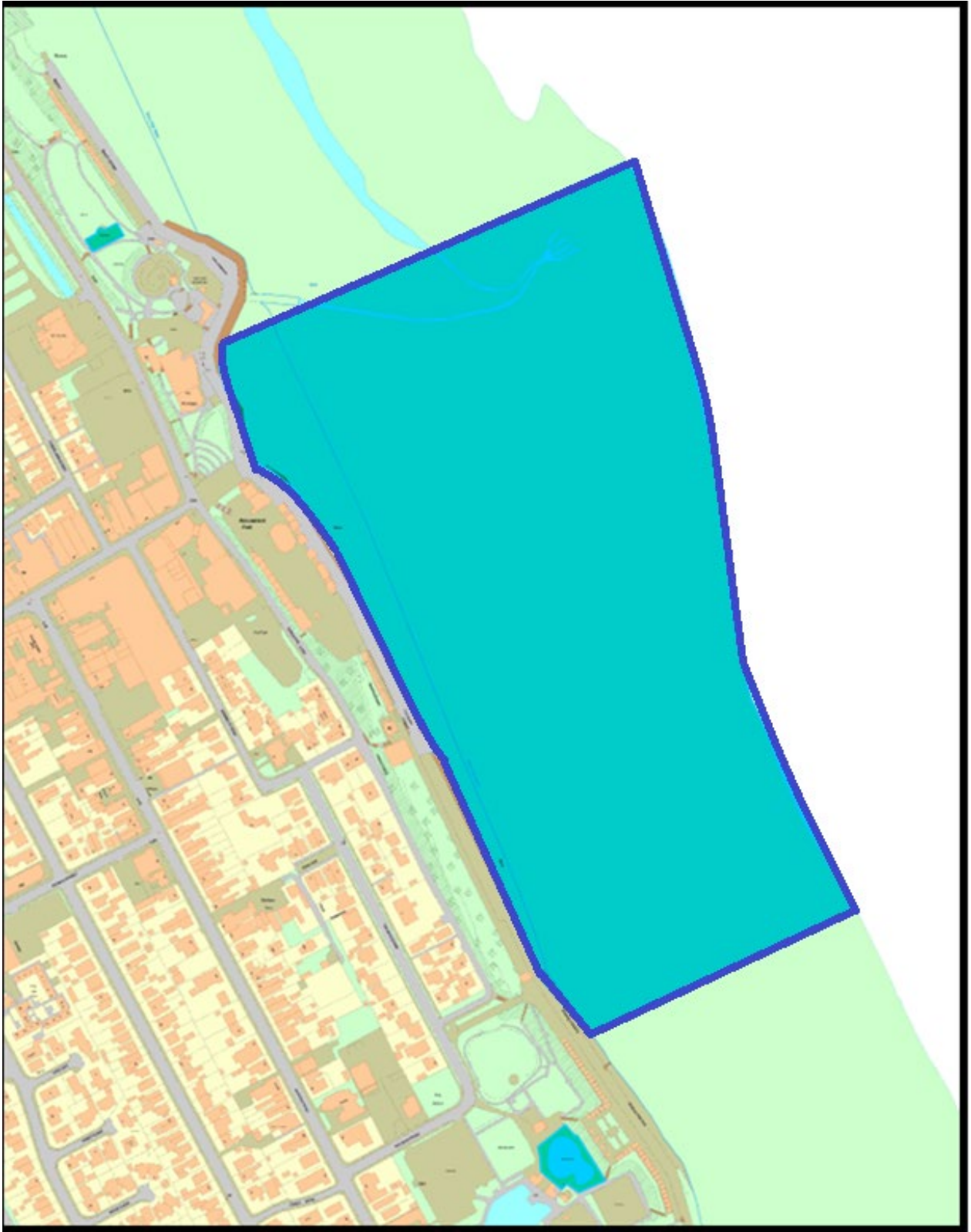


Appendix iii

MABLETHORPE

SEASONAL DOG BAN AREA - BEACH

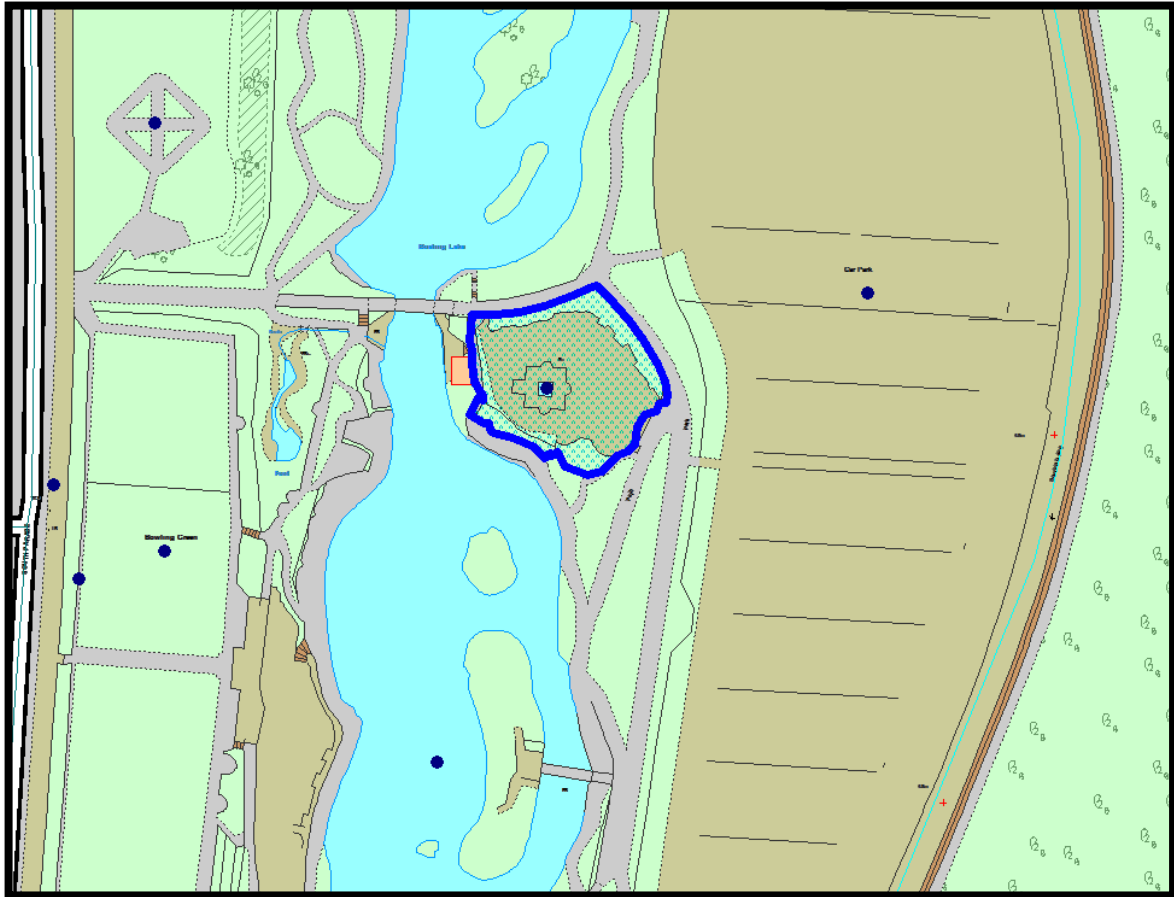
