

DATED 28th June 2012

**DERBY CITY COUNCIL
(CAVENDISH COURT)
(GATING) ORDER 2012**

**DERBY CITY COUNCIL
(CAVENDISH COURT, DERBY)
(GATING) ORDER 2012**

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 29th June 2012 and may be cited as the "Derby City Council (Cavendish Court) (Gating) Order 2012".
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 as a public right of way between 8pm and 6am on each and every day any part of the highway specified in the Schedule 1 of this Order.
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
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 Derwent Living 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)

Cavendish Court The seven gate locations as shown on the attached plan no.008/3.

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

The Repairs Team, Derwent Living, 1 Centro Place, Pride Park, Derby, DE24 8RF
Tel: 01332 346477

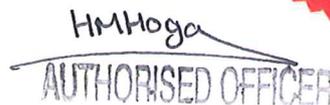
SCHEDULE 3
(Details of Alternative Available Routes)

Vehicular: There is no vehicular access to accommodate.

Pedestrian: Via the existing highway network there are two alternative pedestrian routes available for access from either Friar Gate, Cheapside & Bold Lane or Cavendish Street, Ford Street and Willow Row

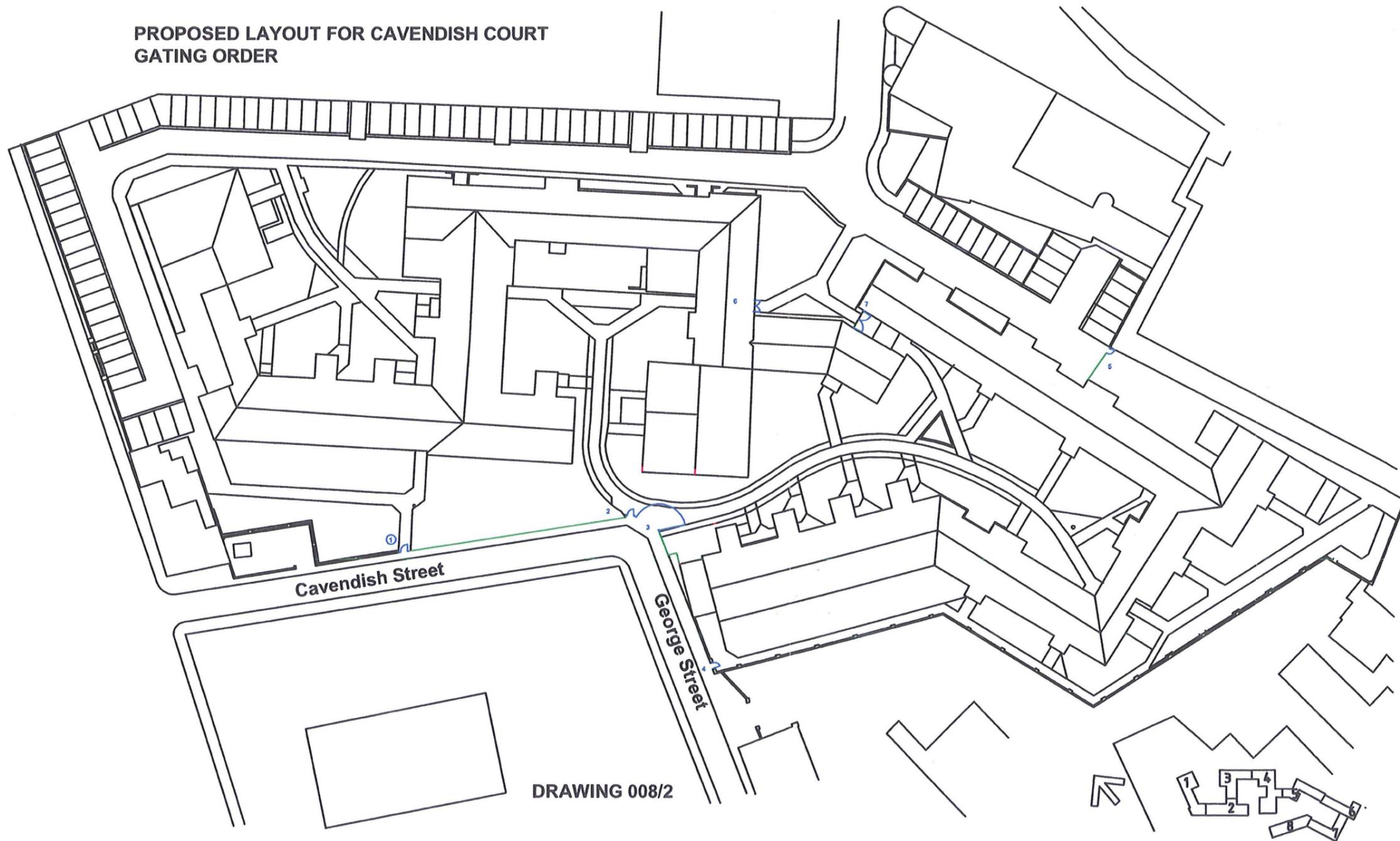
THE COMMON SEAL of DERBY)
CITY COUNCIL was hereunto affixed)
on the day of 28th June 2012)
in the presence of:)


AUTHORISED OFFICER


AUTHORISED OFFICER



**PROPOSED LAYOUT FOR CAVENDISH COURT
GATING ORDER**



Notes.

KEY

- New Fencing
- New Gate/s

Job Title

**Cavendish Court
Gating Order**

Site

**Cavendish Court
Cavendish Street
Derby**

Proposers:

**Derwent Living
1 Centro Place
Pride Park
Derby
DE24 8RF
01332 346477**

Drawing No.

008/3

Scale:

Not to scale

Date: 30/06/2011

Drawn by

ZS