

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

**OLDHAM BOROUGH COUNCIL**

**FOOTPATH AT CASHGATE COURT/COLLIER HILL AVENUE, OLDHAM**

**PUBLIC SPACES PROTECTION ORDER 2018**

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

1. This Order applies to the public place described in the Schedule to this Order and shown edged in red on the plan annexed to this Order ("the Restricted Area").
2. Except as provided in Articles 5 and 6 to this Order, no person shall use the public right of way over the Restricted Area at any time.
3. Gates may be installed, operated and maintained at each end of the Restricted Area by the Council.
4. Any person using the gates referred to in Article 3 to gain access to or from the Restricted Area shall ensure that the gates are closed and locked immediately after they are used.
5. The restriction in Article 2 to this Order shall not apply to any person who occupies premises adjoining or adjacent to the Restricted Area.
6. The restrictions in Articles 2 and 4 to this Order shall not apply to any police, ambulance or fire service personnel acting in pursuance of statutory powers or duties or to any statutory undertakers, gas, electricity, water or communications provider requiring access to their apparatus situated in the Restricted Area.
7. No waste or household item shall be deposited, stored or discarded in the Restricted Area. This restriction shall not apply to any wheeled bin or other receptacle for the storage of waste where the Council has given written consent for the wheeled bin or receptacle to be stored in the Restricted Area.
8. A person in charge of a dog shall be guilty of an offence if, at any time in the Restricted Area he does not keep the dog on a lead.
9. If a dog defecates at any time in the Restricted Area and a person who is in charge of the dog at the time fails to remove the faeces from the Restricted Area forthwith, that person shall be guilty of an offence.
10. For the purposes of Articles 8 and 9:
  - a) A person who habitually has a dog in his possession shall be taken to be in charge of the dog unless at that time some other person is in charge of the dog;
  - b) Placing the faeces in a receptacle in the Restricted Area which is provided for the purpose or for the disposal of waste, shall be sufficient removal from the Restricted Area;

c) Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise) or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces

11. Any person who, without reasonable excuse, fails to comply with the requirements of Articles 2, 4, 7, 8 or 9 of this Order commits an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

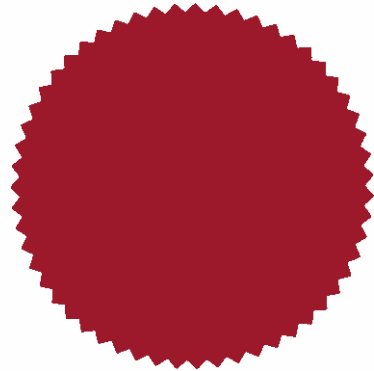
12. This Order shall come into force on 18 June 2018 for a period of three years.

### SCHEDULE

#### Restricted Area

<u>Location</u>	<u>Description</u>
The footpath that runs to the rear of the properties on Cashgate Court and 9 and 11 Collierhill Avenue and the "works " on Pretoria Road.	The footpath that runs to the rear of the properties on Cashgate Court and 9 and 11 Collier Hill Avenue and the "works " on Pretoria Road commencing at the rear of 28/29 Cashgate Court in a south easterly direction

THE COMMON SEAL of )  
OLDHAM BOROUGH )  
COUNCIL was hereunto )  
affixed on 6 June 2018 )  
in the presence of: - )



Number in Seal Book  
3881/18

AE

*Alan Evans*  
ALAN EVANS  
GROUP SOLICITOR

The alternate route is along the front of 176 - 166 Heron Street and the rear of 38 - 30 Cashgate Court, onto Chamber Road, along the front of numbers 499 - 513 Chamber Road then along Portia Road and into Cashgate Court along the front of numbers 3 - 21, both directions.

 Existing Route       Alternate Route



Drawn by:	
Division:	
Drawing No.:	
Date: 21.06.17	Scale: 1:1250

Neighbourhoods Directorate  
 Oldham MBC  
 Civic Centre  
 West Street  
 Oldham  
 OL1 1UT



© Crown copyright and database right (2011) Ordnance Survey 100018888

*Alan Evans*  
**ALAN EVANS**  
**GROUP SOLICITOR**

Number in Section  
 3881/18<sup>A</sup>