

HARTLEPOOL BOROUGH COUNCIL

Public Spaces Protection Order 2026 – Back lanes/alleys Anti-Social Behaviour, Crime and Policing Act 2014

Hartlepool Borough Council in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) hereby makes the following Public Spaces Protection Order:

1. This order will come into operation on 18th October 2026 and ends on 18th October 2029 (3 years), unless extended This Order may be cited as the “Hartlepool Borough Council (back alley) Public Spaces Protection Order 2026” (‘the Order’) and applies to the public places described in the Schedules to the Order and shown on the plans attached to the Order (“the restricted areas”).
2. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met namely that anti-social behaviour and criminal activities have been, or will likely be, carried out in the back streets identified. These activities will have had a detrimental effect on the quality of life of those in the locality.
3. In making this Order the Council is satisfied on reasonable grounds that: -
 - (i) activities carried on in a public place within the authority’s area have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and they will have such an effect.
 - (ii) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is or is likely to be such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.
4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met and are reasonable. Namely, that the effect or likely effect of the activities are persistent or continuing in nature, are such as to make them unreasonable, and justify the restrictions imposed by this order.
5. The effect of the order is to impose the following prohibitions and/or requirements in the restricted areas at all times: -

OFFENCE

SCHEDULE A – Waste collections Order.

This section of the Order applies to all persons in a position to control residential premises (referred to as “the relevant person”) that are within the specified area, (all such premises referred to hereafter as “relevant premises”) and includes any person residing permanently or temporarily, by legal right or simple occupation, at relevant premises and also any owner or managing agent of relevant premises.

Each relevant person shall have an equal and separate responsibility in relation to the household waste requirements set out in this order whether physically present at the relevant premises at the relevant time or not.

1. Each relevant person must ensure that the wheelie bin for their property or waste presented for collection in a manner specified for their property is not situated outside the boundary of their relevant premises other than between 7pm on the day before collection is due, and 7pm on the day of collection unless the wheelie bin is in an identifiable bin storage area or yard for wheelie bins of their property.
2. Each relevant person must ensure that all household waste presented for collection from their premises is contained in a wheelie bin or is presented for collection in a manner specified for their property by Hartlepool Borough Council.
3. Each relevant person shall have an equal and separate responsibility in relation to the household waste disposal requirements to ensure that the manner of disposal does not have a detrimental effect on the quality of life of those in the locality as set out in this order, whether physically present at the relevant premises at the relevant time or not.

SCHEDULE B – Vehicle order.

1. Causing obstruction of a public back alley/lane with a vehicle/caravan or trailer (whether by moving or stationary or otherwise)

SCHEDULE C – Property Upkeep.

1. Repair/upkeep any external property access gates/doors that allow access to the property or rear garden/yard.
2. Failure to maintain property as such to obstruct access.

PENALTIES

Any person who fails without reasonable excuse to comply with any of the requirements or prohibitions at articles in this Order shall be liable on summary conviction to a fine not exceeding level 3 (currently £1000) on the standard scale.

FIXED PENALTY

A constable, Police Community Support Officer or authorised person of the Council may issue a fixed penalty notice to any person he or she believes has committed an offence. A person committing an offence will have 14 days to pay the fixed penalty of £100, failing which they may be prosecuted.

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.

Where a person is issued with a fixed penalty notice under this Order: -

- (a) no proceedings may be taken for the offence before the end of the period of 14 days following the date of the notice.
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

APPEALS

Any challenge to this Order must be made to the High Court by an interested person within 6 weeks of it being made or varied. 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 right to challenge.

Interested persons can challenge the validity of the Order on two grounds: -

- (i) that the Council did not have power to make the order or variation, or to include prohibitions or requirements imposed by the Order; or
- (ii) (ii) that a requirement under the legislation for the making or varying an Order has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the Order, or any of the prohibitions or requirements imposed by the Order, until the final determination of the proceedings.

The High Court has the ability to uphold the Order, quash it or vary it.

A copy of the Order may be inspected between 09:00 and 16:00 Mon-Fri at the Civic Centre, Victoria Road, Hartlepool TS24 8AY; an electronic version is available at www.hartlepool.gov.uk/pspo

If you believe the Order is invalid because it does not comply with legal requirements, you can apply to the High Court no later than 6 weeks from the date of this notice for that purpose.

“Public Place” in this Order means any place which is: -

- (i) open to the air (which includes land which is covered but open to the air on at least one side); and
- (ii) to which the public or any section of the public are entitled or permitted to have access (on payment or otherwise), as of right or by virtue of express or implied permission.

“Anti-Social Behaviour” in this order is: -

For the avoidance of doubt, behaviour which would meet the definition of "Anti-Social Behaviour" under the Anti-social Behaviour, Crime and Policing Act 2014 (ABCPA 2014) for the purpose of this order would include:

- (1) conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person;
- (2) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; and
- (3) conduct capable of causing housing-related nuisance or annoyance to any person

Exemptions – Nothing in these Schedules apply to a person who: -

- (i) Has a disability which affects their mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects. (schedule A)
- (ii) Has a vehicle that has been stolen or used by the non-registered keeper in a criminal activity.
- (iii) Has a bin that has been stolen or used by a non-resident of the bin owner/property owner.
- (iv) Is a resident that is on assisted waste collections.
- (v) Is an attending emergency service or is part of an authorised highway repair.

