

## **Moorland Fires PSPO**

### **Frequently Asked Questions**

#### **What is a Public Space Protection Order (PSPO)?**

Public Space Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem in an area that has a detrimental effect on the local community's quality of life by imposing restrictions on certain behaviours. The orders are designed so that we can all enjoy the use of public spaces safely.

A PSPO can last up to three years. The Council can – after further consultation – extend it for another three year period. It would only do so if it is considered proportionate and necessary.

For further information about PSPOs in general, please see [Public Spaces Protection Orders \(PSPOs\) – Bolton Council](#)

#### **What does the PSPO mean for people living in, or visiting, the area?**

The proposed PSPO would prohibit (ban) activities within the boundaries of the PSPO which have been identified as carrying a significant risk of causing wildfires. This includes the lighting of fires, barbecues, fireworks, Chinese lanterns or using any article/object which causes a naked flame and poses a risk of fire.

#### **What is the penalty for breaching the PSPO?**

- A £100 fine on the spot, known as a Fixed Penalty Notice (FPN) which must be paid within 14 days.
- A fine of up to £1,000 if the charge goes to court. Defendants may also face the prospect of added court costs, and if convicted, they will obtain a criminal record for the offence.

#### **Can anybody appeal the introduction of the PSPO?**

Anyone who lives in, regularly works in, or visits the area can appeal a PSPO in the High Court within 6 weeks of it being made.

## Why are you consulting, and how do I give my views on the introduction of the PSPO?

We are now seeking the views of residents, businesses and agencies in relation to the proposed conditions included in the PSPO and the proposed area that would be covered by the order.

As a local resident, land or property owner, someone who works in the area, or other interested party, it's very important that you give us your views.

Following this consultation, the council will carefully consider the results before making the final decision. As well as the consultation feedback, we will also be considering a range of other information to consider if the order is both appropriate and proportionate.

The consultation period runs from Monday 3<sup>rd</sup> October 2022 to Sunday 6th November 2022 and all comments received during that time will be considered and be used to inform the final decision.

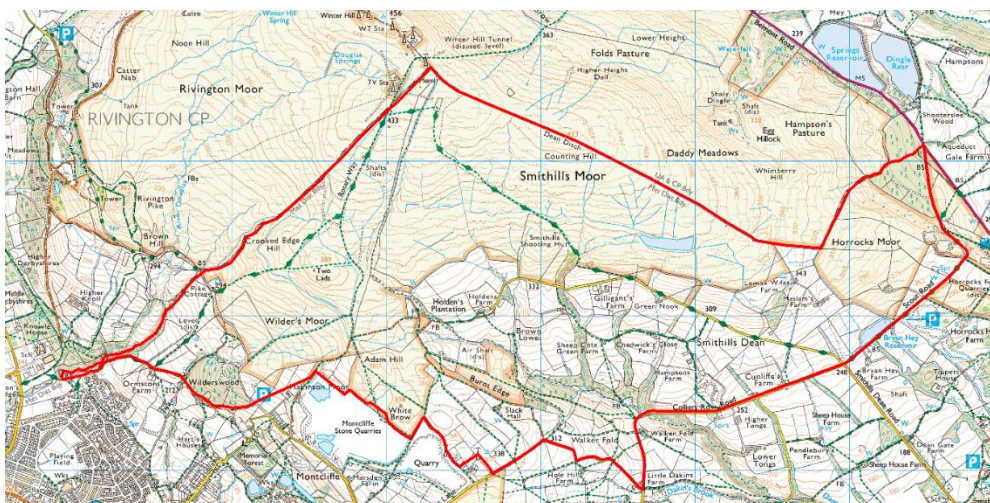
If you would like to comment on the consultation, please read through the current PSPO and consider the proposed restricted area, before giving your views on the proposed introduction of the order and completing the questionnaire (available on the Bolton Council Active Consultation webpage [www.bolton.gov.uk/consultations](http://www.bolton.gov.uk/consultations)).

## How do I know what area the PSPO would cover?

There is a map of the overall areas that would be restricted by the order (see link below). The map can be zoomed to give a more detailed guide for those who want to see exactly what areas are included in the PSPO and the exact boundaries. This enables a precise location to be identified to determine if an area is covered by the restrictions the PSPO.

<https://www.google.com/maps/d/edit?mid=1BrRMcpKaOpG-481mQQcs0s09COOWMtuC&usp=sharing>

See also the below map, which defines the proposed restricted area (this includes North of Smithills Moor, to Horrocks Moor in the East, Walker Fold in the South, and Wilder's Moor in the West).



## **How will people who don't live in the area or visit frequently know about the PSPO and the restrictions in place?**

Should the order be approved, signage will be located across the PSPO area which will indicate to visitors that the restrictions are in place and the behaviour that is prohibited. Given the size of the area and the nature of the land it is not possible to have signs everywhere and we ask that you visit our web page to check the maps if you are planning a trip to the area.

## **My property is within the PSPO area – does this mean I can't have a BBQ or have fireworks etc in my garden?**

No. A PSPO does not cover land which is part of a dwelling; however, we would ask you to consider the impact of what you are doing within your property, behave appropriately and take precautionary action to prevent the risk of fire.

The proposed Public Space Protection Order would only apply to public spaces where the public or any section of the public has access to, whether this is by payment, by right or by express or implied permission.

## **Does the PSPO stop me from managing my land?**

No. However, we would always ask that your actions are lawful and in consultation with the fire service, and that you have taken all of the necessary steps to be compliant. We also ask that you ensure you comply with any requirements put in place by the landowner as appropriate.

## **What do I do if I see somebody breaching the PSPO?**

If you feel their actions are likely to cause a fire, damage land and/ or put the community at risk **this is an emergency** so please ring 999.

If you simply want to report an issue or concern which doesn't require an emergency response, please contact the Council on 01204 336500 or email [asbreporting@bolton.gov.uk](mailto:asbreporting@bolton.gov.uk). Alternatively, you can contact the police on 101 (non-emergency number).

## **Who do I speak to, to find out more about the PSPO?**

If you have any further questions about the proposed PSPO, or would like to speak to someone about PSPOs more generally, please email [community.safety.services@bolton.gov.uk](mailto:community.safety.services@bolton.gov.uk) or contact Community Safety Services on 01204 331061.

## **How do I find out whether the proposed moorland fires PSPO gets approved?**

Once a final decision has been made around the introduction of the PSPO, it will be published on the council website and notices will be erected around the area covered by the order.