

**NOTICE OF INTENTION TO MAKE A GATING ORDER UNDER
THE HIGHWAYS ACT 1980 SECTION 129A**

**BIRMINGHAM CITY COUNCIL (BUDBROOKE GROVE/KITSLAND ROAD) GATING
ORDER 2007**

NOTICE IS HEREBY GIVEN that Birmingham City Council proposes to make an order under section 129A of the Highways Act 1980 in the form set out in the Schedule to this Notice.

The proposed gating Order will affect the public right of way between Budbrooke Grove and Kitsland Road, Shard End.

The purpose of the Order will be to restrict all public access through the highway, subject to those persons who are exempted from the restriction by Order, at all times. It is proposed that gates will be erected at either end of the public right of way between Budbrooke Grove and Kitsland Road, Shard End.

The proposal has been made in response to the Crime and Anti-Social Behaviour that the Council is aware is occurring on the public right of way linking Budbrooke Grove and Kitsland Road, Shard End. The Council believes that the application of the restriction of public access to the public path linking Budbrooke Grove and Kitsland Road imposed by the Order will assist in reducing the level of crime and anti-social behaviour occurring and improve the quality of life for the residents in the area.

A copy of the proposed Order and the Order plan may be viewed free of charge between 8.45 a.m. to 5.15 p.m. Monday to Thursdays and 8.45 a.m. to 4.15 p.m. on Fridays at Legal and Democratic Services, Ingleby House, 11 - 14 Cannon Street, Birmingham B2 5EN.

Written representations or objections on the proposed Order can be made to Stuart Evans, Principal Solicitor, Legal and Democratic Services, Ingleby House, 11 – 14 Cannon Street, Birmingham B2 5EN and will only be considered by the Council if they are received by the Principal Solicitor no later than 13 November 2007.

If no such representations or objections are duly made, or if any so made are withdrawn, the Council will proceed to make the order.

Dated: 11 October 2007

Mirza Ahmad
Chief Legal Officer
Ingleby House
11 – 14 Cannon Street
Birmingham
B2 5EN

