

Draft Public Spaces Public Protection Order

ROYAL BOROUGH OF KINGSTON UPON THAMES

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

**ROYAL BOROUGH OF KINGSTON UPON THAMES PUBLIC SPACES
PROTECTION ORDER (DOG FOULING) ORDER 2015**

The Council of the Royal Borough of Kingston upon Thames (in this Order called “the Council”) hereby makes the following Order pursuant to Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).

1. This Order may be cited as the Royal Borough of Kingston upon Thames Public Spaces Protection Order (Dog Fouling) Order 2015 and shall come into force on 2nd July 2015
2. This Order applies to the land described in the Schedule below being a public place in the area of the Council, identified for the purposes of Section 59(4) of the Act, and in this Order referred to as the “restricted area”.

The Requirement

3. (1) If a dog defecates at any time in the restricted area the person who is in charge of the dog at that time shall remove the faeces from the restricted area forthwith, (“the Requirement”) unless the owner, occupier or other person or authority having control of the restricted area has consented (generally or specifically) to his failing to do so.

(2) Nothing in this Article applies 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) 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.
(3) For the purposes of this article—
 - (a) a person who habitually has a dog in his 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;
 - (b) placing the faeces in a receptacle on the restricted area which is

provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the restricted area;

(c) 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;

(d) in this Article "prescribed charity" means—

- (i) Dogs for the Disabled (registered charity number 700454);
- (ii) Support Dogs Ltd (registered charity number 1088281);
- (iii) Canine Partners for Independence (registered charity number 803680).

Duration

4. This Order shall remain in force for a period of three years unless extended under Section 60 of the Act.

Schedule

LAND DESIGNATED BY DESCRIPTION

Part I

- 1) Footpaths over which the public have a right of way and flower beds, planted or grassed areas maintained by the Council, which adjoin such footpaths.
- 2) Footways and verges (which for the avoidance of doubt includes unmade up areas at the base of trees) adjoining cycle tracks or carriageways.
- 3) Flower beds, planted or grassed areas maintained by the Council, which adjoin footways, cycle tracks or carriageways.
- 4) Forecourts adjoining footways except those which are separated from the footway by a physical barrier.

Part II

The publicly accessible land situated at the following properties, forming part of the Council's Housing stock, (which, for the avoidance of doubt, includes grassed areas, flower beds, planted areas, verges, the areas around the base of trees and access roads, paths and car parks): -

South of the Borough Neighbourhood

334, Ewell Road, Surbiton
Diana Gardens, Baden Powell Close, Tolworth
Kent Way, Tolworth
Chaffinch Close, Hook Rise North, Tolworth
The Forge, Elm Road, Hook
Gosbury Hill, Coutts Avenue, Chessington
Frimley Road/ Holwood, Chessington
Frimley Road/ Station Road, Chessington
Moor Lane, Chessington
Coxwold Path (Sheltered Flats), Chessington
Gibson Close/ Tedder Close, Chessington
59-65, 67-73, Bridge Road Flats, Chessington
Frimley Passage/ Hook Road, Chessington
Green Lane, Chessington
33-44, Buckland Road, Chessington
Church Lane, Chessington
Cox Lane, Chessington
Peartree Close (Housing Estate) Chessington
Woodgate Stormont Road, Chessington
Ripon Gardens, Chessington
Woodgate Avenue, Chessington
Charles Lesser House, Chessington
Hartfield Road, Chessington
York Way, Chessington
Willcocks Close, Hook
The Causeway, Chessington
York Way, (open land), Chessington
Four Oaks, Mount Road Chessington
Stormant/Hereford Way, Chessington (rear access roads)
Woodview, Chessington (rear trades access points)

Kingston Town Neighbourhood

2 Springfield Road, Kingston.
Penrhyn Gardens, Penrhyn Road, Kingston.
St Johns Court, Beaufort Road, Kingston.
Kingston House, Surbiton Road, Kingston.
Hatton House, Meredith Court, Kingston
Park Road House, Kingston.
79-99 Park Rd, Kingston.
Tapping Close, Kingston.
2-8 & 9-136 New Road, Kingston.
Tudor Court, Kingston,

280-286 Kings Road, Kingston.
46-62 St Georges Road, Kingston.
47-63 St Georges Road, Kingston.
Dowler Court, Kingston.
Dale Court Estate, Kingston
54-64a Deacon Road, Kingston.
Mcdonald House, Kingston.
153-175 Richmond Park Road, Kingston.

