

**Blackburn with Darwen Borough Council –
Bastwell & Robinson Street area
Public Space Protection Order (PSPO) 2018 Extension
(under section 60 (2) of Public Space Protection Order (PSPO) 2015)**

This order may be cited as the Blackburn with Darwen Borough Council – Bastwell & Robinson Street area Public Spaces Protection Order 2018.

WHEREAS on 29 October 2015 Blackburn with Darwen Borough Council ("the Council"), made the **Public Spaces Protection Order (PSPO) 2015 hereafter referred to as the '2015 Order'** because the Council was satisfied that the two conditions set out in Section 59(2) and 59(3) of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") had been met in relation to the area as described in Schedule 1 of this order ("the area"), namely that the activities in public spaces within the 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 out within that area and have such an effect and 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, and these activities are unreasonable and justify the restrictions imposed by the notice and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

This Order, made under section 60 subsection 2 of the Act, is an extension of the 2015 Order because the local authority is satisfied on reasonable grounds that extending the 2015 Order is necessary to prevent the occurrence or recurrence after the expiry of the 2015 Order of the activities identified in the 2015 Order, or to prevent an increase in the frequency or seriousness of those activities after that 2015 Order expires. The effect of this 2018 Order is to extend the period for which the 2015 PSPO has effect.

The Council in exercise of its powers under Sections 60 (2) and 59(2) and 59(3) of the Act and under all other enabling powers, hereby makes the following order:

1. The collection and/or lighting of combustible materials including bonfires is prohibited in any public space within the area marked red on the attached Plan 1 and/or Plan 2
2. No person may discharge light or discharge fireworks of any description on public land within the area marked red on the attached Plan 1 and/or Plan 2 without the express written permission of the owner.
3. No person may act or incite others to act in an anti-social manner likely to cause harassment, alarm or distress to any person in any public space within the area marked red on the attached Plan 1 and/or Plan 2.

SCHEDULE 1

The areas are those indicated as shown on the attached map being:

1. Any public space within the area marked red on the attached Plan 1

2. Any public space within the area marked red on the attached Plan 2.

SCHEDULE 2

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

The Order shall come into operation on 30 October 2018 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

26 th day of October 2018

THE COMMON SEAL of the }
Blackburn with Darwen Council }
Was hereunto affixed }
In the presence of }
Sian Roxborough }
Sian Roxborough Council Solicitor
Authorised Officer



Plan 1

LITTLE HARWOOD

Plan 2

