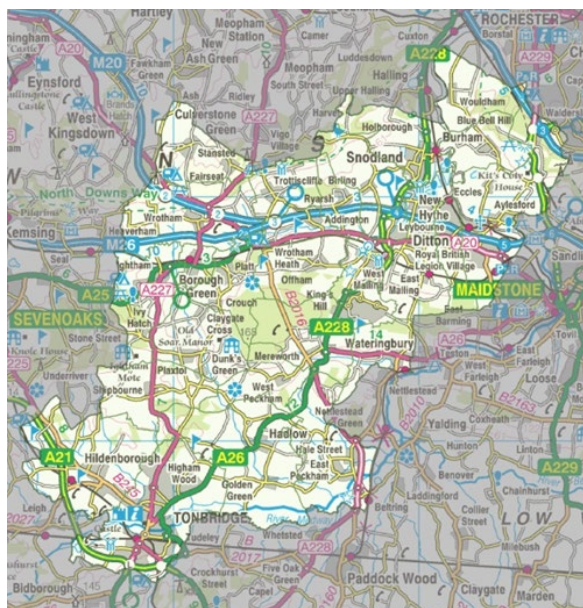

Proposal for Public Space Protection Order

December 2022/January 2023

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01 Introduction



The borough of Tonbridge and Malling lies in the heart of Kent and is an area of variety and historical interest. The borough is largely rural with few large settlements; Tonbridge in the south being the largest and home to around 41,000 residents. The remainder of the borough is dotted with villages and smaller towns.

Industry and commerce are concentrated around Tonbridge, Aylesford, Ditton, Larkfield and Snodland. Mineral extraction has been carried out in the area for many years. Paper and packaging mills, distribution, general and light industry, and many small businesses make up the industrial scene. The borough is a popular area for office location and high-tech development, particularly at the

Kings Hill business and residential community.

Background to Public Spaces Protection Orders in Tonbridge and Malling

The Anti-Social Behaviour, Police and Crime Act 2014 placed new duties on the council to tackle anti-social behaviour, working co-operatively with the police, social landlords and other agencies. The government made it clear that their reforms are designed to put victims at the heart of the response to anti-social behaviour and give professionals the flexibility they need to deal with any given situation.

Public Spaces Protection Orders (PSPOs) are intended to control and restrict anti-social behaviour or potential anti-social behaviour in public spaces. They can help by giving local councils and police additional powers to tackle anti-social behaviour in specific locations. The definition of a public space is wide and includes any place to which the public or any section of the public has access to.

District and borough councils are responsible for making the new PSPOs and to take enforcement against any breaches, although the police are also able to enforce these orders and it is also possible for the council to delegate enforcement powers to others.

Tonbridge and Malling already have a PSPO in place which cover both all open spaces in the borough and also some specific locations. These were first authorised in April 2017, were renewed in April 2020 and are now due for another review for April 2023. We are therefore required to consult again on the PSPOs that we are proposing, and this document gives details of those that we are proposing to continue and some additional ones. The additional PSPOs include preventing nuisance associated with car/motorbike meetings, inappropriate parking on public open spaces, fishing at Town Lock in Tonbridge and swimming, boating, or

bathing at Holborough Lakes, Snodland.

The activities identified within the PSPO have been carried out in public places within the council's area and have a detrimental effect on the quality of life of those in the locality. The council is satisfied that the prohibitions imposed by the PSPO are reasonable to impose to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

There will be Fixed Penalty Notices (FPNs) of £100 to be issued for any breaches of the PSPOs. These will be issued by an authorised person and will follow the Enforcement Policy set by Tonbridge and Malling Borough Council.

Once confirmed, the PSPO will be in place for a three-year period and will be reviewed at the end of this time.

Consultation

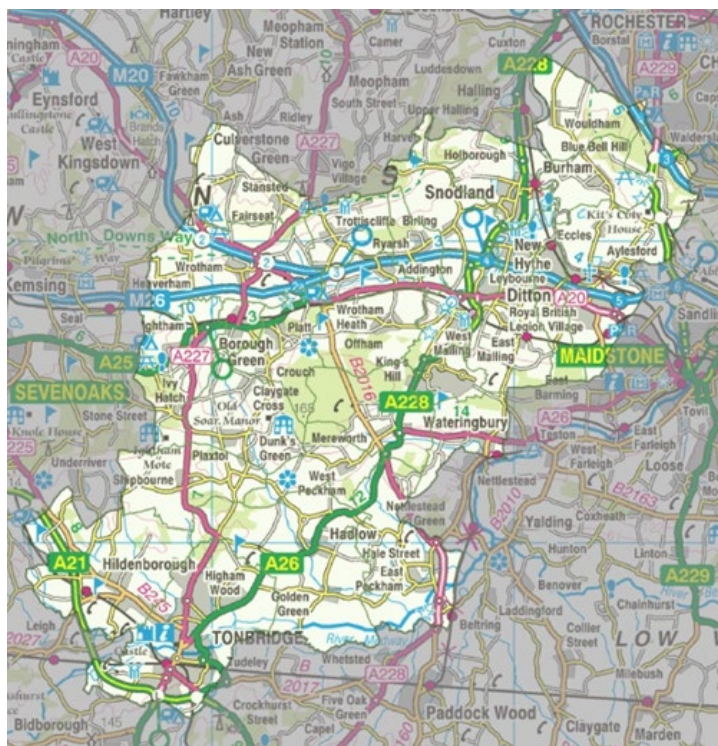
This document gives you details of the proposed PSPOs. We will be consulting the public and other groups about these, and you can reply in writing or [complete an online survey](#).

