

**Blackburn with Darwen Borough Council –
Blackburn Street, Inkerman Street and Kendal Street, Blackburn (Scheme 142)
Public Space Protection Order (PSPO) 2019**

This order may be cited as the Blackburn with Darwen Borough Council – Blackburn Street, Inkerman Street and Kendal Street, Blackburn (Scheme 142) Public Spaces Protection Order 2019.

Blackburn with Darwen Borough Council (“the Council”), is satisfied that the conditions set out in Section 59(2) of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) have been met in relation to the length of highway as described in Schedule 1 of this order (“the Highway”), in that, activities such as criminal activity, vandalism and anti-social behaviour including youth nuisance, drug dealing and sexual activity are taking place on public highways close to residential premises within the Council’s area. These activities 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 out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature; that the effect or likely effect of these activities is or is likely to be such as to make the activities unreasonable and that this justifies the restrictions imposed by the notice. The Council is therefore satisfied that it is, in all the circumstances, necessary and proportionate to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

The Council in exercise of its powers under Sections 59, 64 and 72 of the Act and under all other enabling powers, hereby makes the following order:

1. The public right of way over the highways described in Schedule 1 to this Order shall be restricted at all times except for those persons listed in Schedule 2. The Order authorises the installation of gates, as indicated in blue on the attached plan, which will enforce the access restriction. The aforementioned gates shall be maintained and operated by the Council and the correct details are:
Community Safety Team (tel: 585260). The gates are to be locked and unlocked by key holders of those listed in Schedule 2.
2. The alternative routes for vehicular and pedestrian access are as detailed in Schedule 3.
3. **Any person, other than those persons listed in Schedule 2, who is found in the highways described in Schedule 1 will be in breach of the Order and liable to a fine or penalty described in Schedule 4.**

SCHEDULE 1

The lengths of the highway are those indicated as shown on the attached map being:
The rear of 21-69 Blackburn Street, 32-68 Inkerman Street, 17-25 Kendal Street, including Noorani Education Centre, 51-71 Altom Street, 84-92 London Road, Blackburn

SCHEDULE 2

Nothing in Schedule 1 relating to access only shall apply to:

- a) Owners or occupiers of premises adjacent to or adjoining the highway affected by this order; or
- b) Fire brigade, police or NHS Trust / Foundation staff when in the exercise of their duties.
- c) Employees, contractors or agents of statutory undertakers in relation to gas, electricity or water or telecommunications apparatus as defined in the telecommunications Act 1994 situated in the relevant highway in connection with the laying, erecting, inspection, maintenance, alteration, repair, renewal or removal of any relevant apparatus.
- d) Council staff and its authorised contractors when in the exercise of their duties.
- e) Persons using the highway with the permission or on the direction of a duly authorised Council Officer in this regard.

SCHEDULE 3

The alternative routes for vehicular and pedestrian access are via the highway to the front of Blackburn Street, Inkerman Street, Kendal Street, Altom Street and London Road, Blackburn as per the attached plan.

SCHEDULE 4

1. It is an offence for a person without reasonable excuse to engage in activity that is prohibited by this order.
2. A person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine (£1000) or to a Fixed Penalty Notice up to £100.

The Order shall come into operation on 1 March 2019 and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

If any interested person requests to question the validity of this order on the grounds that the Council did not have the power to make the order or that a requirement under the Act has not been complied with, then he or she may apply to the High Court within six weeks from the date in which the order is made.

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

28th day of February 2019

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

Authorised Officer
Sian Lockman

