

Appendix2b: THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PUBLIC SPACE PROTECTION ORDER (BLACKPOOL BOROUGH COUNCIL)

GREEN SPACES, PARKS AND CEMETARIES

Blackpool Borough Council, in exercise of its powers under section 59 Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) and all other powers enabling it in this regard, being satisfied that the conditions set out therein, having been met hereby makes the following Public Space Protection Order (PSPO)

Definitions

1. For the purposes of this Order, the following definitions will apply:

'Alcohol' has the meaning given by section 191 of the Licensing Act 2003;

'Authorised person' means a constable, a police community support officer or a person authorised in writing by Blackpool Borough Council; and

'Public place' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission

2. Blackpool Borough Council is satisfied on reasonable grounds that the activities described below, carried out in a public place within its area have had, or are likely to have a detrimental effect on the quality of life of those in the locality and that the effect of these activities:
 - a. Is, or is likely to be of a persistent or continuing nature;
 - b. Is, or is likely to be, such as to make the activities unreasonable, and
 - c. Justifies the restrictions imposed by the order

The effect of this order is to impose the following prohibitions or requirements

PROHIBITED AND REQUIRED ACTIVITIES

Part 1: This section applies to all parks, green spaces and cemeteries identified and described in Schedule 1 “the controlled area”

Anti-Social Behaviour

3. No person without a reasonable excuse shall act in an anti-social or disorderly manner that causes or is likely to cause nuisance, harassment, alarm or distress to any other person.
4. No person previously warned under paragraph

5. (3) shall refuse to leave any park, green space or cemetery within the controlled area when requested to do so by a Police Officer or Authorised Person

Overnight camping

6. No person shall position any vehicle, caravan, tent or other temporary structures designed or intended to provide shelter or accommodation, for the purpose of an overnight stay.
7. No person shall remain overnight in any vehicle, caravan, tent or other temporary structure designed or intended to provide shelter or accommodation.
8. If instructed to do so by an authorised officer a person shall clear away any vehicle, caravan, tent or other temporary structure and/or associated paraphernalia immediately.

Use of illegal drugs or psychoactive substances and misuse of alcohol

9. No person in the controlled area will ingest, inhale, inject, smoke or otherwise use intoxicating substances (substances with the capacity to stimulate or depress the central nervous system) or possess any item used to assist in the taking of intoxicating substances. This includes any device for smoking substances other than e-cigarettes, it also includes needles, except for those packaged and sealed by the manufacturer and stored in a hard case
10. Persons in breach of paragraph 8, shall stop consuming and surrender any such substance in their possession when asked to do so by an authorised officer
11. To prevent public nuisance or disorder, no person shall refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) believed to contain alcohol when required to do so by an authorised officer.
12. The requirements of paragraph 11 shall not apply to alcohol consumed within premises licensed under the Licensing Act 2003 or s.115E of the Highways Act 1980.

Use of a motor vehicle, without reasonable excuse or the express permission of the Council.

13. Persons must not use a motor vehicle (including but not limited to cars, vans, motorbikes, mopeds and e-scooters) in the restricted area without the written consent of Blackpool Borough Council
14. Paragraph 13 does not apply to vehicles driven along a roadway for the sole purpose of accessing or exiting a carpark

Harassment, Alarm, Distress or Vandalism

15. An Authorised Person may require an individual, or a group, within the controlled area to leave the controlled area, where he reasonably suspects that that individual or any person

within that group is causing or likely to cause nuisance or disorder, or harassment, alarm or distress to any other person.

16. An individual or group required to leave the controlled area by an Authorised Person is:
 - (i) prohibited from remaining within the controlled area, and
 - (ii) required to leave that area immediately, and
 - (iii) prohibited from returning to the controlled area within 24 hours of being required to leave.
17. A person is prohibited from marking any surface within the controlled area with any form of unauthorised graffiti.
18. Where an Authorised Person reasonably suspects that a person is using or is likely to use any item to mark any surface with unauthorised graffiti, he may require the person to surrender that item to him.
19. A person required by an Authorised Person to surrender any item must do so immediately
20. A person is prohibited from defacing or damaging fixtures, furniture or other items (such as trees, bushes or plants)

Part 2: This section applies to the areas shown hatched red in the maps shown in Schedule 2

Dogs on leads near Council owned bodies of water

21. A person in charge of a dog in any area shown hatched red in Schedule 2 must keep that dog on a lead unless they can show that:
 - a. They have a reasonable excuse for doing so
 - b. The owner, occupier or other person or authority having control of the land has consented in writing to them failing to do so.

