



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

**PUBLIC SPACES PROTECTION ORDER
NEWBOLD QUARRY NATURE RESERVE
RUGBY BOROUGH COUNCIL ORDER 2022**

Rugby Borough Council ('the Council') makes the following Order being satisfied on reasonable grounds that activities at Newbold Quarry Nature Reserve ("the Reserve") have had or are likely to have a detrimental effect on the quality of life of those in the locality, and that these activities involved various anti-social behaviours.

The Council believes that the effect, or likely effect, of the activities described in paragraph 1 of this Order is (or is likely to be) persistent and continuing in nature, such as to make the activities unreasonable and justifies the restriction imposed by this Order.

For the duration of this order the Rugby Borough Council Byelaws for Newbold Quarry Nature Reserve adopted by the Council on 13 December 1994 and confirmed by the Secretary of State on 15 May 1995 so far as it relates to the activities NOT PERMITTED at Newbold Quarry Nature Reserve shall not have effect.

1. Restrictions

- Not allow any dog to disturb, worry, kill, injure or otherwise molest any animal, bird, fish or the nest, eggs, or similar structure/habitat of any living creature.
- Not to take, molest or intentionally disturb, injure or kill any living creature or destroy the eggs, larvae, pupae or other immature stages, or the place used for shelter or protection of any living creature.
- Not to fish in any area where signs erected by an authorised agent and/or officer of the Council, are displayed prohibiting fishing.
- Remove or displace any tree, plant, shrub, fungus or part thereof, or any unfashioned mineral thing including water. Removing any soil, sand, shingle, or rock or defacing any rock.
- Climb or ascend any tree or climb or place a ladder or steps against any tree.

- Engage in any act which pollutes or is likely to pollute any water this includes fouling; obstructing or diverting, any waterway without the consent of the Council.
- No swimming, bathing, wading or water skiing (includes jumping into water, from land or structures, whether man-made or natural) or ice skating.
- Sail or operate any boat, dinghy, canoe, sailboard, inflatable or model boat on any waterway without the consent of the Council.
- Moor, leave, launch or propel (by any means whatever) any boat on an area or stretch of water other than a public waterway.
- Use any device designed or adapted for detecting or locating any metal or mineral.
- Take, disturb, injure or destroy any living creature or its young, eggs or nests, by any means including (but not restricted to) hunting, coursing or shooting or spreading or using a net, or setting or using any lamp, or any trap, snare or lure or discharge any firearm, air weapon or rocket or projecting any missile manually or by artificial means.
- Bring any animal or poultry to feed or graze.
- Remove, cut or damage any plant or vegetation whether living or dead.
- Fly any kite, hang glider, rocket, model aircraft, drone or any similar aerial device.
- Erect any post, rail, fence, pole, or other structure.
- Play any game likely to cause a disturbance to wildlife or to persons in the locality or hold any sports or public meeting.
- Affix or cause to be fixed any poster or placard, notice or advertisement to any wall, fence, building, barrier, railing, post or seat.
- Light any fire, stove, heater, barbeque or other appliance capable of causing a fire, or letting fall or throw any lit match or substance in a manner to cause a fire.
- Ride, drive, park, leave, land or propel any mechanically propelled vehicle (including aircraft or hovercraft) on any part.
- Erect, leave, occupy or use any tent or other structure for the purpose of habitation. No person shall sleep in area either in the open air or in a fixed structure.

- Not to use any apparatus for transmission, reception, reproduction or amplification of sound or speed by electrical or mechanical means to the annoyance or disturbance of other persons.
- Not to sell, offer or expose for sale or let or expose for hire any commodity or article or sell or offer for sale any service.
- Not to deposit any litter or refuse.
- Not to bring on any living creature, egg of any living creature, or any plant, or seed or any other part of a plant likely that such creature or plant will reproduce or propagate itself, or egg will hatch or see germinate.
- Wilfully obstruct or disturb a warden or other authorised agent of the Council in the proper execution of his duty or any other person employed by the Council in the execution of any work connected with the maintenance or control of the area.
- Any person shall stop drinking alcohol, or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when a constable or authorised person has directed them to do so, in the reasonable belief that such a direction is necessary to prevent public nuisance, public disorder or anti-social behaviour.
- Any person shall hand over any containers (sealed or unsealed) which are believed to contain psychoactive substances, when required to do so by a constable or authorised person in order to prevent public nuisance or public disorder or anti-social behaviour.

1.1 Dogs

All dogs to be kept on a lead and under proper control at all times.

1.2 Nuisance or anti-social behaviour

Not to behave in a manner that causes or is likely to cause nuisance, harassment, alarm or distress to any other person.

1.3 Direction to Leave

Any person, when directed to do so by a constable or authorised person in order to prevent public nuisance or disorder, shall leave the designated area.

2.

A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of Section 67(1) of the Anti-social Behaviour Crime and Policing Act 2014 and liable to a fine on summary conviction not exceeding level 3 on the standard scale (currently £1000).

3. Fixed Penalty Notice

An authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 14 days to pay the fixed penalty of £100 (discounted to £75 if paid within 10 days).

4. Appeals

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part.

5.

It has had particular regard to the rights of freedom of expression and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights.

6. Duration

The Order will come into force on 3 October 2022 and remain in place for a period of three years

THE COMMON SEAL of)
Rugby Borough Council was)
hereunto affixed this 28 day of)
September 2022 in the presence of:)



157/22

Legal and Governance Manager