The details below show the timeline for consultation with the public and other groups.

| Activity/meeting | Dates |
|---|------------------------------------|
| Consultation period | 5 December 2022 to 15 January 2023 |
| Communities and Environment Scrutiny Select Committee | 8 February 2023 |
| Cabinet meeting | 7 March 2023 |

Written responses can be sent to PSPO Consultation via csp@tmbc.gov.uk or sent to PSPO Consultation, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling ME19 4LZ.

02 Proposed Public Space Protection Orders covering the whole of the borough



The map shows the whole borough area where the council is considering introducing a PSPO for the measures set out below.

Measure 1

Deterring Dog Fouling

Dog Fouling is a widespread and a well-known problem within the borough. Dog faeces are a known carrier of the roundworm toxicara that can cause blindness. The council has a duty under the Litter (Animal Droppings) Order 1991 to endeavour to keep public open spaces clear of dog faeces.

Proposal

A FPN will be issued to the person responsible for the dog(s) who allows dog fouling by not removing dog faeces from any public place.

Measure 2

Exclusion of dogs from borough council owned and maintained children's play areas

Complaints have been received about dogs being loose and causing distress to young children. The exclusion of dogs from borough council owned and maintained children's play areas will prevent any distress and alarm to children.

Proposal

A FPN will be issued for any person allowing a dog, or dogs, into a borough's owned and maintained children play areas to enable children to enjoy the facilities unimpeded from dogs.

Measure 3

Dogs on leads by direction

To stop a loose dog causing a nuisance, annoyance or disturbance to other people or to wildlife, dogs must be

kept on a lead if the owner is instructed to do so by an authorised person.

Proposal

A FPN will be issued to anyone who does not put their dog on a lead when instructed to do so by an authorised person.

Measure 4

Maximum number of dogs

This measure restricts the total number of dogs that one person can take onto a public place to six dogs to ensure that they have full control of these dogs and do not allow them to cause alarm or distress to other people.

Proposal

A FPN will be issued to anyone who takes more than six dogs at one time onto a public place.

Measure 5

Introduction of a controlled alcohol zone

There have been many incidents across the borough where there has been anti-social behaviour linked to alcohol.

This measure will not mean it is an offence to drink alcohol in a public place; however, it will be an offence to fail to comply with a request by an authorised officer to cease drinking or surrender alcohol. This will not apply to any premises, or its curtilage, which is licenced for the supply of alcohol.

Proposal

A FPN will be issued for any person who continues to drink alcohol in a public place when asked to cease or surrender that alcohol.

Measure 6

Deterring public urination / defecation

There are complaints about people urinating/defecating in public which is unpleasant and unhygienic for others. It makes people feel unsafe and can cause feelings of distress.

Proposal

To make it an offence to urinate or defecate in public (excluding public toilets). A FPN will be issued to anyone seen urinating or defecating in a public place (excluding public toilets).

Measure 7

No unauthorised drones on Tonbridge and Malling Borough Council open spaces

The use of unauthorised drones is increasing and has been seen to be taking place on many open spaces within the borough. If not properly controlled, drones could cause serious injury and harm, as well as causing a nuisance to the public.

Proposal

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.)

Measure 8 – New proposal

No unauthorised vehicles on public open spaces

This issue occurs at sites across the borough and is persistent in nature. It causes significant damage to established public open spaces and creates health and safety issues with large divots and unofficial access points that pedestrians may be unaware of.

Proposal

No person may park their vehicle on any public open space save in a designated vehicle parking space.

Measure 9 – New proposal

Nuisance associated with car/motorbike meetings

Reports of nuisance associated with car and/or motorbike meetings has been increasing across the borough and it has a detrimental effect on residents who are affected by noise, dangerous driving and so on.

