

DATED 29 JANUARY

2019

**THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**  
**THE BOROUGH COUNCIL OF PENDLE**  
**(PUBLIC PARKS)**  
**PUBLIC SPACES PROTECTION ORDER NO 1 2019**

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Head of Legal Services  
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**THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**THE BOROUGH COUNCIL OF PENDLE**

**(PUBLIC PARKS}**

**PUBLIC SPACES PROTECTION ORDER NO 1 2019**

This Order may be cited as the Borough Council of Pendle (Public Parks) Public Spaces Protection Order No. 1 2019

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 comes into force on *29th January* 2019 and shall have effect for a period of 3 years thereafter unless extended by further Orders under the Council's statutory powers.
2. This Order applies to the public spaces within the Borough Council of Pendle described in Schedule 1 to this Order and shown edged red on the plans annexed to this Order

**Prohibited and Required Activities**

3. Unless otherwise stated, the effect of this Order is to impose the prohibitions and restrictions detailed in Schedules 1 and 2 to this Order and which prohibitions and restrictions shall apply to all persons at all times of the day and night throughout the entirety of the land to which this Order applies.

**Obligations on persons with dogs:**

4. Dogs on Leads by Order

A person in charge of a dog at any time on land to which this Part of the Order applies must keep the dog on a lead of no more than two metres in length unless:-

- (a) they have a reasonable excuse for failing to do so; or
- (b) the owner, occupier of other person or authority having control of the land has consented (generally or specifically) to them failing to do so.

This Part of the Order applies to land described in Schedule 1 Column 2

## 5. Exclusion of Dogs

A person in charge of a dog must not take it into or keep it on any land to which this Part of the Order applies unless:-

- (a) They have a reasonable excuse for doing so; or
- (b) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to them doing so.

This Part of the Order applies to land described in Schedule 1 Column 3

## 6. Exemptions

The obligations on persons with dogs shall not apply to a person who:-

- (a) is registered as sight-impaired or severely sight impaired in a register compiled under section 77 of the Care Act 2014, in respect of a dog trained by the Guide Dogs for the Blind Association (registered charity number 209617 and upon which he relies for assistance, or
- (b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance, or
- (c) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

For the purpose of this Order –

- A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- Each of the following is a “prescribed charity” –
  - (i) Dogs for the Disabled (registered charity number 700454);
  - (ii) Support Dogs (registered charity number 1088281);
  - (iii) Canine Partners for Independence (registered charity number 803680)
- “authorised person” means an employee who is authorised by the Council for the purposes of giving directions under this Order.

## 7. Penalty

7.1 It is an offence for a person without reasonable excuse to engage in any activity prohibited or restricted by this Order.

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

7.3 An authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence under this Order. The penalty can be reduced by 50% if paid within 14 days otherwise the full penalty will be due. The Council will not prosecute if the penalty is paid within 29 days.

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

29<sup>th</sup> day of January, 2019

in the presence of



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

H. COLSHAW  
HEAD OF LEGAL SERVICES

## SCHEDULE 1

Park	1. Areas of the Park where there are no dog walking restrictions	2. Areas of the park where dogs must be on a lead at all times	3. Areas of the Park where dogs are not permitted at any time
<b>Barrowford and Western Parishes</b>			
Barrowford	All areas except those listed in column 2 and 3	<ul style="list-style-type: none"> <li>• Car Park</li> </ul>	<ul style="list-style-type: none"> <li>• Children's Play Area</li> <li>• Bowling Green</li> <li>• War Memorial</li> </ul>
<b>Brierfield and Reedley</b>			
Heyhead Park	All areas except those listed in column 3		<ul style="list-style-type: none"> <li>• Bowling green</li> <li>• Tennis courts</li> <li>• Ball court</li> </ul>
<b>Colne</b>			
Alkincoates	All areas except those listed in column 2 and 3	<ul style="list-style-type: none"> <li>• Car parks and designated roadways</li> </ul>	<ul style="list-style-type: none"> <li>• Children's Play Area</li> <li>• Bowling Greens</li> <li>• Tennis Courts</li> <li>• Ball court</li> <li>• Multi-use Games Area</li> </ul>
Ball Gove	All areas except those listed in column 2 and 3	<ul style="list-style-type: none"> <li>• Car Parks</li> </ul>	<ul style="list-style-type: none"> <li>• Children's Play Area</li> </ul>
King George V	All areas except those listed in column 3		<ul style="list-style-type: none"> <li>• Children's Play Area</li> <li>• Multi-use Games Area</li> </ul>
<b>Nelson</b>			
Hard Platts	All		
Marsden	All areas except those listed in column 2 and 3	<ul style="list-style-type: none"> <li>• Car Park</li> </ul>	<ul style="list-style-type: none"> <li>• Children's Play Area</li> <li>• Bowling Greens</li> <li>• Tennis Courts</li> </ul>

