

# The Tonbridge & Malling Borough Council Public Spaces Protection Order [2023]

## DRAFT FOR CONSULTATION

Pursuant to powers granted to the Council under s.59 of the Anti-social Behaviour, Crime and Policing Act 2014, Tonbridge and Malling Borough Council has made the following Order:

From [date] it is an offence for a person without reasonable excuse:

- (a) To do anything that the person is prohibited from doing in this Order, or
- (b) To fail to comply with any requirement to which the person is subject under this Order

A person guilty of an offence in relation to this Order is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000 as at 28<sup>th</sup> June 2022).

The Council or a Police Constable may issue a fixed penalty notice to any person he or she has reason to believe has committed an offence in relation to this Order. A fixed penalty notice offers the opportunity to discharge liability for conviction upon payment of a fine of £100.

### Measures affecting the whole of the Borough of Tonbridge and Malling

The following measures apply to all areas to which the general public has access within Tonbridge and Malling:

**a. Dog Fouling**

No person is permitted to leave dog faeces deposited by any dog under their control or ownership in any public place, save in a designated dog faeces bin or general waste bin. Owners and dog-walkers must clean up after dogs under their control, care or ownership.

**b. Exclusion of Dogs from Children's Play Areas**

No person in control, care or ownership of a dog may allow (whether wilfully or otherwise) those dogs to enter or remain upon any Children's Play Area which is owned and operated by the Borough Council.

**c. Dogs on Leads by Direction**

When required by an authorised officer of the Council, any person in control of dogs must place those dogs on a lead.

**d. Maximum Numbers of Dogs Under a Person's Control**

No person is permitted to have under their individual control more than 6 dogs in a public place.

**e. Alcohol Control**

No person may drink alcohol in a public place if requested to stop by an authorised officer of the Council or Police Constable.

**f. Public Urination/ Defecation**

No person may urinate or defecate in any public place, except in a public lavatory.

**g. Use of Drones**

No person may operate a drone from any open space owned by the Borough Council without first obtaining authorisation from the Borough Council.

For the purposes of this measure, “drone” means any remote-controlled pilotless aircraft or Unmanned Aerial Vehicle.

**h. Vehicles on public open spaces**

No person may park a vehicle on any public open space within the borough, save in a designated vehicle parking space. For the purposes of this provision, ‘public open space’ shall mean any land laid out as a public garden or used for the purposes of public recreation.

**i. Nuisance associated with car/motorcycle meetings**

No person may participate in car cruising activity as a passenger or driver of a vehicle within the area designated in this Order

No person may congregate in an area to spectate cruising activity undertaken by vehicles in the area designated in this Order.

For the purposes of this measure, “car cruising activity” means, as a driver or passenger of a vehicle: driving in convoy; performing stunts; sounding horns repeatedly; revving engines; wheel spins; playing music (in a manner which creates annoyance to the public); using foul or abusive language; causing obstruction on a public highway, whether moving or stationary; or engaging in any other activity that a reasonable person would consider to be a “car cruising activity”

**2. Area- Specific Measures**

In addition to the Borough-wide measures, the following measures apply within the boundaries of these designated areas:

**a. Leybourne Lakes Country Park**

**i. No unauthorised Barbecues**

No person may use any barbecue, open fire or other method of cooking or heating food within the Country Park unless specifically authorised in writing by the Council

**ii. No unauthorised swimming, bathing or boating**

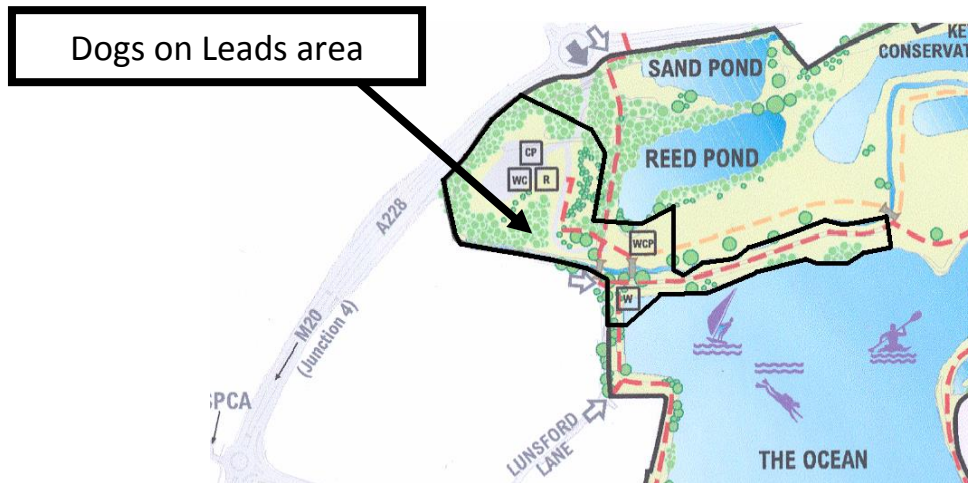
No person may swim, bathe or operate any boat or craft in any lake within the Country Park unless specifically authorised in writing by the Council

**iii. Dogs on Leads at all times in designated areas**

Dogs must be kept on leads at all times within the areas shown on the plan below. Broadly, these areas are the car parks and the access road for the Watersports facility.

