



Nottinghamshire  
County Council

# Guide to the making of Gating Orders on highways and public rights of way

## CONTENTS

<b>INTRODUCTION</b>	Page	2
<b>BACKGROUND</b>	Page	3
<b>POLICY</b>	Page	4
<b>PROCEDURE</b>		
1) General	Page	6
2) Involvement of the Community Safety Partnership	Page	6
3) Involvement of the Rights of Way Committee	Page	7
4) Management and administration of Gating Orders	Page	8
5) Provisions and requirements associated with Section 129A	Page	9
6) Provisions and requirements associated with Section 129B	Page	9
7) Other NCC criteria	Page	10
8) Provisions and requirements associated with Section 129C	Page	10
9) Consideration of representations or objections	Page	12
10) Application to the High Court	Page	13
11) Implementation/publicity of the Gating Order	Page	14
12) Records	Page	15
13) Provision of keys and maps	Page	15
14) Review of Gating Orders	Page	16
<b>USER GUIDES</b>		
A Assessment criteria	Page	20
B Community Safety Partnership	Page	21
C Area Manager/Countryside Access Team Manager	Page	22
D Aide mémoire	Page	23
E Managing diversity	Page	24
<b>APPLICATION FORM</b>	Page	25
<b>CONSULTEES</b>	Page	33
<b>INVOLVEMENT OF LEGAL SERVICES</b>	Page	34
<b>SAMPLE NOTICE</b>	Page	35

## **INTRODUCTION**

This document has been produced from the appropriate legislation, Regulations and Home Office Guidance. It is intended to provide assistance to practitioners for the assessment and implementation of Gating Orders using the powers given to local highway authorities under the Clean Neighbourhoods & Environment Act 2005. It must be read as a whole so that all aspects of Gating Orders and the roles and responsibilities of the various parties can be understood and appreciated. However, there is no intention that this document is a full workshop manual and practitioners should be conscious that individual locations will require individual detailed consideration.

The County Council is committed to reducing crime and disorder and sees Gating Orders as one of the tools that are available to tackle these social ills. It does not, however, see Gating Orders as being the panacea to all crime and disorder issues that are particularly associated with link footpaths and similar highways. As such, it is important that appropriate consideration is given to other methods of crime and disorder reduction and prevention, including the possibility of permanently closing the highway concerned under the CROW procedures. All applications for a Gating Order must contain appropriate supporting evidence that the highway is an intrinsic contributor to the levels of crime and disorder in that locality and accordingly the application must also include Police Crime Incident information.

The involvement of the relevant District Community Safety Partnerships is seen as being crucial to the achievement of satisfactory outcomes to the justification, assessment and review stages of Gating Orders. Similarly, the engagement and support of the local County Councillor, Local Access Forum and the local community are considered vital for the ultimate success of Gating Orders in reducing crime and disorder.

Any queries relating to the content of this document should be referred to the County Council's Safer Communities Team.

## **BACKGROUND**

The Government introduced measures in the Countryside and Rights of Way Act 2000 (CROW) to stop up and divert highways which were subject to, or aided, criminal activity. These types of highways were envisaged as being located in urban, rather than rural, areas and were often alleyways or interconnecting routes on estates.

This provision was found not to be effective in dealing with anti-social behaviour and accordingly, new legislation was introduced in the Clean Neighbourhoods and Environment Act 2005. This inserted sections 129A-129G into the Highways Act 1980, and the Regulations accompanying this legislation came into force on 1<sup>st</sup> April 2006.

The effect of the new legislation is to give Councils (as the local highway authorities) the power to gate certain types of highway where the Council is satisfied that levels of crime and disorder justify such action. Any Order may restrict the public right of way at all times or for certain times or periods as may be appropriate to the circumstances, but can exclude designated persons, bodies or organisations from the restrictions (e.g. residents requiring access to maintain property boundaries, or utility companies).

There are exceptions for occupiers and business premises in prescribed circumstances. Access for occupiers of premises adjoining or adjacent to the highway cannot be restricted, nor can a Gating Order be made if it forms the only or principal means of access to dwellings. If it forms the only or principal access to premises used for recreational or business purposes, it cannot restrict access during the times of day when those premises are normally used.

