

STAFFORDSHIRE COUNTY COUNCIL

NOTICE OF PROPOSAL TO MAKE A GATING ORDER

STAFFORDSHIRE COUNTY COUNCIL (HIGH LOWS LANE, YARNFIELD (BOAT 36 SWYNNERTON)) GATING ORDER 2009.

NOTICE Is hereby given that Staffordshire County Council, being the Highway Authority for the Public Highway, known as BOAT 36 in the Parish of Swynnerton and also known as High Lows Lane, Yarnfield, 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, will be restricted at all times for all classes of public user except pedestrians and enforced by the erection of barriers or gates shown on the annexed plan and depicted by a thick black line.

There are no alternative routes available for vehicular traffic. The alternative route for equestrians and cyclists is via Public Bridleway 40 Swynnerton.

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 HS559F.

Schedule

Draft Gating Order

STAFFORDSHIRE COUNTY COUNCIL (HIGH LOWS LANE, YARNFIELD (BOAT 36 SWYNNERTON)) GATING ORDER 2009.

This Order is made by Staffordshire County Council ("the Authority") under Section 129A of the Highways Act 1980 because it appears to the Authority that a Gating Order would reduce crime and anti-social behaviour taking place either on, or facilitated by the existence of, the public highway. This Order may be cited as the Staffordshire County Council (High Lows Lane, Yarnfield (BOAT 36 Swynnerton)) Gating Order 2009.

By this Order:

1. The public right of way, being a relevant highway, and being a Byway Open to All Traffic known as, and shown on the Definitive Map and Statement of Public Rights of Way as, BOAT 36 in the Parish of Swynnerton and also known as High Lows Lane, Yarnfield, and comprising the entire length of the aforementioned public highway, will be restricted at all times for all classes of public user except pedestrians and enforced 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:

(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. There are no alternative routes available for vehicular traffic. The alternative route for equestrians and cyclists is via Public Bridleway 40 Swynnerton.

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 the Community Safety Coordinator, Stafford Borough Council, Civic Centre, Riverside, Stafford, ST16 3AQ. 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