

**DERBY CITY COUNCIL
(SINFIN MOOR LANE, DERBY)
(AMENDMENT GATING) ORDER 2010**

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 1st December 2010 and may be cited as the "Derby City Council (Sinfin Moor Lane, Derby) (Amendment Gating) Order 2010".
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 any person travelling by motor vehicle shall cease to have the right to use as a public right of way at all times 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) any person travelling by foot, cycle or by horse.
 - c) of any vehicle to be used in or in connection with any of the following operations, namely
 - (i) building, engineering or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of such length of road; or

(iv) the laying, erection, alteration or repair in, or in land adjacent to, such length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telecommunications Act 1984.

c) of any vehicle to be used in the service of a Local Authority or water companies in pursuance of statutory powers or duties;

d) of any vehicle to be used for Fire Brigade, Ambulance or Police purposes; or

e) of any vehicle to be used in the delivery or collection of postal packets as defined in Section 87 of the Post Office Act 1953.

5. Pursuant to section 129B(6) and (7) of the Act this Order authorises the Council and persons duly authorised by the Council to the install, operate and maintain such barriers 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 persons responsible for the maintenance and the daily operation of the barrier authorised by this Order shall be provided in schedule 2.
7. Save as provided in Article 4 of this Order, alternative routes will not be available to motor vehicles.
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.
10. The Derby City Council (Sinfin Moor Lane, Derby) (Gating) Order 2010 made on the 12th October 2010 is hereby revoked.

SCHEDULE 1

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

Sinfin Moor Lane

At a point 310m south of its junction with Redwood Road

SCHEDULE 2

(Contact details of Person Responsible for the Maintenance of the Barrier)

Highway Maintenance, Derby City Council, Streetpride, Stores Road, Derby, DE21 4BD

Email: streetpride@derby.gov.uk

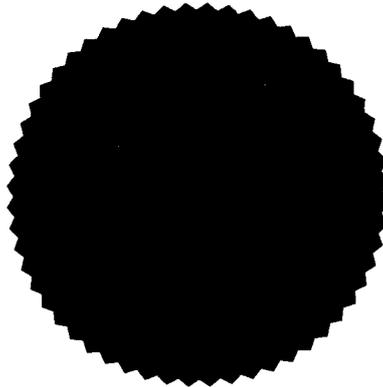
Contact number: 03332006981

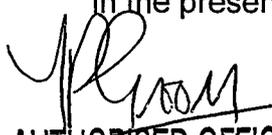
(Contact details of Person Responsible for the daily operation of the Barrier)

Mr David Goodwin

Contact number: 07739 806223

THE COMMON SEAL of **DERBY**)
CITY COUNCIL was hereunto affixed)
on the 30th day of November 2010)
in the presence of:)




AUTHORISED OFFICER


AUTHORISED OFFICER