Penalties for Non-Compliance

Offences

22. If, without reasonable excuse, a person is found to be in breach any of the prohibitions or requirements in respect of activities above, they will commit a criminal offence for which the maximum penalty upon summary conviction in the Magistrates' Court is a fine not exceeding level 3 on the standard scale.
23. In respect of activity in relation to paragraph 11 above, it is an offence if a person fails, without any reasonable excuse, to comply with an authorised person's request. An authorised person who imposes a requirement under paragraph 11 must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

24. In the event of such a failure, a person will commit a criminal offence for which the maximum penalty upon summary conviction is a fine not exceeding level 2 on the standard scale.

This Order shall come into effect at midnight on the.

This Order shall have effect for a period of 3 years until midnight

GIVEN under the Common Seal of The Borough of Blackpool on the

The Common Seal of Blackpool Borough
Council was hereunto affixed in the presence of:

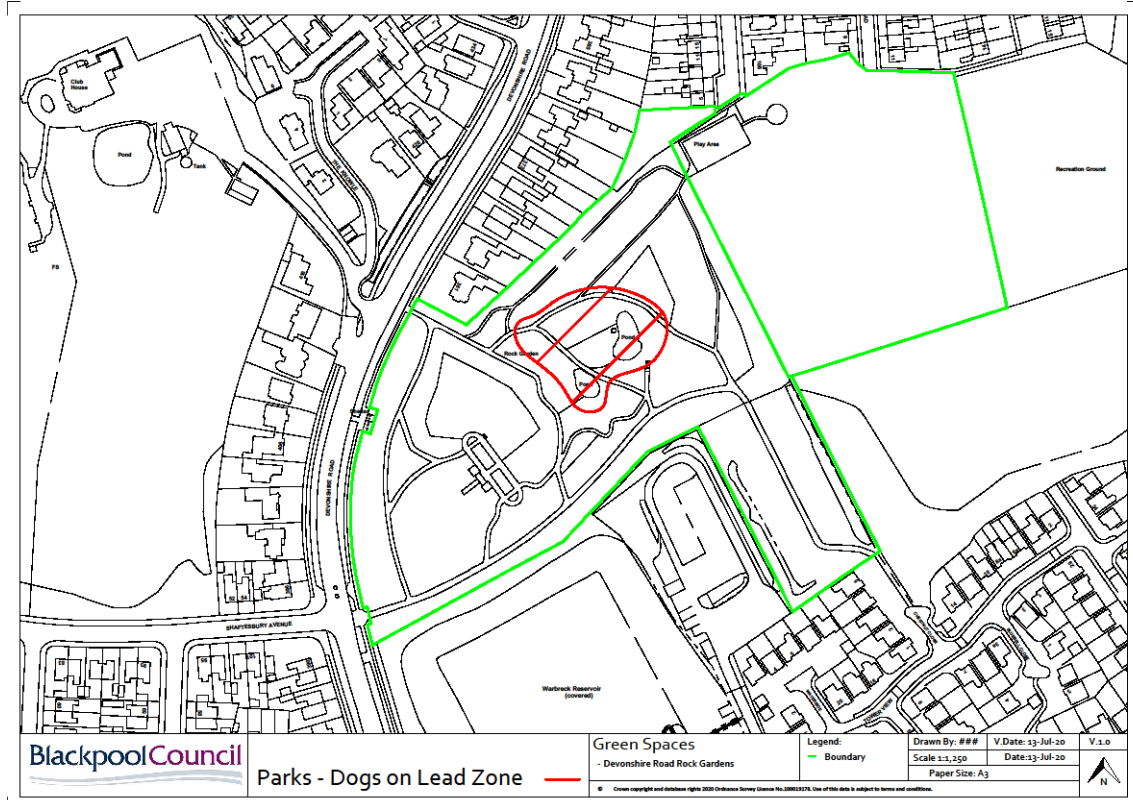
Authorised Signatory

Schedule 1

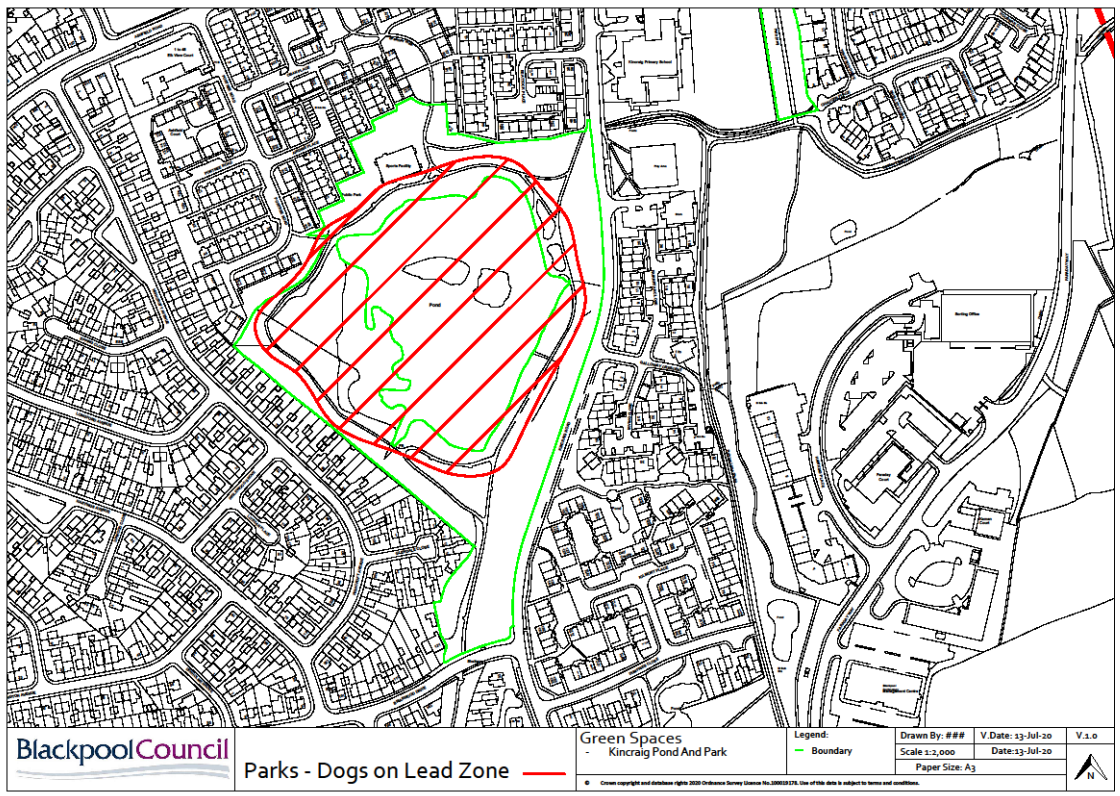
Parks/Green Spaces	
Anchorsholme Park	Flagstaff Gardens
Bancroft Park	Jubilee Gardens
Bispham, Cliff Tops	Warbreck Recreation Ground (Warbreck Hill Rd Seafield Road/Finchley Rd)
Bispham Recreational Gardens	Gynn Parking Gardens (Warbreck Hill Road/Willshaw Road)
Boundary Park	
Bridges Farm	
Carr Road	
Cavendish Road Recreational Gardens	
Champagne Close	Cemeteries
Claremont	Carlton Cemetery
Common Edge Playing Fields	Layton Cemetery
East Pines Park	
Fisher Field	
Fleetwood Road Rec	
Grange Park	
Gynn Sunken Gardens	
Highfield Recreational Gardens	
Kincraig Lake and Park	
Kingscote Park	
Lawson's Field	
Louie Horrocks	
Marion Mere	
Mereside	
Moor Park	
Moor Park Extension Pitches	
Mossam Lane	
North Blackpool Pond Trail	
Revoe Park	
Crossland Road Park/ Vicarage Lane Park	
Solaris	
Stanley Park	
Watson Road Park	
Salisbury Woodland	
Devonshire Road Rock Gardens	

Schedule 2

Devonshire Road Rock Gardens



Kincrag Pond and Park



Stanley Park

