

DATED

29 OCTOBER

2018

**THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**  
**THE BOROUGH COUNCIL OF PENDLE**  
**(BRIERFIELD and REEDLEY)**  
**PUBLIC SPACES PROTECTION ORDER 2018**

H.P. Culshaw  
Head of Legal Services  
Town Hall Nelson Lancashire



**THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**THE BOROUGH COUNCIL OF PENDLE**

**(BRIERFIELD and REEDLEY)**

**PUBLIC SPACES PROTECTION ORDER 2018**

This Order may be cited as the Borough Council of Pendle (Brierfield and Reedley) Public Spaces Protection Order 2018

The Borough Council of Pendle (in this Order called "the Council") in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"), being satisfied that the conditions set out in section 59 of the Act have been met hereby makes the following Order:

1. This Order relates to the areas within the Brierfield and Reedley Wards of Pendle listed in Part A to the Schedule(s) and identified on the Plan(s) annexed to this Order (the "Restricted Area(s)")
2. In making this Order the Council is satisfied on reasonable grounds that –
  - (a) the activities covered by this Order have been carried on within a Restricted Area and have had a detrimental effect on the quality of life of those in the locality ;  
and
  - (b) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, and is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed.
3. The Council is also satisfied that the prohibitions and restrictions specifically identified in Part B to the Schedule(s) to this Order are reasonable –
  - (a) to prevent the detrimental effect on the quality of life of those in the locality continuing, occurring or recurring; or
  - (b) to reduce the detrimental effect or to reduce the risk or its continuance, occurrence or recurrence
4. The effect of this Order is to restrict persons from engaging in particular behaviour and activities that have a detrimental effect on the quality of life of those in the locality, as specifically identified in Part B to the Schedule(s) to this Order, at all times of the day and night.
5. Any person who, without reasonable excuse, fails to comply with this Order commits an offence contrary to section 67 of the Act and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
6. This Order shall come into force on the *29<sup>th</sup>* day of *October* 2018 for a period of one year.

7. The Order may be extended subject to further consultation with residents in the locality and whether it is reasonable to do so within the council's statutory powers
8. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the date on which this Order is made.

**The COMMON SEAL** of the  
**BOROUGH COUNCIL OF PENDLE**  
was hereunto affixed to this document this

29<sup>th</sup> day of October 2018

in the presence of

*Philip Mousdale*

Philip Mousdale  
Corporate Director



2832 ,

## SCHEDULE 1

### PART A – RESTRICTED AREA

The Restricted Area is all that Massey Street area of Brierfield and Reedley within the black circle shown on Plan No.1