SEASONAL DOGS ON LEADS AREA - PROMENADE



Appendix iv

SKEGNESS

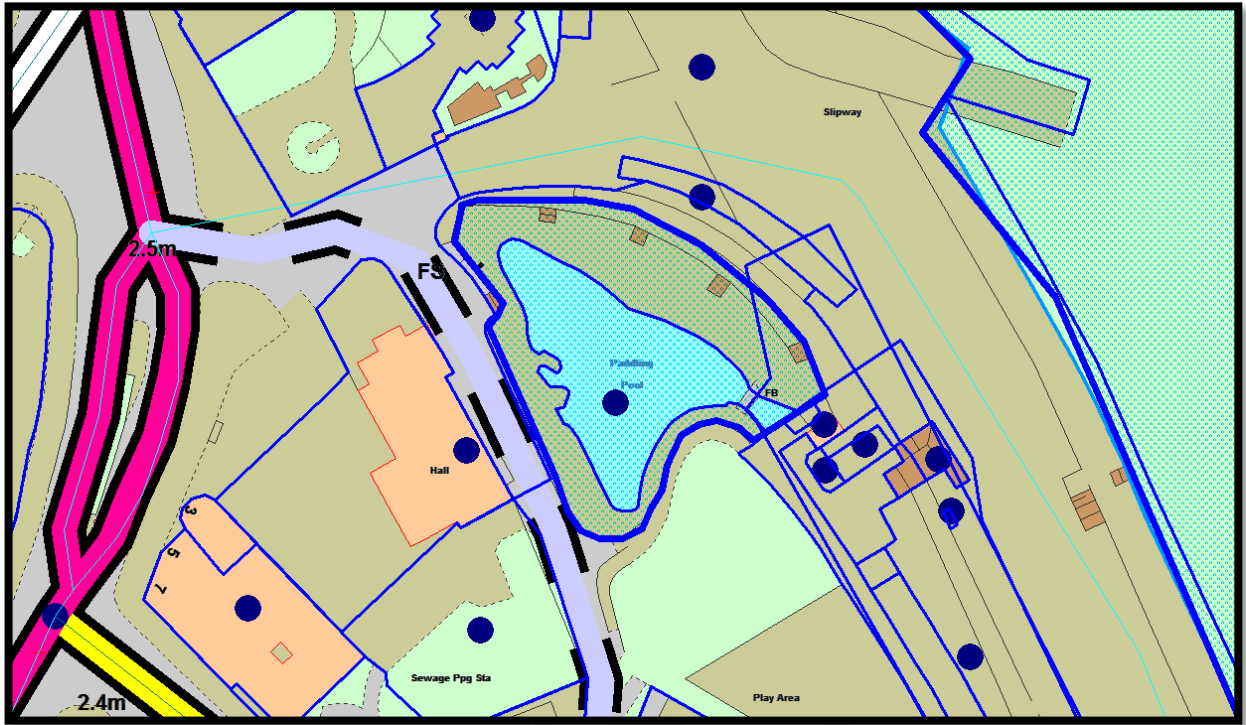
DOG BAN AREA – FAIRY DELL PADDLING POOL, SKEGNESS



