

**Blackburn with Darwen Borough Council – Audley
& Queen’ Park (Schemes)
Public Space Protection Order (PSPO) 2023**

Notice is hereby given that Blackburn with Darwen Borough Council (“the Council”) in exercise of its powers under Sections 59(2), 64 and 72 of the Act and under all other enabling powers, proposes to make 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 red 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.**

The draft of the proposed order is set out below. Further details and reasons for making the order may be inspected during normal office hours at the Community Safety Partnership office, 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 Community Safety Partnership, 3rd Floor, Old Town Hall, Blackburn, BB1 7DY to arrive on or before **6th March 2023**

(Please quote the name of the PSPO in your correspondence)

Please note that all representations may be considered in public by the Council and could become available for public inspection.

Dated this day **[INSERT DATE]**

SCHEDULE 2

**Blackburn with Darwen Borough Council – Audley
& Queen’ Park (Schemes)
Public Space Protection Order (PSPO) 2023**

This order may be cited as the Blackburn with Darwen Borough Council – Audley & Queen’s Park – Blackburn Central Public Space Protection Order (PSPO) 2015

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 red on the attached plan, which will enforce the access restriction. The aforementioned gates shall be maintained and operated by the Council 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 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**

SCHEDULE 1

The lengths of the highway are those indicated as shown on the attached maps 1, 2 and 3 being:

Audley Range to Walter Street (Girls School) BB1 1SX
Audley Range to Copperfield Street, BB1 1RB
Audley Range to Walter Street (barbers), BB1 1RD
Walter Street and Dickens Street, BB1 1RN
Copperfield Street and Dickens Street, BB1 1RB, BB1 1RN
Walter Street and Cromwell Street, BB1 1RD, BB1 1RL
Lincoln Road (between house numbers 6 and 32) BB1 1TP
Randolph Street, BB1 1RH
Winchester Street, BB1 1RG
Pringle Street and Chester Close, BB1 1RE

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.

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

1. Owners or occupiers of premises adjacent to or adjoining the highway affected by this order; or
2. Fire brigade, police or NHS Trust / Foundation staff when in the exercise of their duties.
3. 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.
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.

Schedule 3

6. The alternative routes for vehicular and pedestrian access are via the highway.

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 **[INSERT DATE]** 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. The Order shall come into operation on **[INSERT DATE]** and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

(NAME) Council Solicitor
Authorised Officer

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

.....day of **[INSERT YEAR]**

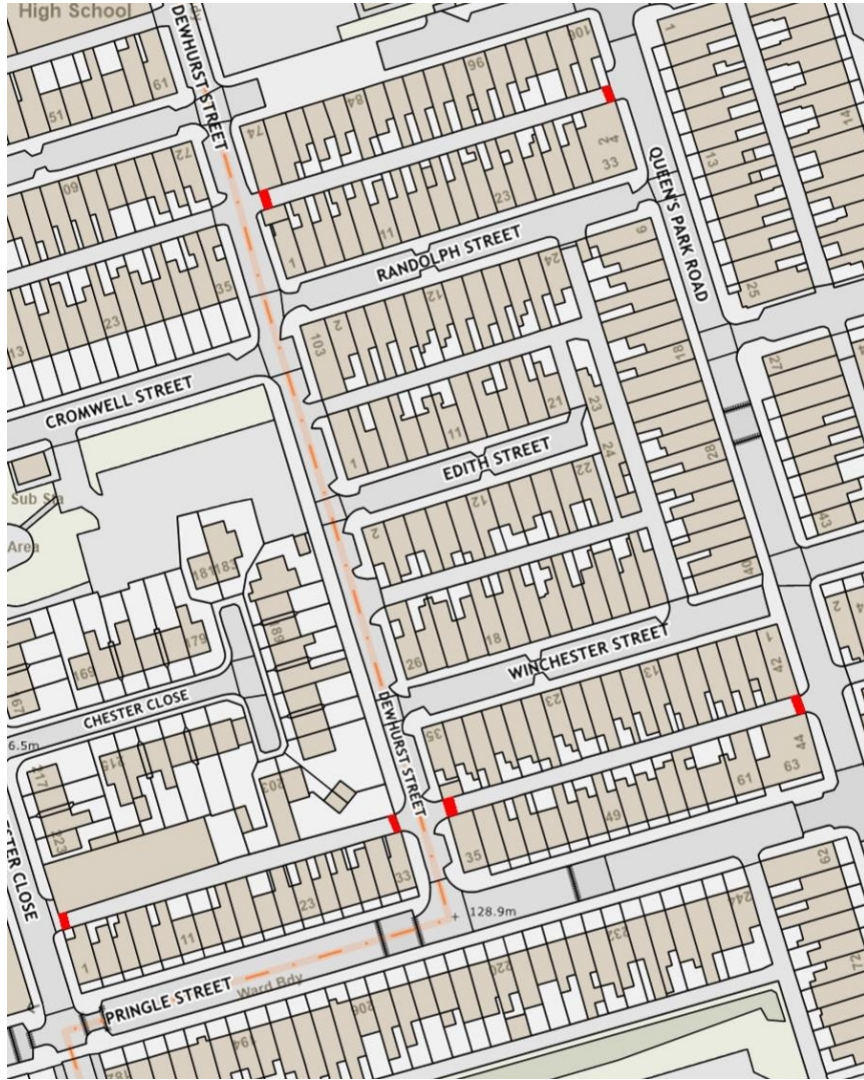
THE COMMON SEAL of the }
Blackburn with Darwen Council }
Was hereunto affixed }
In the presence of }



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

Map 1

Map 2



Map 3



