

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (ABCPA 2014)

VARIATION OF PUBLIC SPACES PROTECTION ORDER

Made by: FYLDE BOROUGH COUNCIL (the Council)

- A. This order varies a public spaces protection order made by the Council on 21 December 2020 ('the Original Order').
- B. These are the variations made by this order:
- i. In part 1 of the schedule to the Original Order, after "*Park Cemetery, Lytham, including the Garden of Remembrance*", insert the following:

Ashton Gardens, Lytham St Annes

Lowther Gardens, Lytham St Annes

Fairhaven Lake, Lytham St Annes (which means the area shown edged red in the plan that forms part of a public spaces protection order in relation to Fairhaven Lake made on INSERT DATE OF FAIRHAVEN ORDER)

The Promenade and Promenade Gardens, Lytham St Annes between Fairhaven Road car park and North Promenade car park

- ii. In part 2 of the schedule to the Original Order, delete the following:

The Promenade and Promenade Gardens, Lytham St Annes between Fairhaven Road car park and North Promenade car park: This order does not apply on or between Good Friday and 30 September

- C. The variation made by this order comes into effect the day following the date when this order was made.
- D. The text of the Original Order as varied is shown below:

1. THE ORDER

This is a public spaces protection order made by the Council under section 59 of ABCPA 2014.

2. WHERE DOES THIS ORDER APPLY?

This order applies to **all public places** (as defined in section 74(1) of ABCPA 2014) in the district of the Council, except the places listed in part one of the schedule (at the end of this order).

3. WHEN DOES THIS ORDER APPLY?

This order comes into force on **1 January 2021** and applies up to **and including 30 September 2023**, except that in the places listed in part two of the schedule (at the end of this order) it does not apply at certain times of the year.

4. WHO DOES THIS ORDER APPLY TO?

This order applies to **any person in charge of a dog**.

5. WHAT DOES THIS ORDER REQUIRE?

This order requires a person to **put any dog in their charge on a lead** if a police officer, police and community support officer, dog warden or other person authorised by the Council asks them to.

6. ARE THERE ANY EXCEPTIONS?

The requirement in paragraph 5 above does not apply if:

The person has a **reasonable excuse** for failing to put the dog on a lead;

The person **is allowed** to keep his dog off a lead by the owner or occupier of the public place; or

The person has a disability (within the meaning of the Equality Act 2010) and the dog is their **guide dog** or assistance dog.

7. WHAT CAN HAPPEN IF I BREACH THIS ORDER?

You can be given a **fixed penalty** notice of £100. Or **you could be prosecuted** in the magistrates' court for a criminal offence and be fined up to £1,000.

SCHEDULE

PART 1: PLACES WHERE THIS ORDER DOES NOT APPLY

Any carriageway or footway (as defined in section 329 of the Highways Act 1980)

Any off-street parking place provided by the Council under section 32 of the Road Traffic Regulation Act 1984

Park Cemetery, Lytham, including the Garden of Remembrance

Ashton Gardens, Lytham St Annes

Lowther Gardens, Lytham St Annes

Fairhaven Lake, Lytham St Annes (which means the area shown edged red in the plan that forms part of a public spaces protection order in relation to Fairhaven Lake made on the same date as this order)

The Promenade and Promenade Gardens, Lytham St Annes between Fairhaven Road car park and North Promenade car park

Any children's play area in a park or recreation ground which is separated from the rest of the park or recreation ground by a fence or other means of enclosure

Any ornamental lake, pond, stream or other water feature in a park or recreation ground

PART 2: PLACES WHERE THIS ORDER DOES NOT APPLY AT CERTAIN TIMES OF THE YEAR

The beach and sand dunes at Lytham St Annes between the slipway to St Annes Lifeboat Station and the northern end of North Promenade car park, extending seaward to the mean low water mark: This order does not apply on or between Good Friday and 30 September

THE COMMON SEAL OF Fylde
Borough Council was affixed
hereunto this 10th day
of December 2021



In the presence of

In CWT

Head of Governance

