WIGAN BOROUGH COUNCIL

NOTICE OF PROPOSALS

THE WIGAN BOROUGH (PASSAGEWAYS TO THE REAR OF CARELESS LANE, ENGINEER ST AND SIDE OF COUNTY POLICE ST, HIGHER INCE) 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 to the rear of Careless Lane, Engineer St and side of County Police St, Higher Ince.

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 DLPS/VW/Q41/30-/Q-000835 by 30TH October 2007. 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 Ince Library, Smithy Green, Ince, Wigan during opening hours or by visiting the Council's website at www.wigan.gov.uk

Dated this 2nd day of October 2007

SCHEDULE
(Proposed Gating Order)
THE WIGAN BOROUGH (PASSAGEWAYS TO THE REAR OF CARELESS LANE, ENGINEER ST AND SIDE OF COUNTY POLICE ST, HIGHER INCE) 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 Higher Ince hereby makes the following Order:-

1.   This Order may be cited as the Wigan Borough (Passageways to the rear of Careless Lane, Engineer St and side of County Police St, Higher Ince) Gating Order 2007 and shall come into operation on

2.   The public right of way along the following passages is restricted at all times:-

DLPS/VW/Q-000835/Q41/30-

i)   Rear of 12 to 30 Careless Lane, Higher Ince
        ii)   Rear of 2 to 12 Engineer St, Higher Ince
        iii)   Side of 1 County Police St, Higher Ince

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 Careless Lane, County Police St, Engineer
        St and Humphrey St, Higher Ince.

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:)

Director of Legal and Property Services and Solicitor to the Council