

DATED

2024

**THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
THE BOROUGH COUNCIL OF PENDLE
(ALLEY GATES)
PUBLIC SPACES PROTECTION ORDER 2024
VARIATION AND EXTENSION (UNDER SECTION 60) OF PUBLIC SPACES
PROTECTION ORDER 2018**

H.P. Culshaw
Head of Legal & Democratic Services
Town Hall Nelson Lancashire

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{ALLEY GATES}
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PROTECTION ORDER 2018

This Order may be cited as the Borough Council of Pendle (Alley Gates) Public Spaces Protection Order 2024

Whereas on 23rd October 2018 the Borough Council of Pendle (“the Council”) made the Public Spaces Protection Order 2018 (“2018 Order”) which was extended on 22nd October 2021 and varied on 7th November 2022 because the Council was satisfied that the conditions set out in Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) have been met in relation to the area included in the Schedule to the 2018 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 2018 Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behavior in a public place.

This Order, made under Section 60(2) of the Act, is an extension of the 2018 Order because the Council is satisfied on reasonable grounds that extending the 2018 Order is necessary to prevent the occurrence or recurrence after the expiry of the 2018 Order of the activities identified in the 2018 Order, or to prevent an increase in the frequency or seriousness of those activities after that 2018 Order expires. The effect of this 2024 Order is to extend the period for which the 2018 Order has effect and vary the area included in that Order

The Council in exercise of its power under section 59 of the Act and under all other enabling powers hereby makes the following Order:

1. This Order applies to the public spaces within the Borough Council of Pendle described in the Schedule to this Order and shown shaded in red on the plans annexed to this Order (“the Restricted Areas”)

2. The Order is required due to the high level of crime and anti-social behaviour associated with the Restricted Areas prior to the installation of lockable alley gates; and having had a detrimental effect on the quality of life of those living in the locality, was persistent and continuing in nature and was unreasonable
3. Except as provided in Articles 6 and 7 of this Order, no person shall use the public right of way over the Restricted Areas at any time.
4. Gates may be installed, operated and maintained at each end of the Restricted Areas by the Council.
5. Any person using the gates referred to in Article 4 to gain access to or from the Restricted Areas shall ensure that the gates are closed and locked immediately after they are used.
6. The restriction in Article 3 to this Order shall not apply to any person who occupies premises adjoining or adjacent to the Restricted Areas.
7. The restrictions in Article 3 and 5 of this Order shall not apply to any police, ambulance or fire service personnel acting in pursuance of statutory powers or duties or to any statutory undertakers, gas, electricity, water or communications provider or their servants or agents requiring access to their apparatus in the Restricted Areas.
8. Any person who occupies premises adjoining or adjacent to the Restricted Areas and who has been issued with a key or pass code to the Restricted Areas shall ensure that access is provided for waste collection, street cleaning, bulky waste collections; highway maintenance and shall keep the Restricted Areas clear of waste other than in receptacles provided by the Council or awaiting collection under the Council's bulky waste collection scheme.
9. The Council will be responsible for maintenance of the gates unless and until the responsibility transfers to another body. The Council can be contacted on 01282 661661 or at Nelson Town Hall, Market Street, Nelson BB9 7LG
10. Any person who, without reasonable excuse, does anything that the person is prohibited from doing by Article 3, or fails to comply with a requirement to which they are subject by Articles 5 or 8 of this Order commits an offence contrary to section 67 of the Act and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
11. This Order shall come into force on the 22nd day of October 2024 for a period of three years.
12. The Order may be extended subject to further consultation with residents in the locality and whether it is reasonable to do so within the council's statutory powers

13. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the date on which this Order is made.

VARIATION

The Authority, being satisfied that the conditions set out in section 59 of the Act have been met, hereby varies the 2018 Order by adding to the 2018 Order the following area as shown on the attached map so numbered:-

Schedule

<p>16. Chapel Street Brierfield Plan No. PSPO 16 (Already added by Deed of Variation dated 7th November 2022)</p>	<p>Brierfield</p>	<p>The alleyway that runs from Chapel Street to Halifax Road Brierfield with alley gates being installed between 95 and 96 Chapel Street and to the side of 112 Halifax Road Brierfield</p>
<p>17. Little Queen Street Colne Plan No. PSPO 18</p>	<p>Colne</p>	<p>That part of Little Queen Street to the southeast of Back Burnley Road to where it terminates.</p>
<p>18. Ormerod Street Colne Plan No. PSPO 17</p>	<p>Colne</p>	<p>The street to the southeast of 17 Burnley Road from Back Burnley Road to where it terminates.</p>

