

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

OLDHAM BOROUGH COUNCIL

1 – 11 BOUNDARY GARDENS, OLDHAM

PUBLIC SPACES PROTECTION ORDER 2019

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 hatched 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 23 September 2019 for a period of three years.

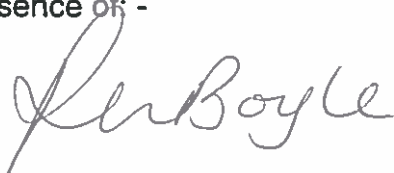
SCHEDULE

Restricted Area

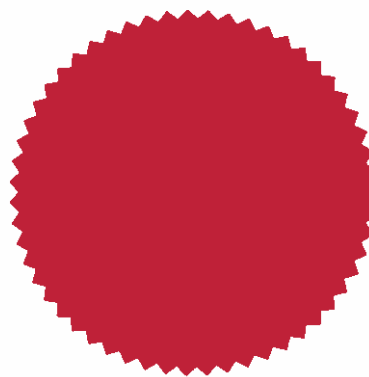
<u>Location</u>	<u>Description</u>
The alleyways to the side and rear of 1-11 Boundary Gardens and to the rear of 41 and 43 Crompton Street, Oldham	<p>The alleyway that runs directly to the rear of 1-11 Boundary Gardens runs in a northerly direction for a distance of 36 metres and is approximately 3.5 metres wide at its widest point.</p> <p>The alleyways that runs directly to the sides of 1 and 11 Boundary Gardens run in an easterly direction for a distance of 15 metres and they are approximately 3.5m at their widest point.</p>

THE COMMON SEAL of
OLDHAM BOROUGH
COUNCIL was hereunto
affixed on 11 September 2019
in the presence of: -

RE



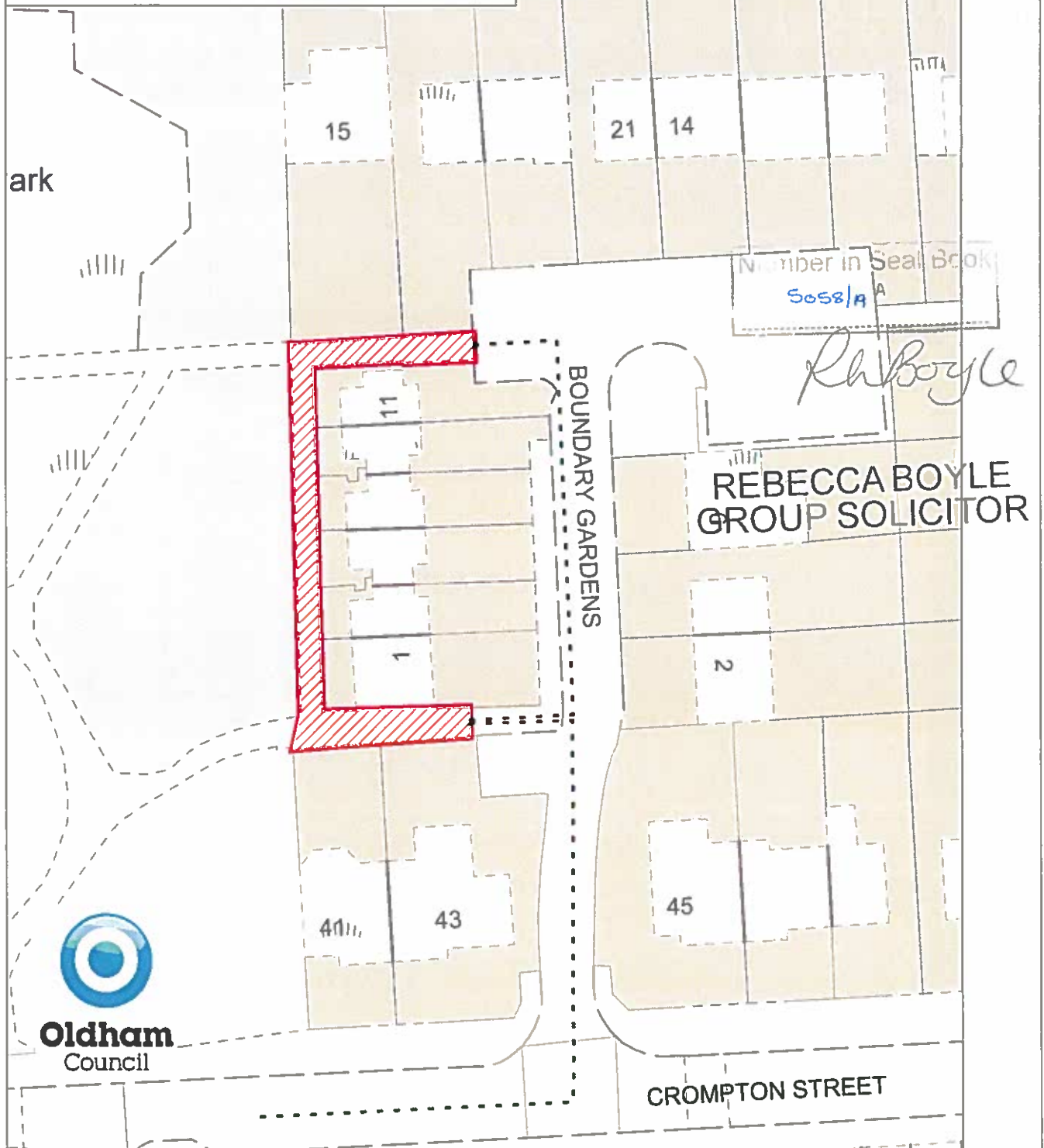
REBECCA BOYLE
GROUP SOLICITOR



Number in Seal Book
5058/19

The alternate route is along the front of numbers
1 - 11 Boundary Gardens and 43 - 41 Crompton Street,
Oldham, both directions.

 Existing Route  Alternate Route



Aerials Copyright GeoPerspectives

Drawn by:	
Division:	
Drawing No:	
Date: 10/09/19	Scale: 1:500

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