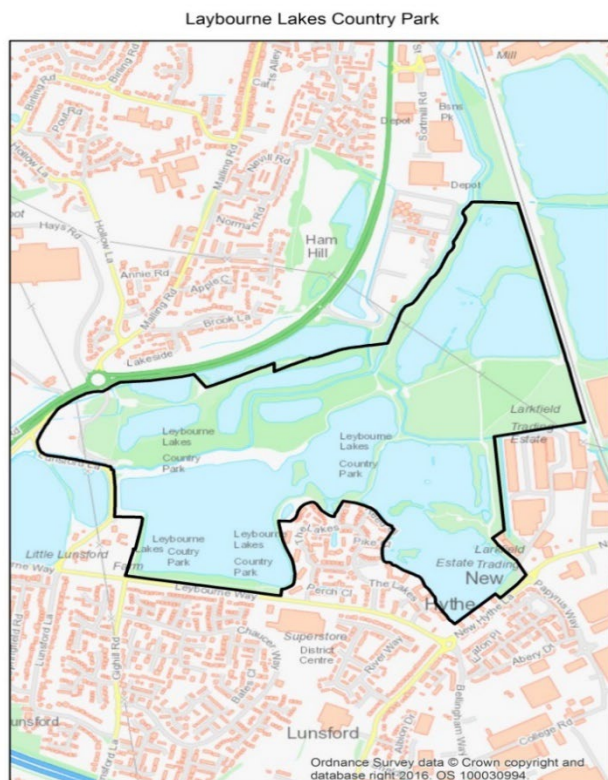
Proposal

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”.

03 Proposed Public Space Protection Orders for Leybourne Lakes Country Park



The map above shows the area covered by the PSPO for Leybourne Lakes Country Park.

Measure 1

No unauthorised BBQs

TMBC have received complaints from the public that these are left on the ground and also are placed in bins causing them to burn out which the public then complain about.

BBQs cause damage to the countryside, burning dry fields, hot coals placed in bins have been causing much damage to the bins and can result in unpleasant smoke drifting for some distance.

Proposal

No unauthorised BBQs within Leybourne Lakes Country Park. A FPN will be issued to anyone seen using an unauthorised BBQ.

Measure 2

No unauthorised Swimming, bathing or boating.

TMBC have received numerous complaints from the public about anti-social behaviour involving people swimming in the lakes in this area. Unauthorised swimming can have a detrimental effect on wildlife and interfere with authorised swimming activities.

Proposal

No unauthorised swimming within Leybourne Lakes Country Park. A FPN will be issued to anyone seen using the lake who has not been authorised.

Measure 3

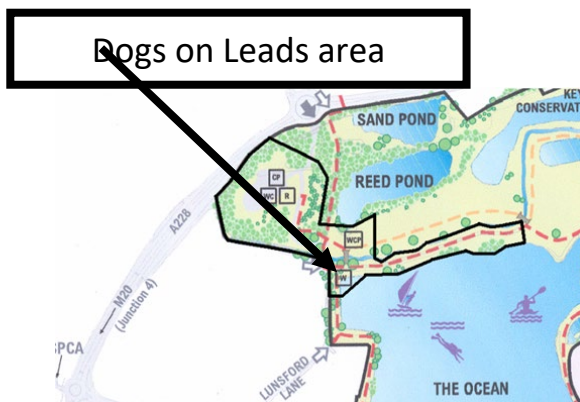
Keeping dogs on a lead

The car park and access road for the water sports has high volumes of vehicular traffic. Additionally on numerous occasions it has been reported that food has been taken from children and elderly people by uncontrolled dogs. This measure is to prevent distress to park users.

Proposal

To keep dogs on a lead within the signed area (see map below for details).

A FPN will be issued to anyone not keeping their dog on a lead in these areas.



Measure 4

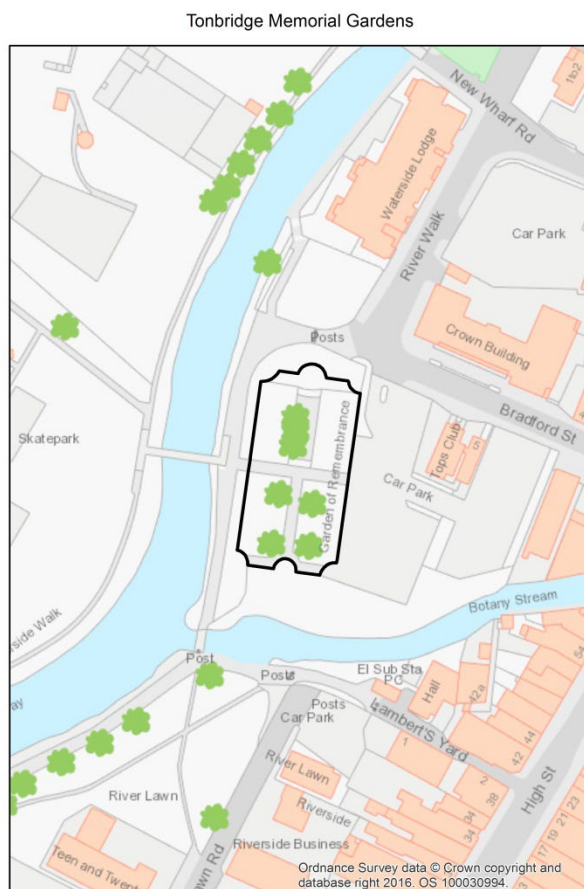
No unauthorised camping

The borough council is satisfied that unauthorised camping in a public place is being carried out within this area or it is likely that this activity will be carried out and this is having, or it is likely to have, a detrimental effect on the quality of life of those in the locality. People camping in this area have been known to set fires; leave rubbish and cause alarm or distress to others.