The COMMON SEAL of the
BOROUGH COUNCIL OF PENDLE
was hereunto affixed to this document this

day of 2024

in the presence of

Emma Barker
Legal Services Manager

Schedule

Highways in the Borough of Pendle	Town (Ward)	Description
1. Rear of Wood Street and Walter Street Primary School, Brierfield (Plan No. PSPO 1)	Brierfield	The alleyway that runs directly to the rear of Hebron Hall (<i>located at the junction of Walter and Wood Street</i>) and (23-47) Wood Street. Comprises of two alley gates one facing Walter Street and the other facing Bird Street
2. Rear of Reedley Road (Plan No. PSPO 2)	Reedley	The alleyway that runs directly to the rear of (1-27) Reedley Road; alley gates are installed covering properties from (13-27) Reedley Road. Alley gates are installed at the rear of 13 and 27 Reedley Road
3. Rear of Every Street (Plan No. PSPO 3)	Nelson (Whitefield)	The alleyway that runs directly to the rear of (199-211) Every Street
4. Rear of Every Street and Hargreaves Street (Plan No. PSPO 4)	Nelson (Whitefield)	The alleyway that runs directly to the rear of (213 to 229) Every Street and (4-40) Hargreaves Street. Alley gates are installed at the rear of 213 and 227 Every Street; and Gable end of 4 Hargreaves Street
5. Rear of Garden Street (Plan No. PSPO 5)	Nelson (Cloverhill)	The alleyway that runs directly to the rear of (29-53) Garden Street. Alley gates are installed at the rear of 29 and 53 Garden Street
6. Rear of Bradshaw Street (Plan No. PSPO 6)	Nelson (Walverden)	The alleyway that runs directly to the rear of (27-49) Bradshaw Street. Alley gates are installed at the rear of 27 Bradshaw Street facing Brunswick Street and 49 Bradshaw Street facing Railway Street
7. Rear of Bentley Street (Plan No. PSPO 7)	Nelson (Walverden)	The alleyway that runs directly to the rear of (1-26) Bentley Street. Alley gates are installed

		at the rear of 1 Bentley Street facing Thomas Street and 25 Bentley Street facing Percy Street
8. Rear of Beaufort Street/Leamington Street/Meredith Streets (Plan No. PSPO 8)	Nelson (Walverden)	The alleyway that runs directly to the rear of (89-93) Beaufort Street; (14-16) Meredith Street and (11-13) Leamington Street. Alley gates are installed at the rear of (14-16) Meredith Street and (11-13) Leamington Street
9. Rear of Fleet Street/Elizabeth Street/Rook Street (Plan No. PSPO 9)	Nelson (Bradley)	The alleyway that runs directly to the rear of (60-70) Fleet Street; (29-71) Elizabeth Street; (32-62) Rook Street. Alley gates are installed at the rear of 29 Elizabeth/gable end 31 Elizabeth Street; rear of 70 Fleet Street/gable end 32 Rook Street; rear of 62 Rook and rear of 61 Elizabeth Street; and rear of 63 Elizabeth Street
10. Rear of Mason Street (Plan No. PSPO 10)	Colne (Horsfield)	The alleyway that runs directly to the rear of (2-32) Mason Street. Alley gates are installed at the rear of 2 and 32 Mason Street
11. Rear of Calder Street and Sutherland Street (Plan No. PSPO 11)	Colne (Waterside)	The alleyway that runs directly to the rear of (1-7) Sutherland Street and (2-8) Calder Street. Alley gates are installed at the rear of 1 Sutherland / 2 Calder Street; and 7 Sutherland/8 Calder Street
12. Rear of Crabtree Street and Sutherland Street (Plan No. PSPO 12)	Colne (Waterside)	The alleyway that runs directly to the rear of (1-21) Crabtree Street and (2-30) Sutherland Street. Alley gates are installed at the rear of 1 Crabtree Street/2 Sutherland Street; and rear of 30 Sutherland Street
13. Rear of Crabtree and Smith Street (Plan No. PSPO 13)	Colne (Waterside)	The alleyway that runs directly to the rear of (1-15) Smith Street and (4-22) Crabtree Street. Alley gates are installed at the rear of

		1 Smith Street/4 Crabtree Street; and 15 Smith Street/22 Crabtree Street
14. Rear of Limefield Avenue and Montrose Street (Plan No. PSPO 14)	Brierfield	The alleyway that runs directly to the rear of (8-10) Limefield Avenue and rear of (47-49) Montrose Street, and the alleyway that runs to the rear of (10-16) Limefield Avenue and (49-55) Montrose Street. The alley gates to be installed rear of (8-10) Limefield Avenue and rear of (47-49) Montrose Street
15. Front of 2-26 Bradley View and Rear of 129-151 Leeds Road Nelson (Plan No. PSPO 15)	Nelson	Pedestrian front street to 2-26 Bradley View with an alley gate at the junction of Hey Street and at the rear of 129-151 Leeds Road with gates at the junction of Hey Street and near the junction of Bank Street
16. Chapel Street Brierfield Plan No. PSPO 16 (Already added by Deed of Variation dated 7 th November 2022)	Brierfield	The alleyway that runs from Chapel Street to Halifax Road Brierfield with alley gates being installed between 95 and 96 Chapel Street and to the side of 112 Halifax Road Brierfield
17. Little Queen Street Colne Plan No. PSPO 18	Colne	That part of Little Queen Street to the southeast of Back Burnley Road to where it terminates.
18. Ormerod Street Colne Plan No. PSPO 17	Colne	The street to the southeast of 17 Burnley Road from Back Burnley Road to where it terminates.