There are also exceptions for certain people, such as emergency services and those with a legitimate reason for accessing any premises adjacent to a highway. In practice, this would involve the provision of keys to such people, or the opening of the gates during certain times/periods when such people would expect to use the highway. The management, therefore, of periodic and regular access may prove to be cumbersome and costly.

The power does not permanently extinguish rights of way, making it possible to subsequently alter or revoke the restrictions and reinstate the public right of way. This effectively means that the land cannot be converted for any other purpose and must still be maintained as a highway asset.

The powers for permanently extinguishing public right of access, that is stopping up or diverting a highway, is contained in other legislation (such as the CROW provisions) and can be difficult, or costly, to achieve. In addition to administrative and legal costs, there may also be cost implications for utility services where diversion of their apparatus is required.

## Statutory Framework

A Gating Order may be made in respect of a highway that is facilitating high and persistent levels of crime and/or anti-social behaviour, which is adversely affecting local residents or businesses.

Gating Orders shall be made in accordance with the Clean Neighbourhoods and Environment Act 2005, Section 2, and the Highways Act 1980 (Gating Orders)(England) Regulations 2006.

A register must be maintained containing copies of all Gating Orders together with copies of all Notices proposing the making, variation or revocation thereof. The register must be available for public inspection during normal business hours.

Details of making, revising or revoking Gating Orders, including consultation, notification and dealing with objections etc. are contained within the Regulations.

Sections 129A-129G have been inserted into the Highways Act 1980 by the Clean Neighbourhoods and Environment Act 2005, which provide powers to erect, or permit to be erected, a barrier (gate) to restrict public access to a highway over which the public would normally have the right of passage. Such highways may range from narrow footpaths or alleyways to those capable of accommodating vehicular traffic.

Government guidance for the making of Gating Orders is available and contains the following principal points –

- The highway authority must be satisfied that –
  - premises adjoining, or adjacent to, the highway are affected by crime or anti-social behaviour
  - the existence of the highway is facilitating the persistent commission of criminal offences or anti-social behaviour, and
  - it is, in all the circumstances, expedient to make the Order for the purposes of reducing crime or anti-social behaviour

Appropriate consultation must therefore take place with relevant stakeholders, including particularly the relevant Community Safety Partnership.

- Any Order may restrict the public right of way:

- at all times or for certain times or periods as may be specified, or
  - may exempt persons of a certain description from the restriction.
- There are exceptions for occupiers and business premises in prescribed circumstances. Access for occupiers of premises adjoining or adjacent to the highway cannot be restricted, nor can a Gating Order be made if it forms the only or principal means of access to dwellings. If it forms the only or principal access to premises used for recreational or business purposes, it cannot restrict access during the times of day when those premises are normally used.
  - There are also exceptions for certain people, such as emergency services and those with a legitimate reason for accessing any premises adjacent to a highway. In practice, this would involve the provision of keys to such people, or the opening of the gates during certain times/periods when such people would expect to use the highway. The management of periodic and regular access will be an essential ongoing requirement and accordingly access arrangements must be appropriately considered within the overall risk assessment.
  - The powers do not permanently extinguish public rights of way, making it possible to subsequently alter or revoke the restrictions and reinstate the use of public right of way. This effectively means that the land cannot be converted for any other purpose and should still be maintained as a highway asset.
  - Gating Orders on all highways, other than for unmetalled Definitive Rights of Way, shall be administered and managed by the Safer Communities Team, who shall review their effectiveness at yearly intervals to establish whether variation or revocation is required. Gating Orders on unmetalled Definitive Rights of Way, shall be similarly administered, managed and reviewed by the Safer Communities Team in conjunction with the Countryside Team Manager. The Area Manager and the Countryside Team Manager shall ensure that each other is appropriately informed and consulted at relevant stages of each Gating Order.
  - The register of Gating Orders shall be maintained at Trent Bridge House and shall also be available electronically.

