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Ivy Avenue PSPO

Last Modified October 31, 2019

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The Borough of Blackpool (Ivy Avenue) Public Spaces Protection Order 2019

Notice is hereby given that Blackpool Borough Council in exercise of its powers under sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014 and of all other enabling powers proposes to make the above Order. The Order will have the following general effect

1. To restrict the public right of way at all times over all the highway that runs from the side of 81 to 83 Ivy Avenue to the rear boundaries of 81 to 83 Ivy Avenue, Blackpool (hereinafter referred to as the "Restricted Area") by all persons except for occupiers of premises adjoining or adjacent thereto and owners of such premises, Council officers and those authorised by the Council, the emergency services and other service providers.
2. To authorise the erection and maintenance of gates on the Restricted Area close to every point of joining unrestricted highway in order to enforce the restriction
3. There are no alternative routes for public access.
4. The Order will have effect for a period of three years from (but including) the date that it is made. The Council may seek to extend that period in due course if satisfied that it is reasonable to do so in accordance with its statutory powers. The Order has been proposed for the reasons set out in the draft of the proposed Order set out below.

A copy of the proposed Order, map and statement of reasons for making the Order may also be inspected during normal office hours at Customer First, Municipal Buildings, Corporation Street, Blackpool FY1 1EJ or alternatively on the Council's website under Public Space Protection Orders.

If you wish to make representations concerning the proposed Order, you should send them in writing to Jonathan Horrocks, Alleygate Co-ordinator, Layton Depot, Plymouth Road, Blackpool, FY3 7HW to arrive on or before 28th July 2019

Please note that all representations received may be considered in public by the Council and that the substance of any representation together with the name and address of the person making it could become available for public inspection.

DATED 1st July 2019

Mark Towers

Director of Governance and Regulatory Services

The Borough of Blackpool (Ivy Avenue) Public Spaces Protection Order 2019

Whereas the Blackpool Borough Council (hereinafter referred to as "the Council") is satisfied that conditions set out in section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (hereinafter referred to as "the Act") have been met in relation to the lengths of highway listed in the First fly tips carried out in the Restricted Area have had a detrimental effect on the quality of life of those in the locality and the effect or likely effect of those activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by this Order.

Now therefore the Council in exercise of its powers under sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014 and under all other powers it enabling in that behalf hereby makes the following Order:

1. The public right of way over the Restricted Area is restricted at all times to all persons so that no person may pass and/or repass there over either on foot or on or in a vehicle except those persons listed in the Second Schedule to this Order
2. The installation of gates by the Council in the Restricted Area close to every point at which it joins highway that is unrestricted by this Order for the purpose of enforcing the restriction provided for in this Order is hereby authorised
3. There are no alternative routes for public access.
4. The aforesaid gates shall be maintained and operated by the Council and the contact details of the responsible officer are: Jonathan Horrocks tel: 07824361235 (email: jonathan.horrocks@blackpool.gov.uk). The gates are to be locked and unlocked by key holders.
5. This Order may be cited as the Borough of Blackpool (Ivy Avenue) Public Spaces Protection Order 2016 and shall come into operation on (to be advised) and shall have effect for a period of three years from (but including) that date, unless extended pursuant to section 60 of the Act
6. Pursuant to s67 of the Act, it is an offence for a person without reasonable excuse to do anything that the person is prohibited from doing by this Order or to fail to comply with a requirement to which the person is subject under this Order and a person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000 at the date of this Order). It is not an offence to fail to comply with a prohibition or requirement that the Council did not have power to include.

First schedule

The "Restricted Area"

Lengths of Highway: all the highway that runs from the side of 81 to 83 Ivy Avenue to the rear boundaries of 81 to 83 Ivy Avenue, Blackpool.

Second schedule

Persons

1. All owners and all occupiers of premises adjoining or adjacent to the Restricted Area
2. Police, Fire and Rescue Service and NHS Trust/Foundation Trust staff when in exercise of their duties
3. Persons using the Restricted Area in connection with the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the Restricted Area of any sewer, main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984
4. Council staff and its authorised contractors when in exercise of their duties
5. Persons using the Restricted Area with the permission or at the direction of a duly authorised Council officer in this regard

GIVEN under the Common Seal of the Council of the Borough of Blackpool on the

. day of 201

THE COMMON SEAL of the }

Blackpool Borough Council }

was hereunto affixed }

in the presence of:- }

Chief Corporate Solicitor

Map of Ivy Avenue





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