

ROSSENDALE BOROUGH COUNCIL

Anti-Social Behaviour, Crime and Policing Act 2014, Section 59

Public Spaces Protection Order (Borough wide) 2021

This Order is made by Rossendale Borough Council ("the Council") under the Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 ("the Act").

1. This Order relates to all areas within the Borough of Rossendale (as shown on attached map), including public space in the Council's area and privately owned land made available to the public, to which the Act applies ("the Restricted Area").

2. The Council is satisfied that the two conditions below have been met, in that:-

- activities carried on in the restricted area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
- the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

By this Order

3. The effect of the Order is to impose the following prohibitions and/or requirements in the Restricted Area at all times, unless specifically stated-

B. Consumption of alcohol in public areas, away from licensed premises.

It will constitute an offence should any person, when requested by an authorised officer, not cease from drinking alcohol in a public place away from licensed premises and not surrender any opened vessels of alcohol. Any unopened alcoholic drinks may be subject to confiscation or disposal should the officer believe the person is either;

- i) Under 18 years of age
- ii) Intoxicated
- iii) Likely to consume the alcohol in public and cause nuisance if left with them

B. Consumption/Possession of Nitrous Oxide Canisters

It will constitute an offence for any person, when requested by an authorised officer, not to surrender any nitrous oxide canisters or related paraphernalia.

C. Mechanically Propelled Vehicles

Mechanically propelled vehicles (hereafter referred to as “MPV”) are prohibited from being used on any publically owned land/highway in the Borough, or on any other land without express or implied permission.

A person is prohibited from parking up a motor vehicle or trailer on any road or land without the land owners permission, with the intention to then off load any MPV to be used on any publically owned land/highway in the Borough, or any other land without the express or implied permission

A person is prohibited from having a MPV in their possession but not being ridden when in a public space or on a highway or pavement, unless they can produce appropriate insurance for use of the MPV on a public highway.

The only exception will be granted for persons wheeling a MPV to a clearly identified van or trailer for onwards transportation.

The following list is of mechanically propelled vehicles are included in this order, but this list is intended to be indicative, not exhaustive;

Motorbikes (road going and off road) including mini “pee-wee” bikes

Electrically propelled motor bikes

Scooters

Quad Bikes and mini quad bikes

Motor Cars

The following MPV’s are exempt from the Order:

Vehicles for use by a person with a mobility impairment, and being used by someone with a mobility impairment

Offences under this Public Space Protection Order:

a. A person who is guilty of an offence shall on summary conviction be liable to a fine not exceeding level 3 on the standard scale.

b. A Fixed Penalty Notice of £100.00 will be issued to offenders (reduced to £60.00 if paid within 14 days) which would discharge any liability to conviction for an offence under Section 67(1) of the Act.

c. This order may be cited as 'The Public Space Protection Order (Borough wide 2021)' and shall come into force on 15th December 2021 and remain in force for a period of three years.