

PRESTON CITY COUNCIL

NOTICE OF PROPOSAL

THE CITY OF PRESON (TULKETH MILL AREA) PUBLIC SPACE PROTECTION ORDER 2024

NOTICE IS HEREBY GIVEN that the Preston City Council (“the Council”) intends to make the above-named Order under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 and all other enabling powers. The general effect of the Order will be to –

1. Restrict the public right of way at all times over the highways that run to the rear of 43 to 61 Balcarres Road, between 262 and 264 Shelley Road and to the rear of 402 to 404 Blackpool Road, Preston (the “Restricted Area”), and as shown on the plan attached to the Order, by all persons except for occupiers of premises adjoining or adjacent thereto and the owners of such premises, Council officers and those authorised by the Council, the emergency services and other service providers.
2. Authorise the installation, operation and maintenance of security gates/barriers which will enforce the restriction.
3. Provide that the responsibility for the maintenance of the security gates/barriers at the location will lie with the Council unless and until the responsibility transfers to another body.
4. Provide that any person who occupies or owns premises adjoining or adjacent to the Restricted Area and who has been issued with a key or passcode to the Restricted Area shall ensure that access is provided for waste collection, street cleaning, bulky waste collections and highway maintenance.
5. Provide an alternative route for pedestrians along Blackpool Road, Shelley Road, Balcarres Road and Briggs Road, Preston.
6. That the Order would have effect for a period of three years from the date that it is made. The Council may seek to extend that period if it is satisfied that it is reasonable to do so in accordance with its statutory powers.

The Council seeks to make the proposed Order because of the anti-social behaviour and/or crime occurring in the Restricted Area having had a detrimental effect on the quality of life of those in the locality. The effect or likely effect of the anti-social behaviour and/or crime is, or is likely to be, of a persistent or continuing nature, such as to make those activities unreasonable, and justifies the restrictions imposed by the proposed Order.

The proposed Order is shown in the Schedule to this Notice.

A copy of the proposed Order and plan may be inspected from 9th January 2024 to 19th February 2024 during hours 9am to 5pm at Preston City Council, Town Hall, Lancaster Road, Preston, PR1 2RL or alternatively on the Council's website at <https://www.preston.gov.uk/consultations> If you wish to make representations or

objections to the proposed Order in writing, you should send them to Community Engagement Team,

Preston Town Hall, Lancaster Road, Preston, PR12RL (Reference: Tulketh Mill Alleygating Scheme) before 5pm on the 19th February 2024 or at communityinvolvementteam@preston.gov.uk Please state the ground(s) on which your representation or objection is made.

DATED 9th January 2024

Deputy Chief Executive & Director of Community & Wellbeing

SCHEDULE

PRESTON CITY COUNCIL

THE CITY OF PRESON (TULKETH MILL AREA) PUBLIC SPACE PROTECTION ORDER 2024

The Preston City Council (hereinafter referred to as “the Council”) is a local authority for the purposes of the Anti-social Behaviour, Crime and Policing Act 2014 (hereinafter referred to as “the Act”).

The Council being satisfied that the conditions set out in section 59(1) and (2) of the Act have been met, namely that it has been shown that anti-social behaviour and/or crime exists in the Cadley ward, Preston, and this has had a detrimental effect on the quality of life of those in the locality. Furthermore, the effect or likely effect of the anti-social behaviour and/or crime is, or is likely to be, of a persistent or continuing nature, such as to make those activities unreasonable, and justifies the restrictions imposed by the Order.

NOW THEREFORE the Council in exercise of the power contained in section 59 of the Act and all other enabling powers hereby make the following Order:-

1. The Order may be cited as The City of Preston (Tulketh Mill Area) Public Space Protection Order 2024 and shall come into force on (DATE TO BE INSERTED IF ORDER APPROVED) for a period of 3 years from the aforesaid date.
2. The Order relates to the highways that run to the rear of 43 to 61 Balcarres Road, between 262 and 264 Shelley Road and to the rear of 402 to 404 Blackpool Road, Preston, within the administrative area of the Council (“the Restricted Area”) and shown shaded in red on the plan annexed to the Order.
3. A security gate/barrier may be installed, operated and maintained at each end of the Restricted Area by the Council. The Council will be responsible for maintenance of the security gates/barriers unless and until the responsibility transfers to another body.
4. Except as provided in Articles 6 and 7 of the Order, no person shall use the public right of way over the Restricted Area at any time.
5. The alternative route for pedestrians will be along Blackpool Road, Shelley Road, Balcarres Road and Briggs Road, Preston.
6. The restriction in Article 4 of the Order shall not apply to any person who occupies and/or owns premises adjoining or adjacent to the Restricted Area.
7. Any person using the security gate/barrier referred to in Article 3 of the Order to gain access to or from the Restricted Area shall ensure that the security gate/barrier is closed and locked immediately after use.
8. The restrictions in Article 4 and Article 7 of the Order shall not apply to any police, ambulance or fire service personnel acting in pursuance of statutory powers or duties, or the Council and/or Lancashire County Council undertaking a statutory duty or in

connection with maintenance work or other function, or to any statutory undertaker, provider of gas, electricity, water services or communications requiring access to their apparatus in the Restricted Area.

9. Any person who occupies and/or owns premises adjoining or adjacent to the Restricted Area and who has been issued with a key or passcode to the Restricted Area shall ensure that access is provided for waste collection, street cleaning, bulky waste collections and highway maintenance.

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.

Any person who, without reasonable excuse, does anything that the person is prohibited from doing by Article 4 of the Order, or fails to comply with a requirement to which the person is subject by Article 7 or Article 9 of the 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.

If any interested person desires to question the validity of the Order on the grounds that the Council did not have power to make it or include particular prohibitions or requirements imposed by the Order or that a requirement under the Act has not been complied with in relation to the Order, he or she may apply to the High Court within 6 weeks beginning with the date on which the Order is made.

The **COMMON SEAL** of the)
PRESTON CITY COUNCIL)
was hereunto affixed on the)
day of)
2024 in the presence of:-)

Authorised Signatory