Proposal

A FPN will be issued to anyone who, when asked to remove an unauthorised encampment, does not do so.

04 Proposed Public Space Protection Orders for Tonbridge Memorial Gardens



The map above shows the area of Tonbridge Memorial Gardens covered by the PSPO.

Measure 1

No-wheeled-sports activities

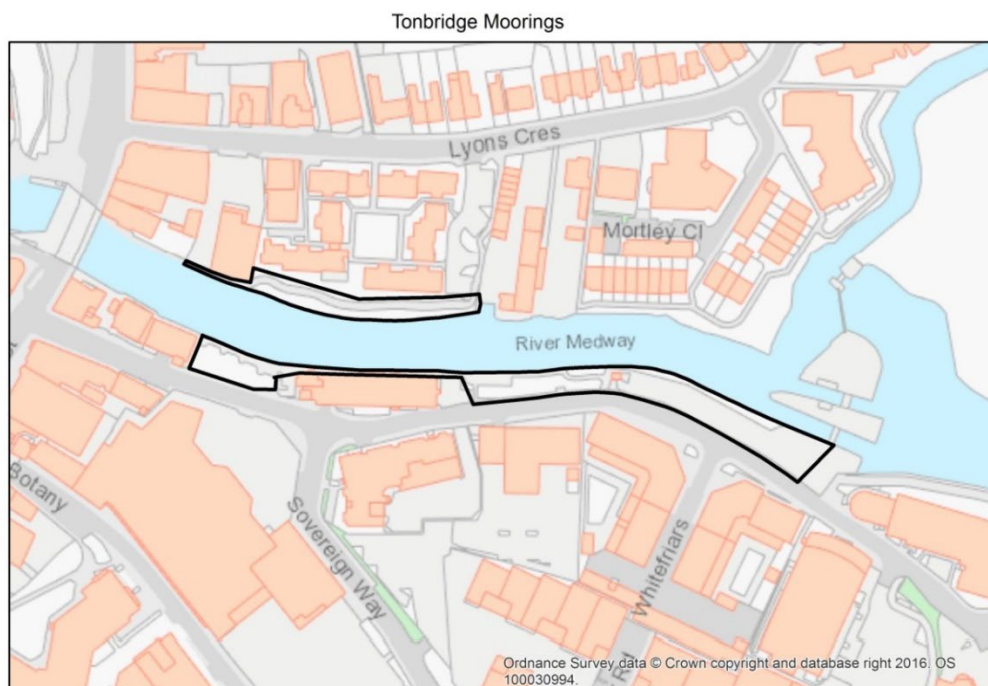
There have been numerous complaints to this authority have come in regarding damage to this area adversely affecting people's enjoyment of the memorial garden.

Wheeled sports activities take place within the memorial garden; physical damage has been caused to the site which is detrimental to this very sensitive site where people come for peace and reflection.

Proposal

No-wheeled-sports activities to take place within the Tonbridge Memorial Gardens. Including, but not limited to, skateboards, BMX, in-line skating and scooters. A FPN will be issued to anyone not ceasing these activities when instructed to do so.

05 Proposed Public Space Protection Orders for Tonbridge Moorings/Town Lock



The map above shows the area of Tonbridge Moorings/Town Lock covered by the PSPO.

Measure 1

No unauthorised Mooring

The council have received complaints from the public from people mooring boats without a licence, disposing of waste on the sides of the river, leaving generators running through the night and swimming in the river.

Unauthorised mooring impedes authorised users using spaces which can lead to conflict and anti-social behaviour.

Proposal

No unauthorised mooring within the Tonbridge Moorings area. A FPN will be issued to anyone breaching this order.

Measure 2

No unauthorised camping

The borough council is satisfied that unauthorised camping in a public place is being carried out within this area or it is likely that this activity will be carried out and this is having, or it is likely to have, a detrimental effect on the quality of life of those in the locality. People camping in this area have been known to set fires; leave rubbish and cause alarm or distress to others.

Proposal

A FPN will be issued to anyone who, when asked to remove an unauthorised encampment, does not do so.

Measure 3

No unauthorised swimming or bathing

TMBC have received numerous complaints from the public about anti-social behaviour involving people swimming in the river in this area. Unauthorised swimming can have a detrimental effect on wildlife and can be linked to excessive noise and distress to others.

