

DATED

29 JANUARY

2019

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
THE BOROUGH COUNCIL OF PENDLE
(SPORTS GROUNDS)
PUBLIC SPACES PROTECTION ORDER 2019

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THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE BOROUGH COUNCIL OF PENDLE

(SPORTS GROUNDS)

PUBLIC SPACES PROTECTION ORDER 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 ("the Restricted Areas")
3. On land to which article 7 applies, the maximum number of dogs which a person may take onto that land is two.

Prohibited and Required Activities

4. 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 Restricted Areas.

Obligations on persons with dogs:

5. Dogs on Leads by order

A person in charge of a dog within the Restricted Areas must comply with a direction given to them by an authorised person to put and 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.

6. Exclusion of Dogs

A person in charge of a dog must not take it into or keep it within the Restricted Areas 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.

7. Dogs - Specified Number

A person in charge of more than one dog shall be guilty of an offence if, at any time, he takes onto any land within the Restricted Areas more than the maximum number of dogs specified in article 3 of this Order, 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.

8. 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” –
 - Dogs for the Disabled (registered charity number 700454);
 - Support Dogs (registered charity number 1088281);
 - 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.



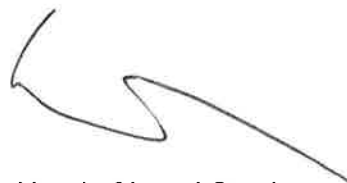
9. **Penalty**

- 9.1 It is an offence for a person without reasonable excuse to engage in any activity prohibited or restricted by this Order.
- 9.2 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.
- 9.3 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.
10. 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

29th day of January, 2019

in the presence of

  
Head of Legal Services



Schedule 1

Sports Ground in the Borough of Pendle	Ward	Restriction	Alternative Dog Walking Areas
1. Bullholme Playing Fields (including Barrowford Cricket Club), Wilton Street, Barrowford	Barrowford	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No more than two dogs per dog walker • All dogs on leads of no more than two metres in length 	Barrowford Park
2. Bullholme Bike Trail, Wilton Street, Barrowford	Barrowford	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No dogs at any time 	Barrowford Park
3. John Bradley Playing Fields	Reedley	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No more than two dogs per dog walker • All dogs on leads of no more than two metres in length 	Heyhead Park, Reedley Hallows Greenway and land close to Hillsborough Avenue
4. Reedley Sports Ground	Reedley	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No more than two dogs per dog walker • All dogs on leads of no more than two metres in length 	Heyhead Park and Reedley Hallows Greenway
5. Emmott Lane Playing Fields, Emmott Lane, Laneshaw Bridge	Boulsworth	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No more than two dogs per dog walker • All dogs on leads of no more than two metres in length 	Ball Grove Park and Nature Reserve

6. Holt House Playing Fields (including Colne Football Club and Colne and Nelson Rugby Club), Harrison Drive, Colne	Vivary Bridge	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No more than two dogs per dog walker • All dogs on leads of no more than two metres in length 	Alkincoates Park and Nature Reserve
7. Trawden Recreation Ground, Keighley Road, Trawden	Boulsworth	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 	Not Applicable
8. Edge End Playing Fields, Hibson Road, Nelson	Walverden	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No more than two dogs per dog walker • All dogs on leads of no more than two metres in length 	Hard Platts and Quarry Hill Nature Reserve
9. Hodge House Playing Fields, Regent Street, Nelson	Bradley	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No more than two dogs per dog walker • All dogs on leads of no more than two metres in length 	Barrowford Park and Marsden Park
10. Ringstone Crescent Playing Field	Marsden	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 	Not applicable
11. Swinden Cycle Hub, Cravendale Avenue, Nelson	Bradley	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No dogs at any time 	Barrowford Park
12. Swinden Playing Fields, Cravendale Avenue, Nelson	Bradley	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No more than two dogs per dog walker • All dogs on leads of no more than two metres in length 	Barrowford Park

13. Earby Recreation Ground, Colne Road, Earby	Earby	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No dogs at any time other than in the designated dog walking area 	Sough park and Birley Playing Fields
14. Springfield Playing Fields, Bailey Street, Earby	Earby	<ul style="list-style-type: none"> • All the prohibitions in Schedule 2 • No dogs at any time 	Birley Playing Fields

Schedule 2

1. Using fireworks of any description at any time
2. Removing, displacing or tampering with, other than in the case of an emergency, any lifesaving appliance, including defibrillators, provided or authorised by the Council
3. Providing; offering to provide or using the ground to provide any service for which a charge is made, including selling ice cream and paid for dog walking services, without the expressed consent of an authorised officer of the Council
4. Throwing, kicking or propelling any object in a way that is liable to cause deliberate or reckless injury to anyone else
5. Erecting or occupying a tent, vehicle, caravan or any other structure for the purpose of camping for any period whatsoever without the expressed consent of an authorised officer of the Council
6. Lighting a camp or any other type of fire without the expressed consent of an authorised officer of the Council
7. 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 ground or operate across any part of the ground
8. Bringing on to or riding a horse except on authorised bridleways
9. Causing or likely to cause a nuisance or annoyance to anyone else in the ground or in the locality by way of 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 expressed consent of an authorised officer of the Council
10. Engaging in the sport of archery; golf or field sports such as javelin, discus, shot put or hammer unless a sport of an organised event which has the expressed consent of an authorised officer of the Council
11. Taking part in or permitting a public performance or show without the expressed consent of an authorised officer of the Council

12. 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.
13. Climbing any wall or fence in or enclosing a ground or any tree, or any barrier, railing, post or other structure
14. Removing or displacing any barrier, post, seat or implement, or any part of any structure provided for use in the laying out or maintenance of the ground
15. Removing or displacing any stone, soil, or turf or the whole of any plant, shrub or tree
16. Erecting any post; ride or swing; or building or other structure without the prior expressed consent of an authorised officer of the Council
17. 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 ground or one relating to a disability
18. Leaving a motor vehicle; trailer; motorcycle; or any other motorised, wheeled vehicle whatsoever in a ground between the hours of 10pm and 6am
19. Allowing any animal to graze in a ground without the expressed consent of an authorised officer of the Council
20. Killing, injuring, taking or disturbing any animal, or engaging in hunting, shooting, or the setting of traps or the laying of snares
21. Bathing or swimming in; 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 ground
22. Allowing or permitting any aircraft, including helicopters, hot air balloons and hang gliders, to land in or take off from a ground other than in an emergency or with the expressed consent of an authorised officer of the Council