WIGAN BOROUGH COUNCIL

NOTICE OF PROPOSALS

THE WIGAN BOROUGH (PASSAGEWAYS TO THE REAR OF 156 TO 190 STANLEY STREET AND SIDE OF 190 STANLEY STREET, ATHERTON) GATING ORDER 2008

Notice is hereby given that the Wigan Borough Council intends to make the above Gating Order under Section 129 of the Highways Act 1980 (hereinafter called 'the Act') and of all other enabling powers

The effect of the Order will be to restrict at all times, subject to certain exemptions, the public right of way over the passageways to the Rear of 156 to 190 Stanley Street and Side of 190 Stanley Street, Atherton

Details of the exemptions and alternative routes along with full particulars of the passageways affected are set out in the proposed Order shown in the Schedule.

Any representations or objections to the Order must be in writing to the Director of Legal and Property Services, Town Hall, Library Street, Wigan WN1 1YN by quoting reference DPLS/BD/Q-000945 by 14th March 2008. Please state the grounds on which they are made.

A copy of the proposed Order and associated documents may be inspected at the Town Hall, Library Street, Wigan Monday to Friday between the hours of 9.30 a.m. and 4.30 p.m. and Atherton Library, York Street, Atherton during opening hours or by visiting the Council's website at www.wigan.gov.uk

Dated this 14th February 2008

SCHEDULE
(Proposed Gating Order)
THE WIGAN BOROUGH (PASSAGEWAYS TO THE REAR OF 156 TO 190 STANLEY STREET AND THE SIDE OF 190 STANLEY STREET, ATHERTON) GATING ORDER 2008

Wigan Borough Council in exercise of its powers under Section 129 of the Highways Act 1980 and all the enabling powers being satisfied that a Gating Order would be beneficial for tackling crime and anti-social behaviour to that area of Atherton hereby makes the following Order:-

1. This Order may be cited as the Wigan Borough (Passageways to the Rear of 156 to 190 Stanley Street and the Side of 190 Stanley Street, Atherton) Gating Order 2008 and shall come into operation on.

2. The public right of way along the following passages as shown for identification purposes only on the attached plan is restricted at all times:-

   (i) the Rear of 156 to 190 Stanley Street and the Side of 190 Stanley Street

3. Nothing in article 2 of this Order shall apply to:

   a) all owners and occupiers of premises adjacent to or adjoining the passageways listed in Article 2

   b) persons using the highway in connection with the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the said length of highway of any sewer, main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or any other telecommunication apparatus as defined in Schedule 2 to the Telecommunications Act 1984

   c) persons using the highway for police, ambulance or fire brigade purposes

   d) Council officers on business

   e) persons using the highway with the permission or at the direction of the duly authorised officer of the Council

4. There are no alternative routes in this instance

5. Gates will be installed at the approximate locations marked on the attached plan and each will be operated and maintained by the Council.

6. The maintenance and operation of the gate will be the responsibility of the Council's Alleygating Project Manager who may be contacted at the Environmental Services Department, Civic Buildings, New Market Street, Wigan WN1 1RP.

7. The conditions set out in Section 129A (3) of the Highways Act 1980 have been complied with for the purposes of making the Order

Dated this day of 2008

EXECUTED as a)
DEED by affixing)
THE COMMON SEAL of)
THE WIGAN BOROUGH)
COUNCIL in the)
presence of:)

Deputy Director of Legal and Property Services

DLPS/BD/Q-000945/Q41/101-