

STAFFORDSHIRE COUNTY COUNCIL

NOTICE OF PROPOSAL TO MAKE A GATING ORDER

STAFFORDSHIRE COUNTY COUNCIL (ALLEYWAY LEADING FROM MALDALE TO PUBLIC FOOTPATH 94, TAMWORTH) GATING ORDER 2008.

NOTICE Is hereby given that Staffordshire County Council, being the Highway Authority for the Public Highway, an alleyway leading from Maldale to Public Footpath 94 Tamworth, propose to make a Gating Order under S129A of the Highways Act 1980 (“the Act”) for the Public Highway aforementioned.

When the Order comes into effect the Public Right of Way over the specified highway described above, and shown on the plan annexed to the Order, shall be restricted at all times by a gate or barrier.

The alternative route for members of the public will be via the local public highway network.

A copy of a draft of the proposed Order and accompanying documents may be viewed free of charge at Staffordshire County Council Reception, Peel Building, St. Chad’s Place, Stafford ST16 2LR during normal working hours Monday to Friday. Details may also be viewed on the County Council website at www.staffordshire.gov.uk.

The proposed Order is shown in the schedule below.

Anybody wishing to make representations as whether or not the Order should be made must do so in writing within 28 days of the first publication of this Notice. Written representations should be sent to John Tradewell, Director of Law and Governance, 16 Martin Street, Stafford, ST16 2LG quoting File Ref HS544F.

Schedule

Draft Gating Order

Staffordshire County Council (Alleyway leading from Maldale to Public Footpath 94, Tamworth) Gating Order 2008.

This Order is made by Staffordshire County Council (“the Authority”) under Section 129A of the Highways Act 1980 (“the Act”) and may be cited as Staffordshire County Council (Alleyway leading from Maldale to Public Footpath 94, Tamworth) Gating Order 2008.

By this Order:

1. The public right of way, being a relevant highway, and being an alleyway leading from Maldale to its junction with Public Footpath 94 Tamworth, and comprising the entire length of the aforementioned alleyway, will be restricted at all times by the erection of barriers or gates shown on the annexed plan and depicted by a thick black line.
2. The Authority are satisfied that the conditions set out in s129A(3) of the Act have been met and that:

(a) Premises adjoining or adjacent to the highway are affected by crime or anti-social behaviour;

(b) The existence of the highway is facilitating the persistent commission of criminal offences or anti-social behaviour.

(c) It is in all the circumstances expedient to make the Order for the purposes of reducing crime or anti-social behaviour.

3. The alternative route for pedestrians will be via the local public highway network.

4. Police, Fire and Ambulance emergency services, statutory undertakers with equipment situated under, over, along or in the highway, council officers and other persons authorised in writing by the County Council for the purposes of carrying out works of repair or maintenance to the highway or adjoining premises shall be exempt from the provisions of this Order.

5. The person responsible for erecting and maintaining gates or barriers is Staffordshire County Council, Development Services Directorate, Riverway, Stafford ST16 3TJ

If any person wishes to question the validity of this Order on the ground that the County Council has no power to make it, or any requirement of Part 8A of the Act has not been complied with in relation to the Order, he or she may apply to the High Court within six weeks from the date which the Order is made.

Given under the Common Seal of Staffordshire County Council on the.....day of.....200.....

**The COMMON SEAL of
STAFFORDSHIRE COUNTY COUNCIL**
was hereunto affixed in the presence of:-

.....
Authorised Signatory