**NOTE –**

this is reproduced from Nottinghamshire County Council's Highway Network Management Plan

**PROCEDURES**

**PROCEDURE FOR THE RESTRICTION OF THE USE OF A HIGHWAY BY  
MEANS OF A GATING ORDER  
UNDER SECTION 129A OF THE HIGHWAYS ACT 1980**

**1) General**

- 1.1 This procedure note has been produced having regard to the Home Office's guidance<sup>1</sup> and the relevant regulations<sup>2</sup>. It also has regard to the County Council's adopted procedure for the permanent closure of rights of way on crime reduction grounds<sup>3</sup>. A separate procedure for the variation or revocation of Gating Orders has been produced.
- 1.2 Section 2 of the Clean Neighbourhoods & Environment Act 2005 inserted Sections 129A-129G into the Highways Act 1980 and came into effect on 1<sup>st</sup> April 2006. The powers to produce Gating Orders lie with the local highway authority, not with the District or other council.
- 1.3 Gating Orders are limited to use where it can be shown that persistent crime or anti-social behaviour (ASB) is facilitated by the use of certain rights of way. A Gating Order does not extinguish the status of a highway; it restricts the public use of that highway for defined periods. Such restriction is aimed at being a deterrent while the crime or anti-social behaviour is persistent and can be varied or revoked at any future time.
- 1.4 Gating Orders are not the only potential solution to tackling crime and ASB on certain thoroughfares. Before proposing an order, consideration must be given by the Community Safety Partnership (CSP) to alternative solutions, including stopping-off or diverting, that may be more appropriate (and cost effective) for tackling the specific problems. However, Gating Orders should not necessarily be seen as a last resort.

**2) Involvement of the Community Safety Partnership (CSP)**

- 2.1 Subject to paragraph 2.4 below, no consideration will be given to requests for the provision of Gating Orders unless contained within an application from the CSP. The CSP may produce an application following

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<sup>1</sup> Guidance Relating to the Making of Gating Orders, March 2006

<sup>2</sup> SI 2006 No.537, The Highways Act 1980 (Gating Orders) (England) Regulations 2006

<sup>3</sup> under Countryside & Rights of Way Act 2000

consideration of requests from individuals or appropriate groups. The CSPs application should be submitted to the Safer Communities Team who shall forward them, for information, to the relevant Area Highway Manager or to the Countryside Access Manager.

2.2 The application must provide sufficient information to justify the making of an Order. It shall include details of the relevant problems and incidents (substantiated by Police Crime Incident Nos pertinent to the highway concerned) together with details of the alternative solutions that have already been tried or considered to tackle the crime & anti-social behaviour problems. It should also indicate –

- i) initial thoughts on the nature and management of any preferred restrictions;
- ii) that consultation has taken place with residents living on or near to the area subject to a request for a gating order and a clear majority of residents are in favour of the application being made
- iii) the effect of those restrictions on the community and those dwellings/premises adjacent to or affected by them; and
- iv) alternative routes for members of the public.

2.3 The relevant CSP must process all requests for Gating Orders and, where a request meets the necessary conditions for a Gating Order, produce an application for submission to the Service Director Community Safety, Resilience and Protection. CSPs may put in place delegation arrangements to appropriate officers to submit applications on their behalf.

2.4 Where a statutory partner (as defined in the Crime and Disorder Act 1998 as amended) within the local CSP has cause to believe that issues of anti social behaviour and crime are having a serious negative impact on vulnerable members of the local community that partner may make direct application to the County Council for a Gating Order. The local CSP will be informed of this application.

2.5 Where an application for a Gating Order is made by the local CSP then the responsibility for providing funding for that Gating Order, including administration and legal costs, shall be met locally. The County Council will not be responsible for funding Gating Orders initiated by CSPs.

2.6 In a case where para 2.4 applies then the partner making the application shall be responsible for paying all costs related to the Gating Order application.

