

BIRMINGHAM CITY COUNCIL

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

**BIRMINGHAM CITY COUNCIL (HAMPTON CLOSE/CHESTER ROAD NORTH) GATING
ORDER 2008**

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 Schedule A to this Notice.

The proposed Gating Order will affect the public right of way between Hampton Close and Chester Road North, Sutton Coldfield.

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 points A and B at either end of the public right of way between Hampton Close and Chester Road North, Sutton Coldfield as shown on the Order Plan.

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 Hampton Close and Chester Road North, Sutton Coldfield. The Council believes that the restriction of public access to the public path linking Hampton Close and Chester Road North 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 inspected 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. These documents can also be accessed on the Council's website www.birmingham.gov.uk.

Written representations or objections to the Order can be made to Emma Hall, Solicitor, Legal and Democratic Services, Ingleby House, 11 – 14 Cannon Street, Birmingham B2 5EN (quoting reference LS/PP/EH/82674) and will only be considered by the Council if they are received by the Solicitor no later than 7 July 2008.

If no such representations or objections are duly made, or if any so made are withdrawn, the Council will proceed to make the order.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: 28 May 2008

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

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

BIRMINGHAM CITY COUNCIL (HAMPTON CLOSE/CHESTER ROAD NORTH) GATING DRAFT ORDER 2008

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 Hampton Close and Chester Road North 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 at points A and B as shown on the Order Plan.
2. the alternative route for pedestrians will be the footways that run along Hampton Close/Warwick Road and Chester Road North 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 officers 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/DS/HI/ACS/FP2595.
7. this Order shall take effect on the date of execution.

SCHEDULE

- A. A footpath which commences from a point opposite 42 Hampton Close extending in a south westerly direction for 19 metres then proceeding in a south easterly direction for a distance of 37 metres then proceeding south for a distance of 6 metres having a maximum width of 2 metres as shown on the Order Plan.

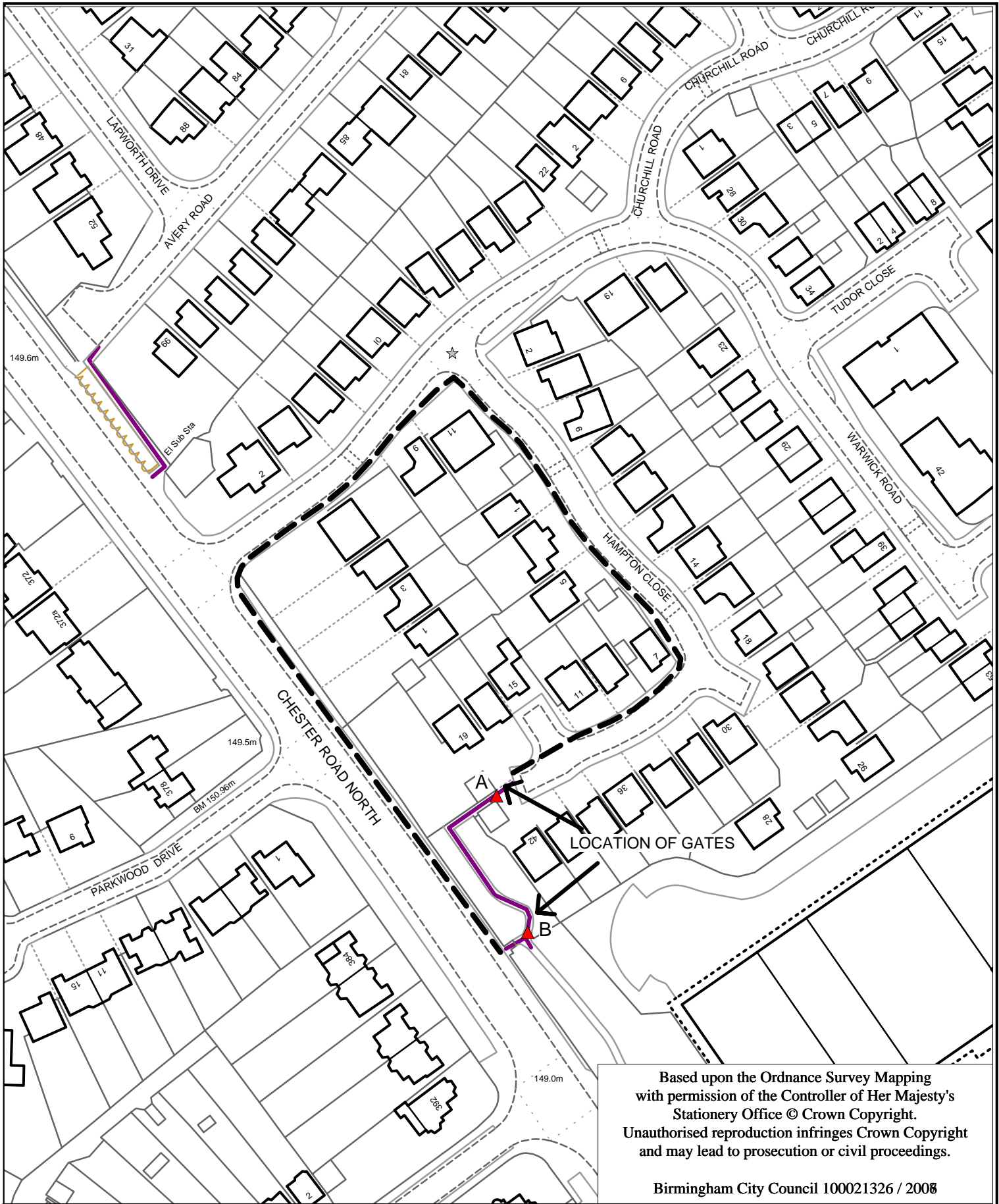
NOTE: All dimensions are approximate.

Dated this day of 2008

EXECUTED AS A DEED

by hereunto affixing the **COMMON SEAL** of
BIRMINGHAM CITY COUNCIL in the presence of:

Authorised signatory






LOCATION OF GATES

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Birmingham City Council 100021326 / 2008

Title SECTION 129A HIGHWAYS ACT 1980
BIRMINGHAM CITY COUNCIL (HAMPTON CLOSE/CHESTER ROAD NORTH) GATING ORDER 2008

-  Public Right of Way
-  Gates
-  Alternative route



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Scale 1:1250 Date 09/05/2008 Reference TD/DS/HI/ACS/FP2595