Proposal

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

Measure 4 - New proposal

No fishing

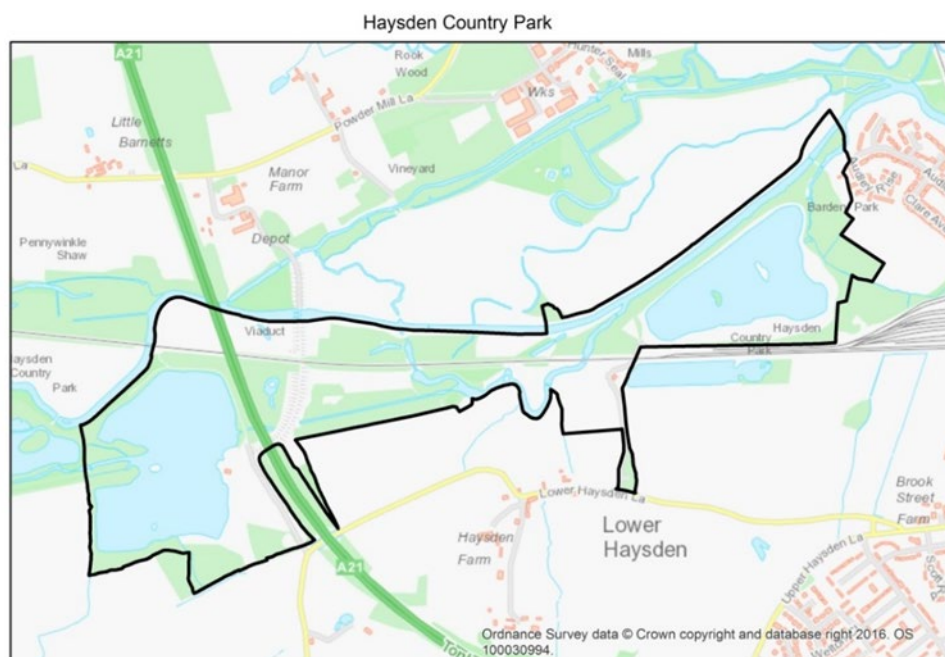
Town lock has struggled with behaviour associated with unauthorised anglers and people camping on-site. The presence of anglers often acts as an invitation for others to attend and has regularly resulted in mass complaints from residents and regular visits from Kent Police. The noise of those fishing in the area causes issues for residents and can encourage others to attend the area.

Proposal

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



06 Proposed Public Space Protection Orders for Haysden Country Park



The map above shows the area where of Haysden Country Park covered by the PSPO.

Measure 1

No unauthorised BBQs

TMBC have received complaints from the public that these are left on the ground and also are placed in bins causing them to burn out which the public then complain about.

BBQs cause damage to the countryside, burning dry fields, hot coals placed in bins have been causing much damage to the bins and can result in unpleasant smoke drifting for some distance.

Proposal

No unauthorised BBQs within Haysden Country Park. A FPN will be issued to anyone seen with an unauthorised BBQ.

Measure 2

No unauthorised Swimming, bathing, or boating activities

TMBC have received numerous complaints from the public about anti-social behaviour involving people swimming in the lakes in this area. Unauthorised swimming can have a detrimental effect on wildlife and can be linked to excessive noise and distress to others.

Proposal

No unauthorised swimming, bathing, or boating within Haysden Country Park. A FPN will be issued to anyone seen undertaking these activities without authorisation.

Measure 3

Keeping dogs on a lead

On numerous occasions it has been reported that food is stolen from children and the elderly by uncontrolled dogs. This measure is to ensure the safety of all users and prevent distress to anyone.

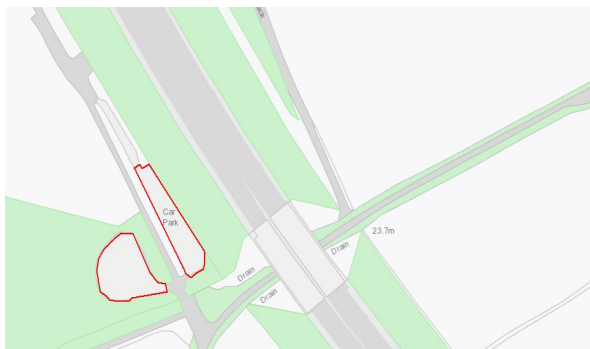
Proposal

To keep dogs on a lead within the designated areas in the car parks and at the catering unit at Haysden Country Park (see maps below). A FPN will be issued to anyone seen not following this order.

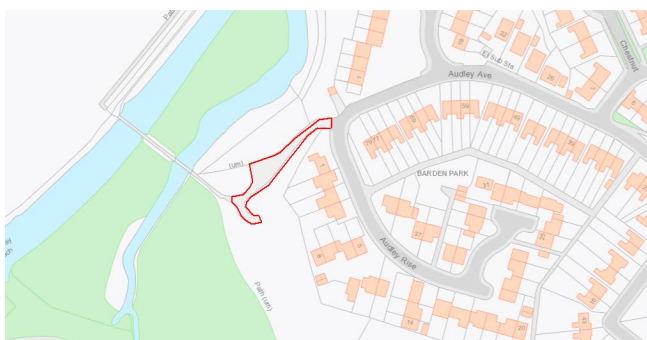
Map below showing dogs on lead area within main car park and catering area.



