

Summary of Individual Executive Member Decisions taken on 13 May 2010

Individual Decision No: ID1996

Portfolio Member: Councillor David Betts – Highways, Transport (Operational) and ICT

Variation to Gating Order at Speen Lodge Court

Resolved that the proposal to vary the Gating Order at Speen Lodge Court (attached) be approved.

These decisions are eligible to be 'called-in'. However, if the decisions have not been 'called-in' by 5.00pm on 21 May 2010, then they will be implemented.

If you have any queries regarding these decisions, please contact:
Moir Fraser, Democratic Services Manager on Ext 2045
e-mail: mfraser@westberks.gov.uk

WEST BERKSHIRE DISTRICT COUNCIL

NOTICE OF INTENTION TO VARY A GATING ORDER

SECTION 129A HIGHWAYS ACT 1980

Footway between Speen Lodge Court and Bath Road, Newbury

WEST BERKSHIRE DISTRICT COUNCIL (“the Council”) **PROPOSES** to vary an Order preventing anyone, other than those persons specified in the Order from using the footway between Speen Lodge Court and Bath Road Newbury (“the Highway”) for the purposes of reducing crime and antisocial behaviour. The Highway is shown hatched between points A and B on the attached plan. The restriction will apply at all times.

The Order will exempt any person who lives in Speen Court Lodge, the emergency services personnel, statutory undertakers and utility providers, the Highway Authority and any person who has been granted a special exemption by the Gating Order Panel from the restriction.

The alternative routes for pedestrians are available by using the A4 Bath Road, the Old Bath Road, Speen Lane and Pound Lane Newbury as shown on the Order plan. A draft of the proposed Variation Order is set out in the Schedule to this Notice.

A copy of the proposed Variation Order, a plan and other associated papers are available for inspection at the offices of West Berkshire District Council, Council Offices, Market Street, Newbury Berkshire RG14 5LD during the hours of 8.30 a.m. to 4.30 p.m. Monday to Friday (at Main Reception on the Ground Floor). A copy of this notice can be viewed by visiting the Council’s website at www.westberks.gov.uk and clicking on Speen Lodge Variation Gating Order.

If you have any objections to or representations about the proposed Order please send them in writing to the undersigned quoting reference MS/L13_1756 by not later than 1 April 2010.

If no such representations or objections are duly made, or if any so made are withdrawn, the Council will proceed to make the Variation Order.

Dated 4 March 2010

David Holling
Head of Legal and Electoral Services
West Berkshire District Council
Council Offices
Market Street
Newbury RG14 5LD

SCHEDULE

WEST BERKSHIRE DISTRICT COUNCIL
SECTION 129A and 129F HIGHWAYS ACT 1980

Footway between Speen Lodge Court and Bath Road, Newbury

West Berkshire District Council (“the Council”) in exercise of its power under Section 129A (1) and 129F(2) of the Highways Act 1980 (“the Act”) and of all other enabling powers being satisfied that the conditions set out in Section 129A(3) of the Act have been made HEREBY MAKES THE FOLLOWING VARIATION ORDER:

1. This Variation Order shall come into operation on the [] day of [] 2010 and may be cited as **The West Berkshire District Council [Footway between Speen Lodge Court and Bath Road, Newbury] Gating (Variation No. 1) Order 2010.**
2. Save as provided in Article 2 to this Order no person shall use the public right of way over the footway between Speen Lodge Court and Bath Road, Newbury (“the Highway”) at any time. The Highway is shown hatched between points A and B on the plan annexed to this Order.
- 3.1 The restriction in Article 2 shall not apply to any person who lives in Speen Court Lodge or to any police, ambulance or fire service personnel acting in pursuance of statutory powers or duties or to any statutory undertaker, gas, electricity, water or communications provider or the Highway Authority requiring access to their apparatus situated in the Highway.
- 3.2 The restriction in Article 2 shall not apply to any person who has applied to the Council's Gating Order Panel and been assessed as being a person who is eligible to use the Public Right of Way and to receive a key for this purpose.
4. A Gate has been installed at the point marked “A” on the Plan annexed to this Order. The Maintenance of the Gate will be the responsibility of the Highways Team who can be contacted at West Berkshire District Council, Council Offices, Market Street, Newbury, Berkshire RG14 5LD on telephone number 01635 519080.
5. If any person desires to question the validity of this Order on the Ground that the Council had no power to make it, or any requirements of Part 8A of the Act has not been complied with in relation to the Order, he or she may apply to the High Court within six weeks from the date on which the Order is made.

**THE COMMON SEAL of WEST
BERKSHIRE DISTRICT COUNCIL**

hereunto affixed the
day of 2010 is
authenticated by:

Authorised Signatory