



Charnwood Borough Council

Anti-Social Behaviour, Crime and Policing Act 2014

Part 4, Section 59

Public Spaces Protection Order

Notice is hereby given that Charnwood Borough Council in exercise of its powers under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) makes the following Order:

DATE: 07/10/2024

Residential Receptacles on the Highway

1. Duration

This Order shall come into force on **7th October 2024** and shall have effect for a period of three years thereafter, expiring on **6th October 2027** unless extended by further orders under the Council’s statutory powers.

2. The Restricted Area(s)

The Order relates to all residential premises in the areas highlighted below and commonly known as:

- Leopold Street
- Station Street
- Rosebery Street
- Paget Street
- Oxford Street
- Havelock Street
- Storer Road
- Cumberland Road
- George Street
- Fearon Street
- York Road
- Burleigh Road
- Granville Street
- Radmoor Road
- Curzon Street
- William Street
- Arthur Street
- Heathcoat Street
- Broad Street
- Caldwell Street

“the Restricted Area(s)”

3. Persons to whom this Order applies

This Order applies to all Relevant Persons (*) in a position to control residential premises located within the Restricted Area(s).

4. The Activity

Waste receptacles left out on the highway for prolonged periods of time (“the Activity”).

The Council is satisfied that the Activity causes obstructions to pedestrians and an increase of litter and waste in the Restricted Area(s) and therefore has had a detrimental effect on the quality of life of those in the locality, is unreasonable, and justifies the restrictions being imposed.

5. Requirements/Prohibitions

1. Each Relevant Person is required to ensure that all household waste stored at Residential Premises (*) and/or presented, or to be presented, for collection from Relevant Premises shall be contained in receptacles provided by the Council.
2. Relevant Persons are prohibited from storing receptacles outside the boundary of Relevant Premises other than between noon the day before collection is due and noon the day after collection.
3. Each Relevant Person shall have an equal and separate responsibility in relation to the above requirement at 5.1, and the prohibition at 5.2, whether physically present at the Relevant Premises at the relevant time or not.

6. Offences

Any person failing to comply with this Order will be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale, pursuant to section 67 of the Act.

No person shall be guilty of an offence under this Order if that person demonstrates that he or she has taken all such steps as were reasonably available to that person to secure compliance, provided that proof of the same lies with that person.

7. Fixed Penalty Notices

A constable or a person authorised by the Council may issue a fixed penalty notice up to £100 to anyone they have reason to believe has committed an offence in relation to Order.

A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.

Failure to pay a fixed penalty notice may lead to prosecution.

8. Definitions – for the purpose of this Order:

“Relevant person” means any person residing in, whether permanently, or temporarily, by legal right or simple occupation at any premises situated in the Restricted Areas. Further, any owner or managing agent of any premises let on a periodic tenancy and situated in the specified area.

“Relevant premises” refers to residential premises within the Restricted Area.

“The Act” refers to the Anti-Social Behaviour, Crime and Policing Act 2014.

“The Council” is Charnwood Borough Council.

9. Appeals

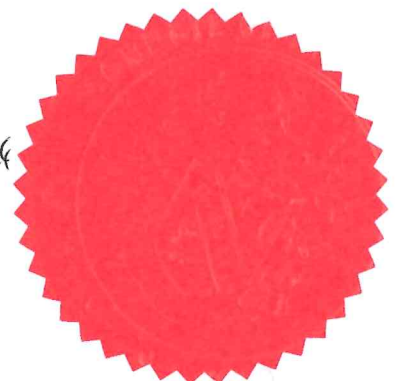
If any interested person requests to question the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with, then he or she may apply to the High Court within 6 weeks of the date that this Order is made.

The right to challenge also exists where an Order is varied by the Council.

When such an application is made, the High Court can decide to suspend the operation of the Order pending the Court’s decision, in part or totality. The High Court also has the power to uphold the Order, quash the Order or vary the Order

THE COMMON SEAL of THE COUNCIL OF
THE BOROUGH OF CHARNWOOD

was hereunto affixed this 7th day October 2024



2024-25-77