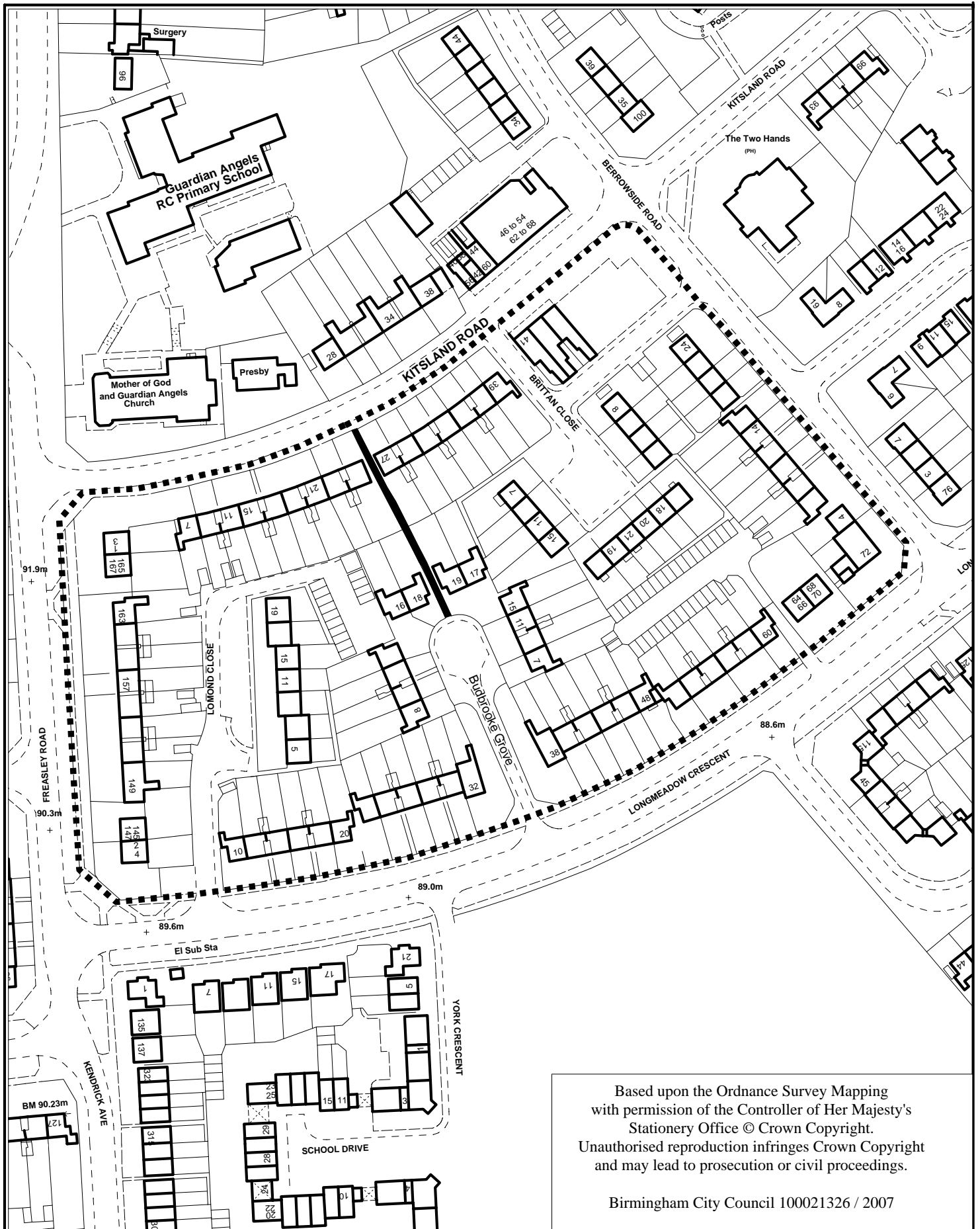
SCHEDULE – DRAFT GATING ORDER UNDER SECTION 129A HIGHWAYS ACT 1980

Birmingham City Council (Budbrooke Grove/Kitsland Road) Gating Order 2007

This order is made by Birmingham City Council (“the Council”) in exercise of its powers under section 129A of the Highways Act 1980 because the Council is satisfied that the premises adjoining or adjacent to the highways in Budbrooke Grove and Kitsland Road together with the roads in the area are affected by crime and/or anti-social behaviour and the existence of the highway described in the schedule below is facilitating the persistent commission of criminal offences and/or anti-social behaviour and it is in all the circumstances expedient to make the order for the purposes of reducing crime and all anti-social behaviour.

By this Order


1. the public rights of way over the highway described in the schedule below and as shown with a black solid line on the Order plan shall be restricted at all times by the erection of gates.
2. the alternative route for pedestrians will be the footways that run alongside Longmeadow Crescent, Berrowside Road and shown marked with a black dotted line on the Order plan.
3. Police, Fire Service or Ambulance personnel, statutory undertakers with equipment situated over, along or in the highway, Council offices and other personnel authorised in writing by the Council for the purposes of carrying out works or repairs or maintenance to the highway or adjoining premises shall be exempt from the provisions of this order.
4. any person who’s property abuts the public rights of way to be gated under the authority of this order shall be entitled to be provided with a key on request.
5. the person responsible for maintaining the gates is the Council via Chief Highway Engineer.
6. “the Order plan” means map number TD/HI/MM/FPF171.
7. this Order shall take effect on the date of execution.




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Birmingham City Council 100021326 / 2007

TITLE: BUDBROOKE GROVE TO KITSLAND AVENUE GATING ORDER

FOOTPATH TO BE GATED 

ALTERNATIVE ROUTE 

Scale NTS Date Reference:TD/HI/MM/FPF171



Birmingham City Council

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