

**ROTHER DISTRICT COUNCIL
THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
THE PUBLIC SPACES PROTECTION ORDER (NO.3) (WILDFIRE CONTROL)
ROTHER DISTRICT COUNCIL 2026**

Rother District Council (in this order called “the Authority”) hereby makes the following Public Spaces Protection Order

This Order comes into force on 26 August 2026 and has effect for a period of two months unless discharged earlier by the Authority.

The Council is satisfied that the conditions set out in Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 have been met, being that:

- a) activities carried out in the restricted areas 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 that they will have such an effect.
- b) and the effect, or likely effect, of the activities - is, or is likely to be, of a persistent or continuing nature, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

Restricted Area

The restricted area is all public spaces within the administrative area of Rother District Council that are owned, controlled or managed by Rother District Council, East Sussex County Council, or any town or parish council within the Rother district, as identified on the map appended to this Order. For the purposes of this Order, “public space” means any place to which the public, or any section of the public, has access, whether on payment or otherwise, as of right or by express or implied permission

Prohibited Activity

1. No person shall light, use, place on the ground, ignite, discharge, release or otherwise operate any barbecue, disposable barbecue, outdoor cooking appliance, firework, fire pit, campfire, bonfire, lantern, candle or other item creating a naked flame, ember or ignition source within the restricted area.
2. No person shall start, maintain or add fuel to any open fire, naked flame, ember-producing item or similar ignition source within the restricted area.
3. No person shall discard any lit cigarette, cigar, match, vape, smoking material or other burning item on the ground, into vegetation, or in any other manner likely to create a fire risk within the restricted area.

Where an authorised officer directs a person to stop a prohibited activity, extinguish or remove an ignition source, or otherwise comply with this Order, the authorised officer must inform that person that failure to comply without reasonable excuse is an offence.

Exemptions

- Activities carried out by, or with the written permission of, the Authority or the relevant landowner or land manager.
- Activities carried out by emergency services, statutory undertakers, public authorities, or their contractors in the course of their duties.
- Activities reasonably required for public safety, emergency works, wildfire prevention, land management, maintenance or statutory functions.
- Activities expressly authorised by an event permission, licence, lease, permit or written site consent, subject to any fire safety conditions imposed by the Authority, the relevant landowner or land manager, or East Sussex Fire and Rescue Service.

Offence

Pursuant to Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 any person who, without reasonable excuse, does anything that they are prohibited from doing by this Order or fails to comply with a requirement to which the person is subject under this Order commits an offence.

A person guilty of an offence under Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Fixed Penalty Notice (FPN)

If an authorised person or a police constable have reason to believe an offence under Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 has been committed they may issue a fixed penalty notice (FPN) of up to £100 allowing the recipient the opportunity to discharge any liability to conviction by payment of the fixed penalty.

Where a person is issued with a FPN, no proceedings may be taken for the offence before the end of the period of 14 days following the date of the FPN and the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

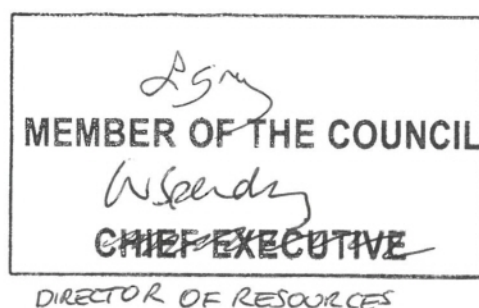
The FPN will give reasonably detailed particulars of the circumstances alleged to constitute the offence and confirm the period proceedings will not be taken for the offence, specify the amount of the fixed penalty and confirm the name and address of who to pay and the permissible methods of payment.