**iv. No unauthorised camping**

No person may camp in any place within the Country Park unless specifically authorised in writing by the Council.



**b. Tonbridge Memorial Gardens**

**i. No wheeled-sports activities**

No wheeled-sports activities may take place within the Tonbridge Memorial Gardens. This includes, but is not limited to: skateboards, BMX, in-line skating and scooters.

**c. Tonbridge Moorings**

**i. No unauthorised mooring**

No person is entitled to moor any boat or craft on the moorings unless licenced to do so or otherwise specifically authorised in writing by the Council or Environment Agency.

No person is entitled to moor any boat or craft at any time on the riverbank area as shown below (green lines).

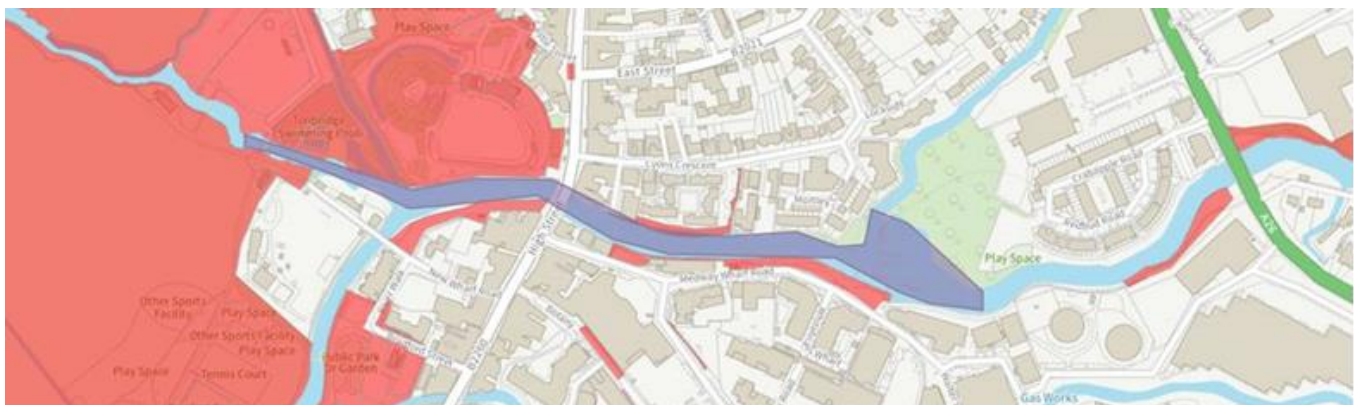


**ii. No unauthorised camping**

No person may camp in any place unless specifically authorised in writing by the Council.

**iii. No unauthorised swimming or bathing**

No person may swim or bathe within the area shown in purple at any time.



**iv. Anti-social behaviour associated with fishing**

No person may fish as shown within the purple area above.

**d. Haysden Country Park**

**i. No unauthorised Barbecues**

No person may use any barbecue, open fire or other method of cooking or heating food within the Country Park unless specifically authorised in writing by the Council

**ii. No unauthorised swimming, bathing or boating**

No person may swim, bathe or operate any boat or craft in any lake within the Country Park unless specifically authorised in writing by the Council

**iii. Dogs on Leads at all times in designated areas**

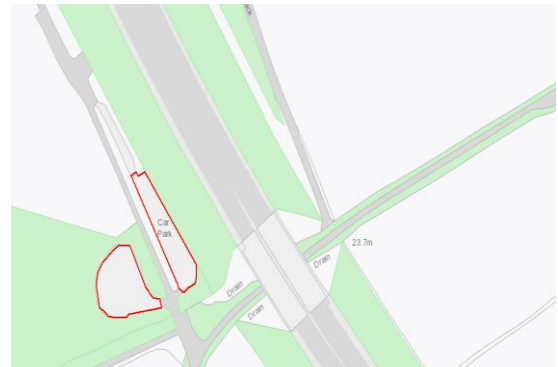
Dogs must be kept on leads at all times within the areas shown on the plans below. Broadly, these areas are the car parks and around the catering unit.

**iv. No unauthorised camping**

No person may camp in any place within the Country Park unless specifically authorised in writing by the Council.



Map above showing dogs on lead area within main car park and catering area within Haysden Country Park



Map above showing dogs on lead area within Lower Haysden Lane Car Park



Map above showing dogs on lead area within Audley Rise Car Park

**e. Tonbridge Racecourse Sportsground and Tonbridge Castle**

**i. No unauthorised Barbecues**

No person may use any barbecue, open fire or other method of cooking or heating food within these areas unless specifically authorised in writing by the Council

**ii. Dogs on Leads at all times in designated areas**

Dogs must be kept on leads at all times within the areas shown on the plan below. Broadly, these areas are the castle grounds.

**iii. No unauthorised camping**

No person may camp in any place within these areas unless specifically authorised in writing by the Council.







h. Closed Churchyards at St Peter's and St Paul's Churches

i. **Dogs on leads at all times**

Dogs must be kept on leads at all times within the Churchyards of St Peter's and St Paul's churches

i. Holborough Lakes, Snodland

(i) **No unauthorised swimming, bathing or boating**

No person may swim, bathe or operate any boat or craft in any lake within Holborough Lakes unless specifically authorised in writing

