

PUBLIC NOTICE
PUBLIC SPACE PROTECTION ORDER – London Borough of Lewisham
October 2017

NOTICE IS HEREBY GIVEN THAT the London Borough of Lewisham in exercise of its power under sections, amongst others, 59, 63 and 72 of the Anti-Social Behaviour, Crime & Policing Act 2014 proposes to make a Public Space Protection Order (PSPO) to replace the current Dog Control Orders and Designated Public Place Orders. The PSPO will also introduce powers to prohibit the use of psychoactive substances and unauthorised encampments in public spaces, as well as extend existing dog control orders to include: Dogs on leads in all London Squares in Rushey Green, Dogs on leads ‘zone’ in Beckenham Place Park, and a dog free zone in Manor House Park.

Any person who fails without reasonable excuse to comply with an Authorised Officer, PCSO or constable’s request under this provision may commit an offence and be liable to prosecution.

We hereby invite representations on our proposals to make the following offences under the Order.

Prohibition of alcohol consumption

Any person who, without reasonable excuse, continues consuming alcohol in a public place when asked not to by a constable or an authorised officer commits an offence.

Any person who, without reasonable excuse, fails to surrender any alcohol in his possession when asked to do so by a constable or an authorised officer in a public place, commits an offence.

This will apply to all public land within the London Borough of Lewisham excluding licensed premises.

Psychoactive Substances

Any person who, without reasonable excuse, ingests, inhales, injects or smokes any substance which has the capacity to stimulate or depress the central nervous system in a public place when asked not to by a constable or an authorised officer commits an offence.

Any person who, without reasonable excuse, fails to surrender any psychoactive substance in his possession when asked to do so by a constable or an authorised officer in a public place, commits an offence.

This prohibition does not apply where the substance is used for a valid and demonstrable medicinal purpose; the substance is given to an animal as a medicinal remedy; the substance is a cigarette (tobacco) or vapouriser; or the substance is a food product regulated by food, health and safety legislation.

This will apply to all public land within the London Borough of Lewisham.

Unauthorised Encampments

Any person who, without reasonable excuse, occupies any vehicle, caravan, tent or other structure on public land owned or managed by the London Borough of Lewisham, without prior authorisation from the London Borough of Lewisham, commits an offence.

This will apply to all public land within the London Borough of Lewisham.

The Fouling of Land by Dogs

If a dog defecates at any time on public land and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless he can show a reasonable excuse for failing to do so or the owner/occupier of the land has consented to his failing to do so.

This does not apply to any person registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or 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.

Dogs on Leads by Direction

Any person in charge of a dog shall be guilty of an offence if, at any time, he does not comply with a direction given him by an authorised officer of the Authority to put and keep the dog on a lead, unless he can show a reasonable excuse for failing to do so or the owner/occupier of the land has consented to his failing to do so.

This will apply to all public land within the London Borough of Lewisham

Dogs Specified Maximum

Any person who is found to be in charge of more than four dogs at any time shall be guilty of an offence, unless he can show a reasonable excuse for failing to do so or the owner/occupier of the land has consented to his failing to do so.

This will apply to all public land within the London Borough of Lewisham.

Dogs Exclusion

Any person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land in a dog exclusion zone unless he can show a reasonable excuse for doing so or the owner/occupier of the land has consented to his doing so.

This article will apply to children's play areas within parks, gardens and open spaces, children's play areas on housing estates, Fenced sports areas within parks, gardens

and open spaces within the London Borough of Lewisham, listed on the proposed order and shown on the associated plans.

Nothing in this article applies to a person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or 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 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.

Dogs on Leads Zones

Any person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies he does not keep the dog on a lead, unless he can show a reasonable excuse for doing so or the owner/occupier of the land has consented to his doing so.

This applies to all roads within the London Borough of Lewisham at all times (as defined by Section 142 of the Road Traffic Regulation Act 1984), Cemeteries and Crematoriums within the London Borough of Lewisham, Burnt Ash Pond LNR, Grove Park NR, Sydenham Cottages NR, London Squares green spaces within Rushey Green, and specified zone within Beckenham Place Park, all shown in associated maps.

Fixed penalty notices

Lewisham Council intends to issue fixed penalty notices to enforce the proposed order, the fine will be up to £100 and failure to pay may lead to summary conviction and a fine not exceeding level 3 on the Standard Scale.

Timescales

It is proposed that the order commence on 18 January 2018, and will last for a period of 3 years, unless reviewed, amended or revoked.

Consultation

Consultations have already taken place on these proposals, now further consultations are taking place. Copies of the proposed orders and plans are available for inspection free of charge throughout the consultation period during normal opening hours at: LBL Crime, Enforcement & Regulation Service, 9 Holbeach Road, Catford, SE6 4TW

This information can also be viewed on the council website by going to www.lewisham.gov.uk

Representations on the proposed Public Space Protection Order should be made to Lewisham Council by 12 midnight on the 30 November 2017 by writing to: **LBL Crime, Enforcement & Regulation Service, 9 Holbeach Road, Catford, SE6 4TW** or by e-mail addressed to CER@Lewisham.gov.uk