**WIGAN BOROUGH COUNCIL**

**NOTICE OF PROPOSALS**

**THE WIGAN BOROUGH (PASSAGEWAYS TO THE REAR OF 132 TO 138 DICCONSON STREET, REAR OF 121 SWINLEY ROAD, REAR OF 5 AND 7 KENYON ROAD AND REAR OF 38 TO 44 BRIDGEMAN TERRACE, WIGAN) VARIATION GATING ORDER 2014**

**This document can be made available in other languages, on audio tape, CD, large print or other formats on request.**

Notice is hereby given that the Wigan Borough Council intends to make the above Gating Order under Section 129A 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

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 Assistant Director, Legal Services, Town Hall, Library Street, Wigan WN1 1YN quoting reference RD/LR/GF/LT4394-/Q-001781  by 3rd July 2014.  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. or by visiting the Council's website at www.wigan.gov.uk

Dated this 3rd day of June 2014

RD/LR/GF/Q-001821/LT4394-

<u>**SCHEDULE**</u>
<u>**(Proposed Gating Order)**</u>
<u>**THE WIGAN BOROUGH (PASSAGEWAYS TO THE REAR OF 132 TO 138
DICCONSON STREET, REAR OF 121 SWINLEY ROAD, REAR OF 5 AND 7
KENYON ROAD AND REAR OF 38 TO 44 BRIDGEMAN TERRACE, WIGAN)
VARIATION GATING ORDER 2014**</u>

Wigan Borough Council in exercise of its powers under Section 129A 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
hereby makes the following Order:-

1.   This Order may be cited as the Wigan Borough (Passageways to the rear of
     132 to 138 Dicconson Street, rear of 121 Swinley Road, rear of 5 and 7 Kenyon
     Road and rear of 38 to 44 Bridgeman Terrace, Wigan) Variation Gating Order
     2014 and shall come into operation on                                    2014

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 38 to 44 Bridgeman Terrace, Wigan
     ii)     to the rear of 132 to 138 Dicconson Street, Wigan
     iii)    to the rear of 5 & 7 Kenyon Road, Wigan
     iv)     to the rear of 121 Swinley Road, Wigan

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 Dicconson Street, Swinley Road, Kenyon
     Road and Bridgeman Terrace

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

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6.  The maintenance and operation of the gate will be the responsibility of the Council's Anti-Social Behaviour Co-ordinator who may be contacted at the Places Directorate, Neighbourhood Teams, Wigan Council, P.O.Box 100, Wigan WN1 1DS.

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             2014


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


Assistant Director Legal Services