

**WIGAN BOROUGH COUNCIL**

**NOTICE OF PROPOSALS**

**THE WIGAN BOROUGH (PASSAGEWAYS AT CHURCH STREET, CHARLES STREET, HENRIETTA STREET AND VERNON STREET, LEIGH) 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 side of 79 Church Street, rear of 35 to 47 Charles Street, rear of 56 to 70 Henrietta Street and rear of Leigh Plumbing Merchants Vernon Street, Leigh.

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 quoting reference DLPS/KAS/Q-41/122-/Q-991 by 11<sup>th</sup> April 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 and at Leigh Town Hall, Market Street, Leigh Monday to Friday between the hours of 9.30am and 4.30pm or by visiting the Council's website at [www.wigan.gov.uk](http://www.wigan.gov.uk)

Dated this 13<sup>th</sup> day of March 2008

**SCHEDULE**

**(Proposed Gating Order)**

**THE WIGAN BOROUGH (PASSAGEWAYS AT CHURCH STREET, CHARLES STREET, HENRIETTA STREET AND VERNON STREET, LEIGH) 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 Leigh hereby makes the following Order:-

1. This Order may be cited as the Wigan Borough (Passageways at Church Street, Charles Street, Henrietta Street and 00Vernon Street, Leigh) 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) Passageway at the side of 79 Church Street, Leigh
  - (ii) Passageway to the rear of 35 to 47 Charles Street, Leigh
  - (iii) Passageway to the rear of 56 to 70 Henrietta Street, Leigh
  - (iv) Passageway to the rear of Leigh Plumbing Merchants, Vernon Street, Leigh.
  
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 Church Street, Charles Street, Henrietta Street and Vernon Street
  
5. The maintenance and operation of the gate will be the responsibility of the Council
  
6. 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:                    )

**Director of Legal and Property Services and Solicitor to the Council**

