

**The Borough of Blackburn with Darwen – Dukes Brow, Gibraltar Street, Lynwood Road
Blackburn (Scheme 121) Gating Order 2014**

Notice is given that Blackburn with Darwen Borough Council in exercise of its powers under sections 129A to G of the Highways Act 1980 proposes to make the above Order. The Order will have the following general effect:

1. To restrict public right of way at all times over all the rear highways / alley ways Gibraltar Street leading to Higher Bank Street as outlined in map below, by all persons except for adjoining owners and occupiers, the emergency services and other third party and service providers.
2. To authorise the erection and maintenance of alley gates on the highway in line with the Council's Gate It Programme
3. Alternatives routes for public passage are via Dukes Brow, Gibraltar Street, Higher Bank Street and Lynwood Road

A draft of the proposed Order is set out below as Schedule 1. Further details and reasons for making the Order may be inspected during normal office hours at the Community Safety Partnership offices, Old Town Hall, Blackburn, by prior arrangements. The proposed order is also published on the Council's website www.blackburn.gov.uk
If you wish to make representations concerning the proposed Order, you should send them in writing to the Gating Co-ordinator, Community Safety partnership, 3rd Floor, Old Town Hall, Blackburn, BB1 7DY to arrive on or before the 12th July 2014; please quote Dukes Brow, Gibraltar Street, Lynwood Road, Blackburn (Scheme 121) Gating Order 2014 in your correspondence.

Please note that all representations received may be considered in public by the Council and that the substance of any representation together with the name and address of the person making it could become available for public inspection.

Dated this day the 12th day of June 2014

Sian Roxborough
Head of HR & Legal Services Blackburn with Darwen Borough Council

Schedule 1

**The Borough of Blackburn with Darwen – Dukes Brow, Gibraltar Street, Lynwood Road
Blackburn (Scheme 121) Gating Order 2014**

WHEREAS the Blackburn with Darwen Borough Council (hereafter referred to as the "Council") is satisfied that the conditions set out in sections 129A (3) of the Highways Act 1980. Hereinafter referred to as 'the Act' have been met in relation to the length of highways listed in the First Schedule hereto (hereinafter referred to as 'the highway') namely that the premises adjoining the highway are affected by crime and/or antisocial behaviour, that the existence-third of our of the highway is facilitating the persistent commission of criminal offences or antisocial behaviour and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime or antisocial behaviour.

NOW THEREFORE the Council in exercises of its powers under Sections 129A to 129G of the Act as amended by the Clean Neighbourhoods and Environment Act 2005 and under the Highways Act 1980 (Gating Orders) (England) Regulation 2006 and under all other powers it enabling in that behalf hereby makes the following Order:

1. The public right of way over the highway is restricted at all times to all persons so that passage and repassage therefore may not occur with the exception of those persons listed in the Second Schedule to this Order.

2. The installation of gates by the Council close to every point on the highway at which the highway joins highway that is unrestricted by this Order for the purpose of enforcing the restriction provided for in this Order is hereby authorised.
3. The alternative routes for vehicular and pedestrian access are via the highway on Dukes Brow, Gibraltar Street, Higher Bank Road and Lynwood Road (see map below).
4. The aforementioned gates shall be maintained and operated by the Council and the correct details of the responsible officer are: Community Gating Co-ordinator (telephone 01254 666445). The gates are to be unlocked and locked by key holders.
5. This order may be cited as the Borough of Blackburn with Darwen Dukes Brow, Gibraltar Street, Lynwood Road, Blackburn (Scheme 121) Gating Order 2014 and shall come into operation on.....

FIRST SCHEDULE

The length of highway for the purpose of this order is to the Higher Bank Road through from Gibraltar Street, Blackburn.

SECOND SCHEDULE

1. All owners and all occupiers of premises adjoining the highway
2. Police Fire and Rescue Services and NHS Trust staff when in exercise of their duties
3. Persons using the highway in connection with the laying, erecting, inspection, maintenance, alteration, repair, renewal or removal in or near the said length of highway of any sewer, main, pipe, conduit, wire, cable or any other apparatus for the supply of gas, water, electricity or any telecommunications apparatus as defined in Schedule 2 to the telecommunications Act 1994
4. Council staff and its authorised contractors when in the exercise of their duties
5. Persons using the highway with the permission or on the direction of a duly authorised council officer in this regard

GIVEN under the Common Seal of Blackburn with Darwen Borough Council on the day of 2014.

THE COMMON SEAL of the }
Blackburn with Darwen Council }
Was hereunto affixed }
In the presence of: - }

Authorised officer