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



Map below showing dogs on lead area within Audley Rise Car Park.



Measure 4

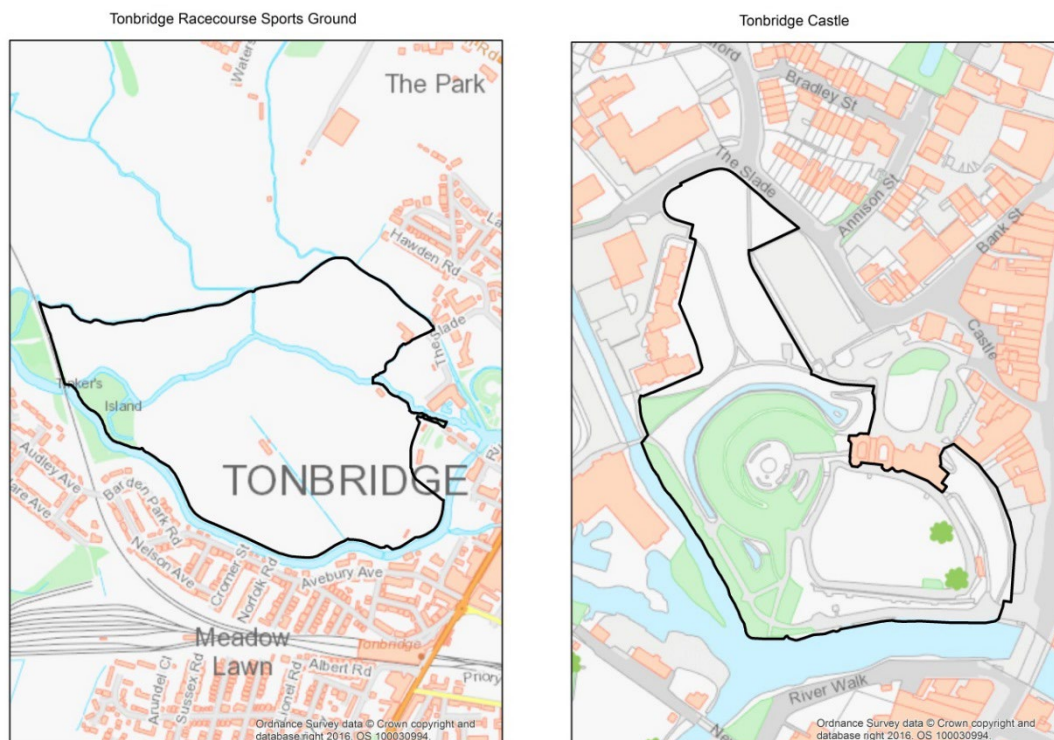
No unauthorised camping

The borough council is satisfied that unauthorised camping in a public place is being carried out within this area or it is likely that this activity will be carried out and this is having, or it is likely to have, a detrimental effect on the quality of life of those in the locality. People camping in this area have been known to set fires; leave rubbish and cause alarm or distress to others.

Proposal

A FPN will be issued to anyone who, when asked to remove an unauthorised encampment, does not do so.

07 Proposed Public Space Protection Orders for Tonbridge Racecourse Sportsground and Tonbridge Castle



The maps above show the areas of Tonbridge Racecourse Sports Ground and Tonbridge Castle covered by the PSPO.

Measure 1

No unauthorised BBQs

TMBC has received complaints from the public that these are left on the ground and also are placed in bins causing them to burn out which the public then complain about. BBQs cause damage to the countryside, burning dry fields, hot coals placed in bins have been causing much damage to the bins and can result in unpleasant smoke drifting for some distance.

Proposal

No unauthorised BBQs within Tonbridge Racecourse Sports ground and Tonbridge Castle. A FPN will be issued to anyone seen with an unauthorised BBQ.

Measure 2

No unauthorised camping

The borough council is satisfied that unauthorised camping in a public place is being carried out within this area or it is likely that this activity will be carried out and this is having, or it is likely to have, a detrimental effect on the quality of life of those in the locality. People camping in this area have been known to set fires; leave rubbish and cause alarm or distress to others.

Proposal

A FPN will be issued to anyone who, when asked to remove an unauthorised encampment, does not do so.

Measure 3

Keeping dogs on leads

The area around Tonbridge Castle is very popular and uncontrolled dogs can cause alarm and distress to those people using this area. By keeping dogs on a lead in this area it will prevent anyone from feeling distressed by an uncontrolled dog.