Victoria	All areas except those listed in column 2 and 3	<ul style="list-style-type: none"> <li>• Car Park</li> <li>• Pavilion and fenced area behind</li> </ul>	<ul style="list-style-type: none"> <li>• Children's Play Area</li> <li>• Ball court and surrounding area</li> <li>• RC Track</li> </ul>
Walverden	All areas except those listed in column 3	None	<ul style="list-style-type: none"> <li>• Children's Play Areas</li> <li>• MUGA</li> </ul>
West Craven			
Letcliffe	All areas except those listed in column 2 and 3	<ul style="list-style-type: none"> <li>• Car parks and designated roadways</li> <li>• Area around the war memorial and bandstand</li> </ul>	<ul style="list-style-type: none"> <li>• Children's Play Area</li> </ul>
Sough	All areas except those listed in columns 2 and 3	Ornamental area at the entrance to the Park including the War Memorial but excluding any area in column 3	<ul style="list-style-type: none"> <li>• Children's Play Area</li> <li>• Tennis courts</li> <li>• Bowling Green</li> <li>• Skate Park</li> </ul>
Valley Gardens	None	All areas except those listed in column 3	<ul style="list-style-type: none"> <li>• Children's Play area</li> </ul>
Victory	Designated area next to the rugby pitches	All except the area designated in column 1 and the areas listed in column 3	<ul style="list-style-type: none"> <li>• Children's Play Area</li> <li>• MUGA</li> <li>• Skate Park</li> <li>• Junior cycleway</li> </ul>

## SCHEDULE 2

1. A dog walker must put their dog(s) on a lead at the request of an authorised officer of the relevant Town or Parish Council; an officer of the District Council; a Police Officer or a Police Community Support Officer
2. On entering a park, a person in control of a dog must be able to show an authorised officer of the relevant Town or Parish Council; an officer of the District Council; a Police Officer or a Police Community Support Officer they have the means to collect, carry and dispose of dog fouling in a dog fouling or litter bin
3. Smoking is not permitted in enclosed Children's Play Areas; Multi Use Games Areas; Tennis Courts and Ball Courts
4. Dogs are not permitted in enclosed Children's Play Areas; Multi Use Games Areas; Tennis Courts and Ball Courts
5. Using fireworks of any description at any time without the express consent of an authorised officer of the Council
6. Removing, displacing or tampering with, other than in the case of an emergency, any lifesaving appliance, including defibrillators, provided or authorised by the Council
7. Providing; offering to provide or using the park to provide any service for which a charge is made, including but not limited to, selling ice cream, paid for fitness camps/sessions and paid for dog walking services, without the express consent of an authorised officer of the Council
8. Throwing, kicking or propelling any object in a way that is liable to cause deliberate or reckless injury to anyone else
9. Erecting or occupying a tent, vehicle, caravan or any other structure for the purpose of camping for any period whatsoever without the express consent of an authorised officer of the Council
10. Lighting a camp or any other type of fire without the express consent of an authorised officer of the Council
11. Allowing or permitting any radio or wireless controlled aircraft or vehicle, including model aircraft and drones and radio controlled cars, to take off from; land within or fly over a park or operate across any part of the park
12. Bringing on to or riding a horse except on authorised bridleways
13. Causing or likely to cause a nuisance or annoyance to anyone else in the park or in the locality by way of (including but not limited to) shouting or singing; use of a musical instrument or use of a radio; smartphone; tablet or any other device capable of playing amplified music other than as part of an event which has the express consent of an authorised officer of the Council
14. Engaging in the sport of archery; golf or field sports such as javelin, discus, shot put or hammer unless as part of an organised event which has the express consent of an authorised officer of the Council

15. Taking part in or permitting a public performance or show without the express consent of an authorised officer of the Council
16. Climbing any wall or fence in or enclosing a park or any tree, or any barrier, railing, post or other structure
17. Using any device designed or adapted for detecting or locating any metal or mineral in the ground without the express consent of an officer of the Council
18. Removing, displacing, damaging or defacing any barrier, post, seat or implement, or any part of any structure provided for use in the laying out or maintenance of the park
19. Removing, displacing, damaging or defacing any stone, soil, or turf or the whole or any part of any plant, shrub or tree
20. Erecting any post; ride or swing; or building or other structure without the prior express consent of an authorised officer of the Council
21. Bringing on to or driving a motor vehicle; trailer; motorcycle; mini-moto; quad bike; Segway or any other motorised, wheeled vehicle whatsoever other than on an approved roadway or in an approved parking area of the park or one relating to a disability
22. Leaving a motor vehicle; trailer; motorcycle; or any other motorised, wheeled vehicle whatsoever in a park between the hours of 10pm and 6am
23. Allowing any animal to graze in a park without the express consent of an authorised officer of the Council
24. Killing, injuring, taking or disturbing any animal, or engaging in hunting, shooting, or the setting of traps or the laying of snares
25. Bathing or swimming in (include jumping from structures in to waterways, e.g. Barrowford Park); fouling or polluting; or obstructing or diverting, any waterway or opening or shutting or otherwise moving or operating any sluice or similar apparatus within a park
26. Allowing or permitting any aircraft, including helicopters, hot air balloons and hang gliders, to land in or take off from a park other than in an emergency or with the express consent of an authorised officer of the Council
27. No person shall step on to or otherwise place their weight upon any frozen waterway.
28. No person shall operate a power-driven model boat on any waterway.
29. No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council.
30. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for fishing.
31. BBQ's are only allowed in designated areas of the Park