Ernest Square, Kingston

Roseberry Square, Kingston
Lovekyn Close, London Road,
Kingston
Drovers Court, Fairfield East Cattle Market
34 Millfield, 3 Mill Place, Kingston.
Greenleas, Kingston.
Agar House, Denmark Road, Kingston
Bittoms Court, 29-35 The Bittoms, Kingston.
Attfield Court, 1-9 Albert Road, Kingston.
119-125 Maple Road, Surbiton
Ravens Court, Palace Road, Kingston.
6-16 Auckland Road, Kingston.
Athelstan House, Athelstan Road, Kingston.
Cambridge Gardens, Kingston.
Milestone House, Kingston.
Waight's Court, Onslow House, Acre Road, Kingston
Denmark Road, Kingston
Heron Court, Kingston
Fairfield Place, Kingston.
60-67, Dawson Road, Kingston.
Hugh Herland, Portland Road, Kingston.
Cambridge Road, Kingston.
Elm Road/Acre Road, Kingston.
Roupell House, Kingston
Haylett Gardens, Kingston (Housing Estate)
105 Elm Road, Kingston
Douglas Road Sub Station, Kingston
Norbiton Estate, Kingston
East Road Kingston
Avenue Road, Kingston (car park area)
Gladston Road, Kingston (car park area)
Canbury Court, Lower Ham Road, Kingston.
Sopwith Close, Kingston.
6, Cadogan Road, Kingston
11, Cadogan Road, Kingston

Maldens & Coombe Neighbourhood

Georgia Road, Kingston
1-20 Fairholme House, New Malden.
1-15 Marshall House, New Malden.
14 Gilpin House, New Malden.
1-38 Merryweather Court, New Malden
Roebuck Court, New Malden.
Kinton Lodge, 20 Presbury Road, New Malden.
1-40 Maple Court, New Malden.
35-69 Coombe Road New Malden.
1-28 Rowan Close, New Malden.
Martin House, New Malden.
Norton House, New Malden
Charnwood Close, New Malden
Vincent House, Burlington Road New Malden
Balgowan Close, Kingston Road, New Malden.
Fairmead Close, New Malden.
65-87 Potters Grove, New Malden
81-83 Windsor Avenue, New Malden.
Bazalgette Gardens, New Malden
90-102 Cambridge Road, New Malden
62-76 Potters Grove, New Malden
122-128 Mount Pleasant Road
Gooding Close, Green Lane, New Malden
Franks Avenue, New Malden
Abermarle Gardens, New Malden,
Wessex Close Estate, Gloucester Road, Kingston.
Kingston Vale, Kingston.
Keswick Avenue, Kingston Vale SW15.
Sherwood House, Robin Hood Way, SW15
Cumberland House, Kingston.
Kingsnympton Park Estate, Kingston.
33 Gloucester Road, Kingston
South Lane Estate, New Malden
Sheephouse Way Estate, New Malden
Woodfield House, Oakfield Close, New Malden

Primrose Court, Worcester Park
Church Road, Pembury Avenue, Worcester Park
School Passage, Off College Gardens New Malden
157-171 South Lane, New Malden

Surbiton Neighbourhood

Glenbuck Court, Glenbuck Road, Surbiton
Thomas Pooley Court, Langley Road, Surbiton
87 Ewell Road, Surbiton
Browns Road, Surbiton
Vine Close, Surbiton
Alfriston Estate, Surbiton
Warwick Lodge, Berrylands Road, Surbiton
Flat 6, 3 Parklands, Surbiton
Alpha Road Estate, Surbiton
19 Avenue Elmers, Surbiton
Brine Court, Maple Road, Surbiton
School Lane Estate, Tolworth
Marion Court, Red Lion, Tolworth
Edith Gardens, Surbiton
449-479 Ewell Road, Tolworth
Ravenscar Road, Tolworth
Addison Gardens, Surbiton

LAND DESIGNATED SPECIFICALLY

The following parks/pleasure grounds and open spaces except for any areas which are from time to time provided by the Council as dog toilets and identified as such by signs: -

South of the Borough Neighbourhood

Bonesgate Open Space
Bullwhips Open Space
Castle Hill
Chessington Hill Park
Churchfields Recreation Ground
Donald Wood Gardens
Jubilee Wood Local Nature Reserve
King Edward's Recreation Ground
King George's Recreation Ground
Lenelby Road Open Space
Mount Road Open Space
Pear Tree Close Playground

RAF Chessington Playground
Sir Francis Barker Recreation Ground
Stokesby Road Open Space
Tolworth Court Farm Fields
Woodgate Avenue Playground
Woodview

Kingston Neighbourhood

Athelstan Recreation Ground
Barnfield Open Space
Canbury Gardens
Dysart Open Space
Eagle Brewery Wharf
Elm Road Recreation Ground
Fairfield Recreation Ground
Kingfisher Playground
Latchmere Recreation Ground
Queens Promenade
Royal Park Gate Playground
War Memorial Gardens

New Malden Neighbourhood

Barton Green
Beverley Park
Blagdon Road Open Space
Coombe Wood
Cromwell Avenue
Dickerage Recreation Ground
England Way Playground
Hogsmill Open Space
Green Lane Recreation Ground
Kingston Road Recreation Ground
Malden Green
Manor Park Recreation Ground
Plough Green
Risborough Green
The Hollows
Layfield

Surbiton Neighbourhood

Alexandra Recreation Ground
Claremont Gardens
Elmbridge Avenue Open Space
Knollmead
Berrylands Park
Fishponds Park

Rose Walk
St Andrews Square
Southwood Drive Open Space
Surbiton Memorial Gardens
The Wood
Victoria Recreation Ground

THE COMMON SEAL OF THE MAYOR AND
BURGESSES OF THE ROYAL BOROUGH
OF KINGSTON UPON THAMES was
hereunto affixed this day of July 2015
in the presence of:

Mayor

Corporate Solicitor