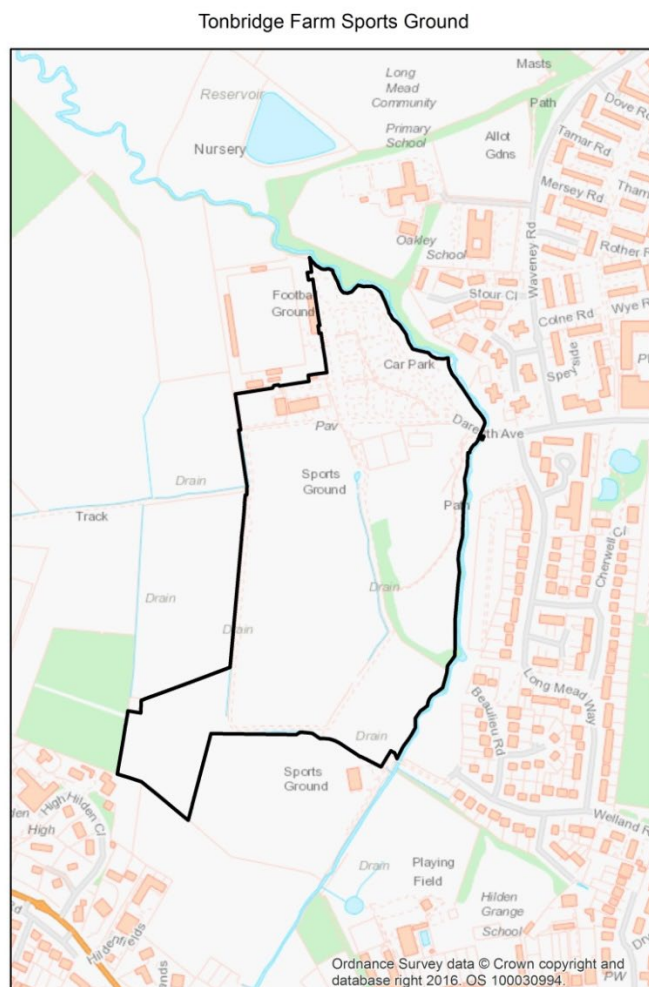
Proposal

To keep dogs on a lead within the Castle grounds (see map below). A FPN will be issued to anyone who is seen not following this order.

Map below showing dogs on lead area within Tonbridge Castle grounds.



08 Proposed Public Space Protection Orders for Tonbridge Farm Sports Ground



The map above shows the area of Tonbridge Farm Sports Ground covered by the PSPO.

Measure 1

No unauthorised BBQs

TMBC have received complaints from the public that these are left on the ground and also are placed in bins causing them to burn out which the public then complain about. BBQs cause damage to the countryside, burning dry fields, hot coals placed in bins have been causing much damage to the bins and can result in unpleasant smoke drifting for some distance.

Proposal

No unauthorised BBQs within Tonbridge Farm Sports ground. A FPN will be issued to anyone seen with an unauthorised BBQ.

Measure 2

No unauthorised camping

The borough council is satisfied that unauthorised camping in a public place is being carried out within this area or it is likely that this activity will be carried out and this is having, or it is likely to have, a detrimental

effect on the quality of life of those in the locality. People camping in this area have been known to set fires; leave rubbish and cause alarm or distress to others.

Proposal

A FPN will be issued to anyone who, when asked to remove an unauthorised encampment, does not do so.

Measure 3

Keeping dogs on leads

Tonbridge Farm Sports ground is very popular and uncontrolled dogs can cause alarm and distress to those people using this area. By keeping dogs on a lead in the car park area this will help to reduce feelings of distress by users of the park.

