

DATED

2024

**THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
THE BOROUGH COUNCIL OF PENDLE
(RESTRICTED ACCESS)
PUBLIC SPACES PROTECTION ORDER 2021
EXTENSION (UNDER SECTION 60 (2)) OF PUBLIC SPACES PROTECTION ORDER
2018**

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

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
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This Order may be cited as the Borough Council of Pendle (Restricted Access) 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 (2021 Order”) 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

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 marked in red on the plans annexed to this Order (“the Restricted Access Areas”)
2. The Order is required due to the high level of crime and anti-social behaviour associated with the Restricted Access Areas prior to the installation of lockable 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. Gates restricting access may be installed, operated and maintained in Restricted Access Areas by the Council.
4. Any person using the gates referred to in Article 3 to gain access to or from Restricted Access Areas shall ensure that the gates are closed and locked immediately after they are used.
5. 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
6. 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 Article 4 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.
7. This Order shall come into force on the 22nd day of October 2024 for a period of three years.
8. 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
9. 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.

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. Greenfield Road (Plan No. PSPO 1)	Colne (Waterside)		The road from Whitewalls Drive to Colne Road is access only with a lockable gate at the point shown on the plan to prevent general use of the road between Whitewalls Drive and Colne Road
2. Malvern Road (Plan No. PSPO 2)	Nelson (Marsden)		The back street of (9-37) Malvern Road at its junction with New Street
3. Rear of Cumberland Street and Cross Skelton Street (Plan No. PSPO 3)	Colne (Horsfield)		The alleyway that runs directly to the rear of (2-6) Cumberland Street adjacent to Cross Skelton Street; there is only one alley gate installed at the rear of 2 Cumberland Street and gable end of 5 Cross Skelton Street