Schedule A: Waste Collections Order.

Schedule B: Vehicle Order.

Schedule C: Property Upkeep.

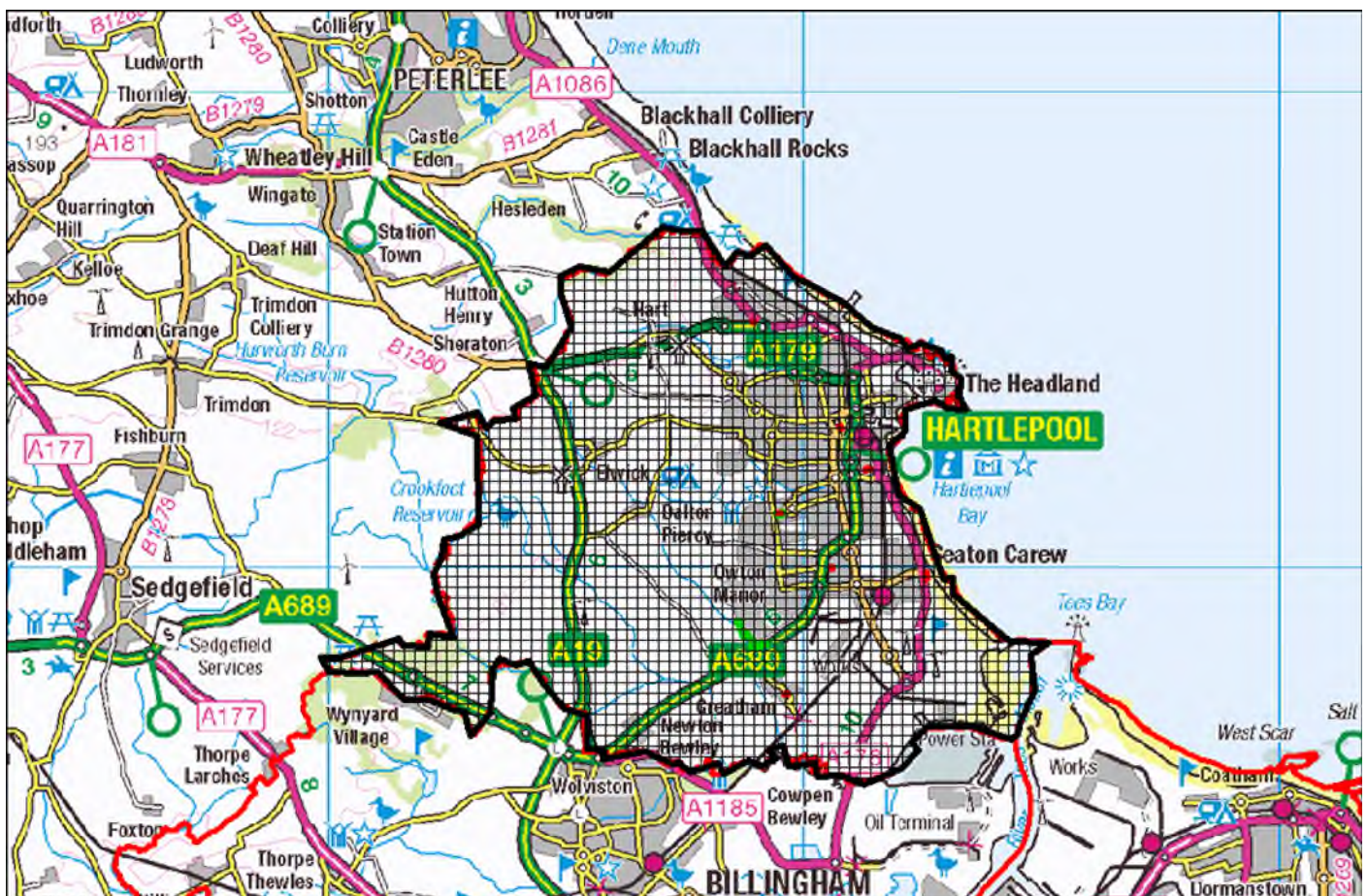
These Schedules apply to the following places:

Schedule A: Any back alley/lane controlled/adopted by Hartlepool Council

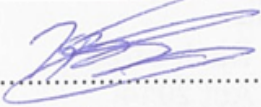
Schedule B: Any back alley/lane controlled/adopted by Hartlepool Council

Schedule C: Any back alley/lane controlled/adopted by Hartlepool Council

Land which is open to the air and to which the public has access, with or without payment as shown in black on the map below



Legend
covered by PSPO

Signed.....

Name KIERAN BOSTOCK.....

Date 14-10-2025.....