### **3) Rights of Way Committee**

- 3.1 The procedures associated with the provision, variation or revocation of Gating Orders shall be overseen by, and be the executive responsibility of, the Rights of Way Committee. Responsibility for, the day-to-day management of the procedures is delegated to the Corporate Director Communities, who will manage the processes through the Safer Communities Team and the Area Highway Manager within whose area the relevant highway is situated or the Countryside Access Manager.
- 3.2 An application from the CSP, shall only be approved by the Rights of Way Committee after consideration of a report of the Head of Service for Stronger and Safer Communities. The report shall indicate the fit with the requirements of Sections 129A and 129B and with other NCC criteria (see 5), 6) and 7) below). The views of the local Member and the Cabinet Member for Community Safety shall be sought upon receipt of the application and shall be suitably incorporated in the report to the Rights of Way Committee.
- 3.3 The Cabinet Member for Community Safety, the Rights of Way Committee and the local Member shall also be apprised of the progress of the making and implementation of a Gating Order, and will particularly be kept aware of any difficulties, especially the need for and progress with any Public Inquiry.

### **4) Management and Administration of Gating Orders**

- 4.1 In this procedure note, reference to the Corporate Director Communities shall include the Service Director Community Safety Resilience & Protection.
- 4.2 These procedures will be administered and managed by the Safer Communities Team, who will be responsible for overseeing relevant aspects of the process (such as arrangements for the opening/closing of the physical restrictions) that are being implemented through arrangements with other councils, including a District Manage & Operate Partner.
- 4.3 The Highway Operations Group Manager shall have overall responsibility for the erection and maintenance of the relevant physical restrictions and for ensuring that all Notices are adequately maintained throughout the time that the Gating Order is in force. The Highway Operations Group Manager shall also maintain the highway in accordance with normal

practice, following risk assessment. Arrangements for these matters may be made with a District Manage & Operate Partner.

- 4.4 Unmetalled Definitive Rights of way shall be administered, managed and reviewed by the Countryside Access Manager. In such cases, the roles and responsibilities herein detailed for the area Highway Manager shall similarly apply for the Countryside Access Manager.

## **5) Provisions and Requirements Associated with Section 129A**

- 5.1. Powers relate only to councils that are highway authorities. The powers have not been delegated to Manage & Operate Partners, though arrangements may be put in place with them for installation and maintenance of the physical restrictions and for certain management matters, such as opening/closing of gates/barriers.

- 5.2. Before making an Order, the Council must be satisfied that –

- i) stopping-off or diverting the highway using Section 118B or 119B of the Highways Act 1980 as amended by the Countryside and Rights of Way Act 2000 is not appropriate
- ii) premises adjoining or adjacent to the highway are affected by crime or ASB.
- iii) the existence of the highway is facilitating the persistent commission of criminal offences or ASB, and
- iv) it is expedient to make the order for the purposes of reducing crime or ASB having regard to –
  - the likely effect on the occupiers of premises adjoining or adjacent to the highway.
  - the likely effect on other persons in the locality
  - the availability of a reasonably convenient alternative route (where the highway is a through route.

(These issues should be considered in detail and adequately commented upon within the application from the CSP, see 2.2, and will form the basis for the overall justification for making a Gating Order.)

## **6) Provisions and Requirements Associated with Section 129 B**

- 6.1. A Gating Order may restrict the public right of way at all times, or such times, days or periods as specified in the Order. It may exclude from the

restrictions persons described in the Order (for example, those listed as keyholders in 12.1).

- 6.2. It may authorise the installation, operation and maintenance of barrier(s) to enforce the restrictions detailed in the Order.
- 6.3 A Gating Order may not be made so as to restrict the public right of way of the occupiers of premises adjoining or adjacent to the highway. Neither can a Gating Order be made so as to restrict the public right of way over the highway where it is the only or principal means of access to any dwelling.
- 6.4. Where the highway is the principal or only means of access to any premises used for business or recreational purposes, a Gating Order may not be made so as to restrict the public right of way over the highway during the periods when those premises are normally used.