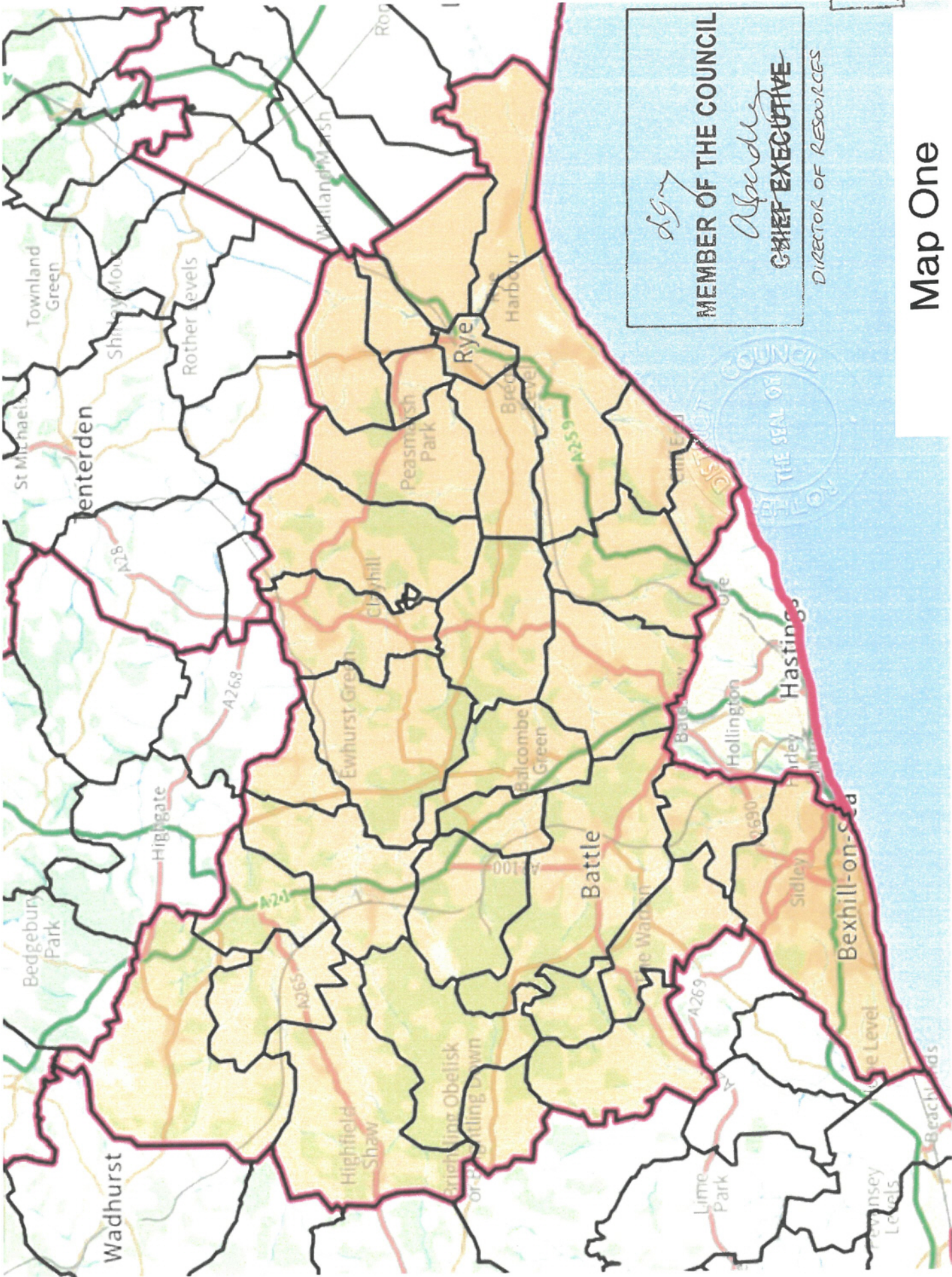
General

For the purposes of this Order, an authorised officer means an authorised employee of the Council, a person designated by the Council, a constable or a Police Community Support Officer (PCSO). An "interested person" (as defined in section 66(1) of the Act) may apply to the High Court to question the validity of this Order or any variation thereof on the grounds specified in section 66(2) of the Act within 6 weeks of the date of the Order or any subsequent variation.

THE COMMON SEAL of
ROTHER DISTRICT COUNCIL
Was hereunto affixed the

Authorised signatory





Alfred
MEMBER OF THE COUNCIL
Alfred
CHIEF EXECUTIVE
DIRECTOR OF RESOURCES

Map One

