

**BOROUGH COUNCIL OF BOLTON**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTION 59**

**MOORLAND FIRES**

**PUBLIC SPACES PROTECTION ORDER 2022**

This order is made by Borough Council of Bolton ("The Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act").

1. This order relates to the public places described in the schedule below and defined by the area edged red on the plan attached to this order ("the restricted area").
2. The Council is satisfied that the two conditions below have been met, in that:
  - a. Activities carried out in the restricted area, as described below, have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they would have such an effect, the said activities being the lighting of fires, barbecues, Chinese lanterns, fireworks or any article/object which causes a naked flame.
  - b. The effect, or likely effect of the activities as described above
    - i) is, or is likely to be, of a persistent or continuing nature
    - ii) is, or is likely to be, such as to make the activities unreasonable; and
    - iii) justifies the restrictions imposed by the order.

**3. PROHIBITED ACTIVITIES AND REQUIREMENTS:**

3.1 The activities which are prohibited at all times by this order are:

- i) The lighting of fires, barbecues, fireworks, Chinese lanterns
- ii) Using any article/object which causes a naked flame which poses a risk of fire.

3.2 Persons are required to surrender anything in their possession which a constable or authorised person reasonably believes to be an article that has been used OR is likely to be used in conjunction with the prohibited activities referred to in this order.

4. **DEFINITIONS:**

In this order:

“Authorised officer” means a Police Constable or an Officer of Bolton Council in possession of an authority to enforce this order;

“Firework” means a firework as defined in section 1 of the Fireworks Act 2003;  
and

“public place” means any place to which the public or any section of the public has access, as defined in the Antisocial Behaviour, Crime and Policing Act 2014.

5. **PERIOD FOR WHICH THE ORDER HAS EFFECT:**

The order shall come into force on **...DATE TBC..** and remain in place for a period of three years, unless extended by further orders under the Council’s statutory powers.

6. **WHAT HAPPENS IF I FAIL TO COMPLY WITH THIS ORDER:**

Any person who fails without reasonable excuse to comply with a prohibition or requirement imposed upon him by this order commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale or may be issued with a fixed penalty notice requiring payment of a sum not exceeding £100.

**THE COMMON SEAL** of **THE BOROUGH COUNCIL OF BOLTON**

was hereto affixed on the **DATE**

in the presence of: -

Authorised Sealing Officer

## SCHEDULE

### Restricted Areas

Those areas of moorland which consist of land which the public has access, as of right or by virtue of express or implied permission, and which lie within the Borough of Bolton to the contiguous local authority boundaries with Blackburn with Darwen Council and Chorley Council.