Appendix v

SUTTON ON SEA

DOG BAN AREA – YORK ROAD PADDLING POOL, SUTTON ON SEA



MABLETHORPE

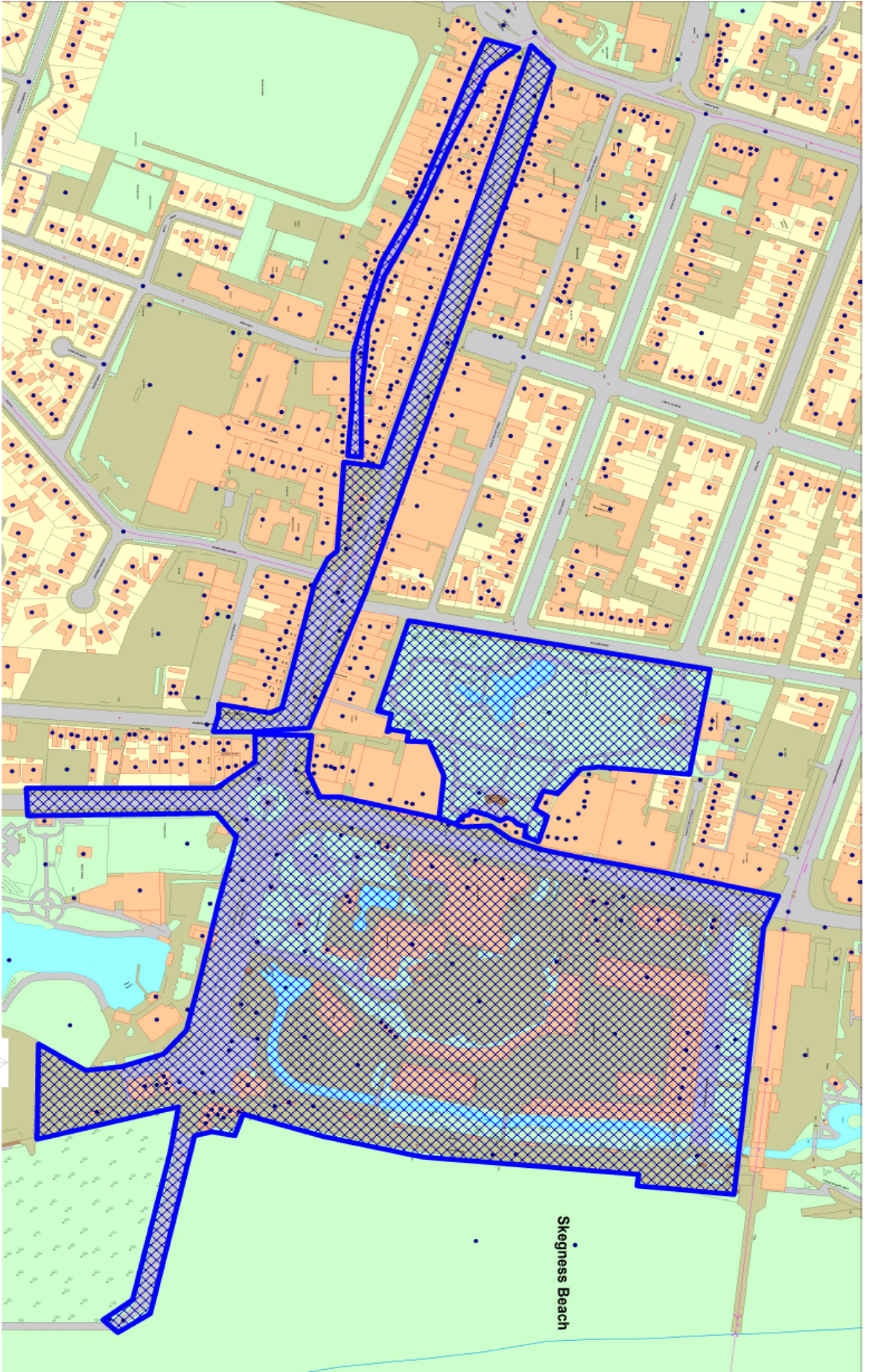
DOG BAN AREA – QUEEN’S PARK PADDLING POOL, MABLETHORPE



Appendix vi

SKEGNESS

RESTRICTIONS ON UNAUTHORISED STREET TRADING



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