

THE COUNCIL OF THE BOROUGH OF KIRKLEES

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTIONS 59

**THE COUNCIL OF THE BOROUGH OF KIRKLEES (CONTROL OF FIRES AND BARBEQUES)
PUBLIC SPACE PROTECTION ORDER 2023**

This Order is made by the Council of the Borough of Kirklees (“the Council”) under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).

1. This Order relates to the places described in the Schedule below and defined by the red outlined area on the plans attached to this Order (“the Restricted Area”), being public places in the Council’s area to which the Act applies.
2. The Council is satisfied that the two conditions below have been met, in that:
 - a. Activities carried on 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 that they will have such and effect, the said activities being the lighting of fires and barbeques.
 - b. That the effect, or likely effect, of the activities 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 this Order.
3. The effect of this Order is to impose that in the Restricted Area no person may light a fire or barbeque or similar type of object unless formal, written consent for the lighting of a fire or BBQ activity has been given by Kirklees Council following discussion and agreement that the risk posed by the activity is appropriately managed.
4. The Order will remain in force for a period of 3 years from the date of this Order, unless extended by further Orders under the Council’s statutory powers
5. Any person who fails without reasonable excuse to comply with a 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 £100.00.

GIVEN under the Signature of the Council of the Borough of Kirklees this Second day of April Two Thousand and Twenty Three.

SIGNED on behalf of **THE COUNCIL OF THE BOROUGH OF KIRKLEES**

A handwritten signature in black ink, appearing to read 'G West', written in a cursive style.

Graham West – Service Director for Environment and Climate Change

SCHEDULE

All land within the Council of the Borough of Kirklees which is:

Land owned by Kirklees Council **excluding** residential properties

Land owned by the National Trust **excluding** residential properties

Land owned by Yorkshire Water **excluding** residential properties