

STAFFORDSHIRE COUNTY COUNCIL
NOTICE OF PROPOSAL TO MAKE A GATING ORDER
**STAFFORDSHIRE COUNTY COUNCIL (SCARLETT STREET, NEWCASTLE-UNDER-
LYME) GATING ORDER 2009.**

NOTICE Is hereby given that Staffordshire County Council, being the Highway Authority for the Public Highway, known as Scarlett Street, Newcastle-under-Lyme, 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 between the hours of 1730 to 0900 by a gate or barrier.

The alternative route for pedestrians during the hours when access is restricted will be via the main thoroughfares in Newcastle-under-Lyme Town Centre.

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 HU481F.

Schedule

Draft Gating Order

Staffordshire County Council (Scarlett Street, Newcastle-Under-Lyme) 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 (Scarlett Street, Newcastle-under-Lyme) Gating Order 2009.

By this Order:

1. The public right of way, being a relevant highway, and being a public highway known as Scarlett Street leading from Market Street to the High Street, and comprising the entire length of the aforementioned highway, will be restricted between the hours of 1730 to 0900 for all classes of public user 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. The alternative route for users will be via the main thoroughfares in Newcastle-under-Lyme Town Centre

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 Newcastle-under-Lyme Safer Communities Partnership. The persons responsible for opening gates or barriers will be the occupiers of the adjacent business premises.

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