

DATED 12th December 2013

**Derby City Council
(Church Walk)
(Gating) Order 2013**

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(Church Walk)
(Gating) Order 2013**

DERBY CITY COUNCIL, ("the Council") in exercise of its powers under Section 129A Highways Act 1980 ("the Act") and all other enabling powers, and pursuant to Section 129C of the Act being satisfied that there are premises that adjoin or are adjacent to the highway to which this order relates that are affected by crime or anti-social behaviour, and that the existence of that highway is facilitating the persistent commission of criminal offences or anti-social behaviour, and that it is in all the circumstances expedient to make this order for the purposes of reducing crime or anti-social behaviour, hereby makes the following Order:

1. This Order shall come into operation on 13th December 2013 and may be cited as the "Derby City Council (Church Walk) (Gating) Order 2013.

2. In this Order the following words and phrases (where used) have the meanings ascribed to them as follows:

"Relevant Highway" means that part of the highway as described in Schedule One of this Order.

3. Save as provided in Article 4 of this Order the public shall cease to have the right to use any part of the highway specified in the Schedule 1 of this Order as a public right of way between 6pm and 7am on each and every day, at weekends and during school holiday periods of St Chad CE Nursery and Infant School.

4. Nothing in Article 3 shall restrict the rights to use the Relevant Highway:

- a) of any occupier of premises adjoining or adjacent to the Relevant Highway.**
- b) the emergency services**
- c) St Chad's Primary School**

5. Pursuant to section 129B(6) and (7) of the Act this Order authorises the Council and persons duly authorised by the Council to install, operate and maintain such gates as and where the Council or its authorised officers consider appropriate for the purpose of enforcing the restriction in Article 3 of this Order.

6. The person responsible for the maintenance and operation of the gates authorised by this Order shall be the Neighbourhood Manager or such other officer as may be appointed to or authorised to act in such capacity, the contact details at the time of making of this Order are provided in Schedule 2 of this Order.

7. Details of alternative routes which are available to pedestrians and vehicular traffic during the period the Relevant Highway is restricted by this Order are provided in Schedule 3 of this Order.
8. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restrictions or requirements imposed by any other regulations or enactment.
9. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

**SCHEDULE 1
(Relevant Part of the Highway to which the Gating Order Applies)**

Church Walk The two gate locations at either end of the footpath as shown on the attached plan no. TMD/12

**SCHEDULE 2
(Contact details of Person Responsible for the Maintenance and Operation of the Barrier)**

Name: Neighbourhood Manager
Tel: 01332 643041

**SCHEDULE 3
(Details of Alternative Available Routes)**

Vehicular: There is no vehicular access to accommodate.

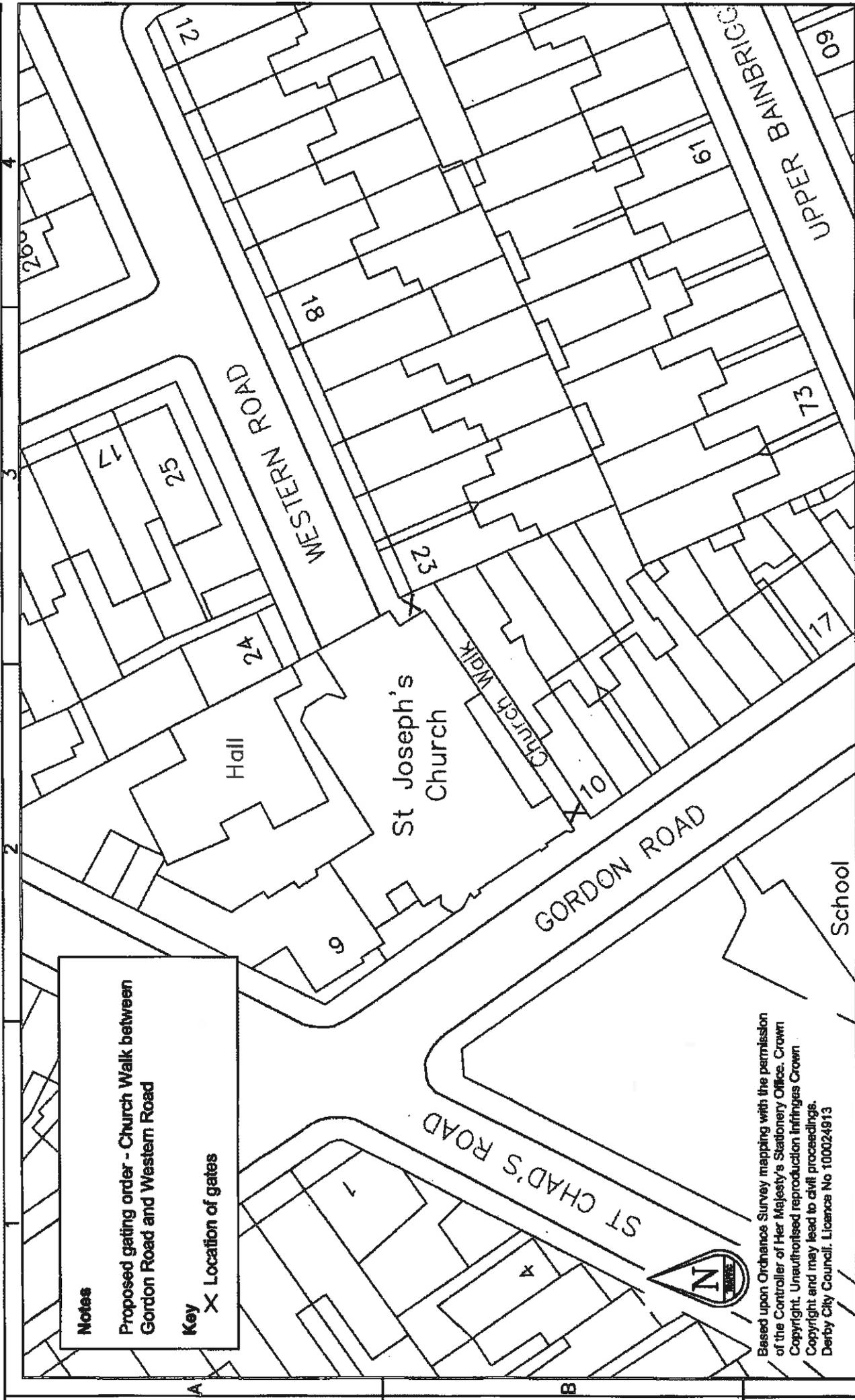
Pedestrian: Via the existing highway network there are two alternative pedestrian routes available for access via Bailey Street, Mill Hill Lane and Gordon Road or Western Road, Temple Street, Upper Bainbrigge Street and Gordon Road

THE COMMON SEAL of **DERBY**)
CITY COUNCIL was hereunto affixed)
on the 12th December 2013)
in the presence of:)

AUTHORISED OFFICER

AUTHORISED OFFICER





Notes
 Proposed gating order - Church Walk between
 Gordon Road and Western Road

Key
 X Location of gates

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 DERBY CITY COUNCIL	NEIGHBOURHOODS Strategic Director Paul Robinson Saxon House Friar Gate Derby DE1 1AN	PROJECT TITLE Church Walk, between Gordon Road and Western Road, Derby	DRAWING TITLE Proposed gating order	Drawn By: BD Chkd By: NW Drawing Number: TMD/12
	Date: Nov 12 Date: Nov 12			