

Thurrock Council

Anti-social Behaviour, Crime and Policing Act 2014

THE THURROCK COUNCIL, ALL THURROCK WARDS

PUBLIC SPACES PROTECTION ORDER 2023

The Thurrock Council (herein "the Council") makes this Order under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014, having consulted as required by Section 72 of the Act.

The Order takes effect on 3 February 2023 and lasts for 3 years, until 2 February 2026.

- 1) It applies to all cemeteries (excluding those attached to Churches) within Thurrock Borough Council also found within schedule 1:
 - Chadwell St Mary Cemetery, Brentwood Road Chadwell St Mary, Essex, RM16 4JH
 - Grays New Cemetery, Chadwell Road, Grays, Essex, RM17 6DU
 - Stanford-le Hope-Cemetery, Wharf Road, Stanford-le-Hope, Essex, SS17 0EE
 - Corringham Cemetery, Fobbing Road, Corringham, Essex, SS17 9BG
 - West Thurrock Cemetery, Sandy Lane, West Thurrock, Essex, RM20 4BH

This will be known as "The Restricted Area" and is outlined on the map attached to this document.

- 2) The Council is satisfied activities carried on in a public place within the authority's area have had a:
 - (i) detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and they will have such an effect
 - (ii) the effect, or likely 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
- 3) The Council is also satisfied that the prohibitions and requirements set out within this Order are reasonable:
 - (i) to prevent the detrimental effect on the quality of life of those in the locality continuing, occurring or recurring; or
 - (ii) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence
- 4) This Order comes into force on 3 February 2023 and shall have effect and remain in force for a period of three years from that date.

- 5) Before the expiry of this Order the Council may extend, vary or discharge it in accordance with the provisions of the Act.

By this order

- 6) The effect of the Order is to impose the following prohibitions and/or requirements in the restricted areas at all times:

(i) Fouling of land by dogs

- (a) If a dog defecates at any time on land in the restricted area detailed in Schedule 1 of this Order the person who is in charge of the dog at the time must remove the faeces from the land forthwith, unless:

- (i) that person has a reasonable excuse for failing to do so; or
- (ii) 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; or
- (iii) that person is subject to the exemptions listed below

- (b) For the purposes of this article:

- (i) 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
- (ii) placing the faeces in a receptacle on the land, which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land
- (iii) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise) or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces

(ii) Dogs on leads

- (a) Any person in charge of a dog, at any time, must put and keep the dog on a lead in the restricted area detailed in Schedule 1, unless:

- (i) that person has reasonable excuse for failing to do so; or
- (ii) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person not doing so

- (b) For the purpose of this article:

- (i) a person who habitually has a dog in their possession is taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog

Exceptions

Persons will be exempt if:

- (i) A person registered blind and on a register under section 29 of The National Assistance Act 1948; or
- (ii) A person who has a disability which affects their 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 they rely for assistance; or
- (iii) A person is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which that person relies for assistance; or
- (iv) A person in charge of a dog that is working on the land with the consent of the landowner and a person in control of police or rescue dog while on official duty

Penalty

Failure, without reasonable excuse, to comply with the prohibitions or requirements imposed by this Order is a summary offence under section 67 of the Anti-social Behaviour, Crime and Policing Act, 2014. A person guilty of an offence under Section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale. A constable or an authorised person may, under Section 68 of the Act, issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 in relation to this Order.

Signed:



B. R. Mandy.

Dated 3 February 2023.

By authority of Thurrock Council under Section 101 of the Local Government Act 1972.

Civic Offices, New Road, Grays.

