

WIGAN BOROUGH COUNCIL

NOTICE OF PROPOSALS

THE WIGAN BOROUGH (PASSAGEWAYS AT WIGAN ROAD, MEALHOUSE LANE AND SUMNER 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:

1. to the rear of 1 to 11 Wigan Road
2. to the rear of 140 to 156 Mealhouse Lane
3. to the rear of 10 to 16 Sumner Street and at the side of 16 Sumner Street

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 and quoting reference DLPS/KAS/Q41/114-/Q-982 by 27th 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, Manchester, Atherton, M46 9JH during opening hours or by visiting the Council's website at www.wigan.gov.uk

Dated this 28th day of February 2008

SCHEDULE

(Proposed Gating Order)

THE WIGAN BOROUGH (PASSAGEWAYS AT WIGAN ROAD, MEALHOUSE LANE AND SUMNER 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 at Wigan Road, Mealhouse Lane and Sumner Street, Atherton)Gating Order 2008 and shall come into operation on 2008 .

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) to the rear of 1 to 11 Wigan Road
- (ii) to the rear of 140 to 156 Mealhouse Lane
- (iii) to the rear of 10 to 16 Sumner Street and at the side of 16 Sumner 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. Alternative routes are available via Wigan Road, Mealhouse Lane, Sumner Street, and Market Street, Atherton

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

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

Director of Legal and Property Services and Solicitor to the Council