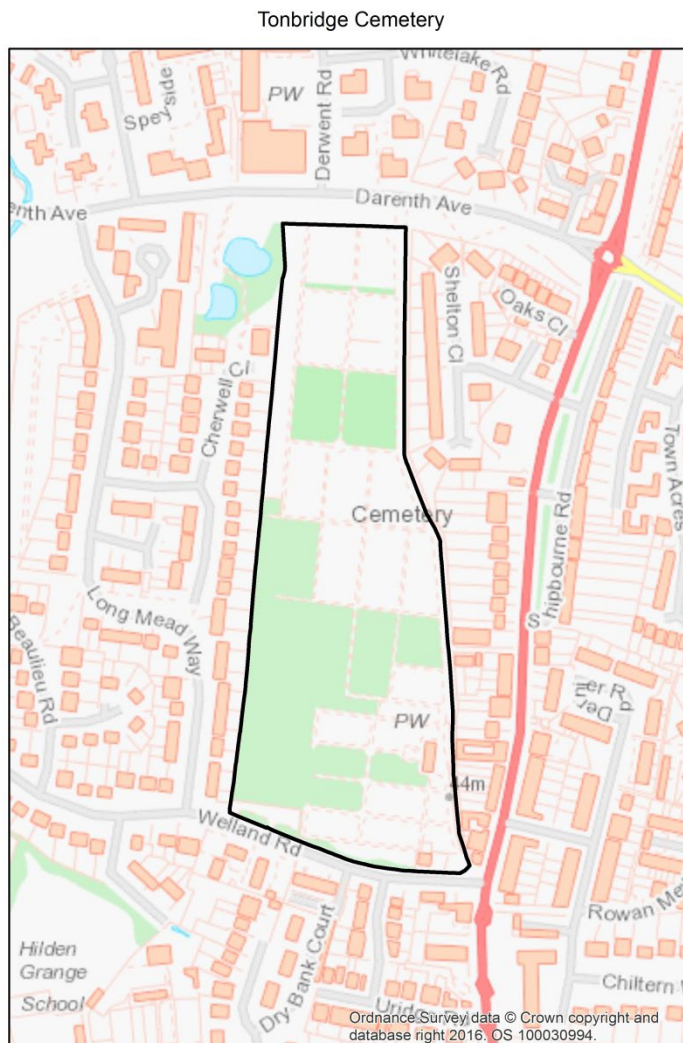
Proposal

To keep dogs on a lead within the car park of Tonbridge Farm Sports ground (see map below). A FPN will be issued to anyone who is seen not following this order.

Map below showing dogs on lead area within Tonbridge Farm Sports Ground.



09 Proposed Public Space Protection Orders for Tonbridge Cemetery



The map above shows the area of Tonbridge Cemetery covered by the PSPO.

Measure 1

Keeping dogs on leads

Tonbridge Cemetery is a place of mourning and reflection and dogs that are not controlled can cause alarm and distress to those using the cemetery.

Proposal

To keep dogs on a lead within Tonbridge Cemetery. A FPN will be issued to anyone who is seen not following this order.

10 Proposed Public Space Protection Orders for the closed churchyards at St Stephen's and St Peter and St Paul's Churches



The maps above show the areas of the closed Churchyards of St Stephen's Church and St Peter and St Paul's Church in Tonbridge covered by the PSPO.

Measure 1

Keeping dogs on leads

The closed churchyards at St Stephen's and St Peter and St Paul's Churches are a place of mourning and reflection and dogs that are not controlled can cause alarm and distress to those using the cemetery.

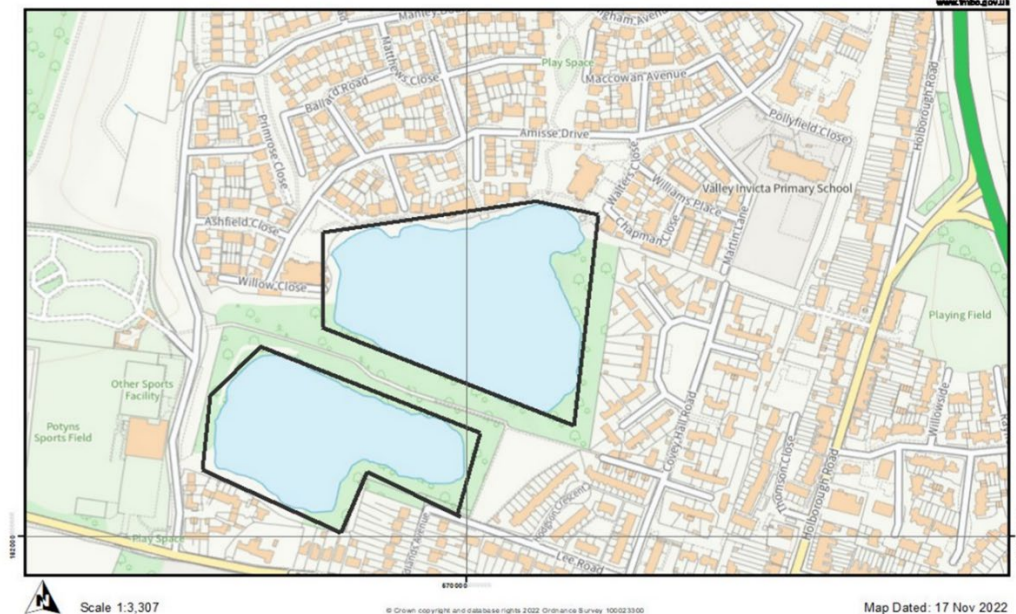
Proposal

To keep dogs on a lead within the churchyards of St Stephen's Church and St Peter and St Paul's Church. A FPN will be issued to anyone who is seen not following this order.

11 New Proposed Public Space Protection Orders for Holborough Lakes, Snodland

Holborough Lakes

Notes: Notes



The map above shows the area of Holborough Lakes, Snodland covered by the PSPO.

Measure 1 – New proposal

No unauthorised swimming, bathing, or boating

TMBC have received numerous complaints from the public about anti-social behaviour involving people swimming in the lakes in this area. Unauthorised swimming can have a detrimental effect on wildlife and can be linked to excessive noise and distress to others.

Proposal

No person may swim, bathe, or operate any boat or craft in any lake within Holborough Lake unless specifically authorised in writing by the landowner.

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Serving our community

Tonbridge and Malling Borough Council
Gibson Building
Gibson Drive
Kings Hill
West Malling
Kent
ME19 4LZ