### PART B - OFFENCES:

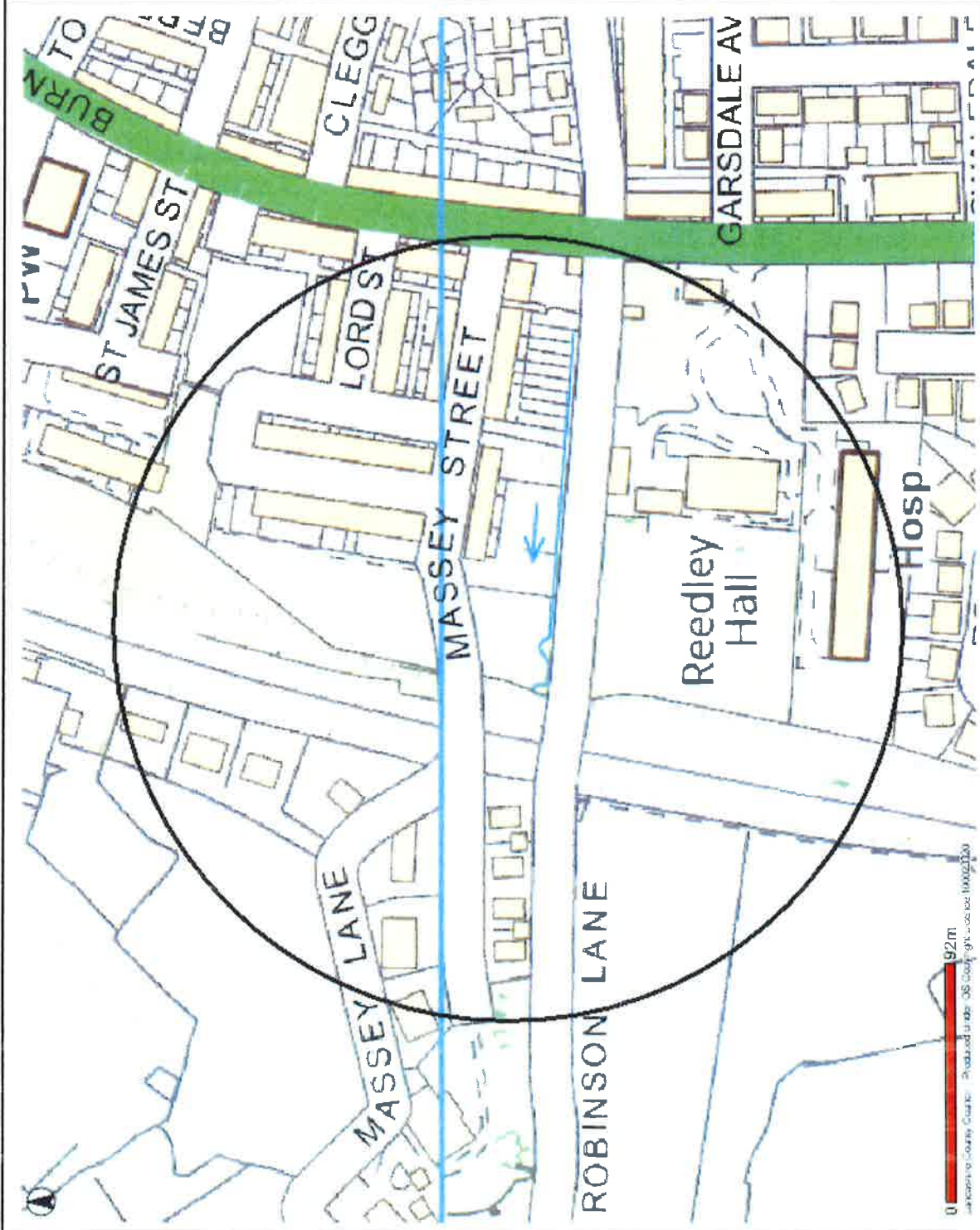
1. Any person, who is currently, or has previously engaged in anti-social behaviour within the Restricted Area identified on Plan No.1, is prohibited from being in the children's play area on Massey Street or within ten metres of the boundary fence of the said children's play area unless accompanied by a child of ten years or younger who is actively using the area for play
2. Any person who fails to provide their name and address to an authorized officer when requested to by them when in public areas within the Restricted Area.
3. Any person in a group of four or more people, one or more of whom have engaged in anti-social behaviour who fails to leave the Restricted Area when requested to by an authorized Police Officer or PCSO or Council Officer.
4. Any person, who has been engaging in anti-social behaviour in public areas within the Restricted Area, who fails to stop drinking alcohol or surrender alcohol when requested to by an authorized Police Officer or PCSO or Council Officer.
5. Any person is prohibited from urinating and/or defecating in public areas within the Restricted Area.
6. **Those under 16 in the Restricted Area:**

Any person present between the hours of 21.00 and 07.00 ("the relevant hours") in public areas within the Restricted Area and being unable to provide evidence that they are 16 or over, must allow a Police Officer or PCSO or Council Officer to accompany them to their home or place of safety, and any such person shall not again be present in the public area for the duration of the relevant hours.

No person shall knowingly or recklessly cause, permit or encourage any such person subject to a direction under this provision to fail to comply with such a direction.



- Districts
- Other District/Unitary Authority
- Lancashire Districts



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Date: 24/07/2018



