

WIGAN BOROUGH COUNCIL

NOTICE OF PROPOSALS

THE WIGAN BOROUGH (PASSAGEWAYS AT FACTORY STREET WEST, WIGAN ROAD AND DEFIANCE STREET, ATHERTON) GATING ORDER 2007

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 86 to 114 Factory Street West
2. to the rear of 15 to 23 Wigan Road
3. to the rear of 1 to 27 Defiance 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 quoting reference DLPS/SYF/Q-908 by 11th January 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 at Atherton Library, York Street, Atherton during opening hours or by visiting the Council's website at www.wigan.gov.uk

Dated this 6th day of December 2007

SCHEDULE
(Proposed Gating Order)

THE WIGAN BOROUGH (PASSAGEWAYS AT FACTORY STREET WEST, WIGAN ROAD AND DEFIANCE STREET, ATHERTON) GATING ORDER 2007

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 Factory Street West, Wigan Road and Defiance Street, Atherton) Gating Order 2007 and shall come into operation on
2. The public right of way along the following passages is restricted at all times:-

- a) the passageway to the rear of 86 to 114 Factory Street West
 - b) the passageway to the rear of 15 to 23 Wigan Road
 - c) the passageway to the rear of 1 to 27 Defiance 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 Factory Street West, Wigan Road, Defiance Street and Sumner 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 200

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 and Solicitor to the Council