## **7) Other NCC Criteria**

- 7.1. Assessments should be made to ensure that the use of a Gating Order does not act against any of the County Council's aims or requirements in respect of policies, standards or plans in relation to:-
  - transportation
  - mobility
  - sustainability
  - equal opportunities
  - health
  - crime and disorder
  - Service Diversity Review
- 7.2 Conflicts with NCC criteria should be identified within the report to the Rights of Way Committee.
- 7.3 A Health Impact Assessment may be required if the proposals are felt to be encouraging the use of vehicle (i.e. if the proposed alternative routes are too long). Similarly, a Mobility Assessment may be required if the proposals are felt to disadvantage persons with impaired mobility.

## **8) Provisions and Requirements Associated with Section 129 C**

- 8.1 Before making a Gating Order the Council shall –

8.1.1 publish on its website and in the relevant local newspaper a Notice that includes:-

- i) a draft of the proposed Order, which will include –
  - the specific identity or a sufficiently detailed description of the highway concerned, including the periods, dates and times that the restrictions apply.
  - the general effect of the Gating Order.
- ii) the identification of alternative routes which are available to pedestrians and vehicular traffic if the Gating Order is made.
- iii) inviting written representations, specifying where to send them and the period for making representations(which shall be not less than 28 days); as to whether or not a Gating Order should be made.
- iv) Community Impact Assessments will be undertaken before and after any decision to implement a Gating Order

8.1.2. concurrent with the publication of the above Notice, erect on or adjacent to the relevant highway (at least at each end) Notices to effectively draw attention to the proposed restriction. These Notices, which should provide details of the effect of the proposed Gating Order, shall be sufficient in location and prominence as the Council feels fit.

8.2. The Council shall give copies of the Notice to:-

- i) all occupiers of premises adjacent to or adjoining the relevant highway
- ii) any authority through which the gated highway will run, including –
  - any other council, including parish and town councils
  - Police authority (informing the Chief Constable)
  - Fire & Rescue authority
  - NHS Trusts (or Foundation Trusts)
  - Probation Service
- iii) any local access forum or other local bodies that appear to have interest in rights of way through whose area the relevant highway passes and, as appropriate, consultees usually contacted by the County Council in respect of other changes to rights of way (all of

which shall determined in conjunction with the County Council's Countryside Access Team in Planning Services).

- iv) other public bodies and companies that maintain or provide services on or around the locality in which the relevant highway is situated including–
  - statutory undertakers
  - gas or electricity service providers
  - water services providers
  - communications providers
- v) any person who requests a copy of the Notice or has asked to be notified of any proposed Gating Orders.

8.3 A Gating Order must contain:-

- i) a statement that the conditions set out in S 129 (A) have been met (see 5.2)
- ii) the periods, dates and times that the public right of way along the relevant highway shall be restricted
- iii) details of any persons excluded from the restrictions
- iv) details of alternative routes for pedestrians and vehicles during the period of the restrictions
- v) the contact details of the person(s) responsible for maintaining and operating any barrier authorised by the Gating Order.

**9) Consideration of Representations or Objections**

- 9.1. Subject to 9.2 below, consideration shall be given by the Rights of Way Committee to any written representations received within the period specified as to whether or not the Gating Order should be made as intended or whether it should be amended. Representations will be acknowledged in writing by the Service Director Community Safety Resilience and Protection within the usual timescale for such. Written fully reasoned response to each representation shall be made within one month. In any case, dealing with representations should be concluded within 2 months of the final date for receipt of representations, whereupon

a decision whether or not to call a public inquiry will be made by the Rights of Way Committee. Representations from other than those listed in 9.2 below, can be upheld or overruled by the Council without the need for a public inquiry, but the Council must decide whether there should be such an inquiry.

9.2. In particular, the Corporate Director Communities must attempt to resolve any objections from any of the following (all of whom having previously been formally notified):-

- a chief officer of police
- a fire and rescue authority
- a NHS trust or NHS foundation trust
- a Council

9.3 If, despite all reasonable efforts, there should be any unresolved objections from those listed in 9.2, the Council must arrange for a public inquiry. This should be regarded as a last resort when fundamental differences exist between the authorities and negotiations have failed to alleviate. The Council may also determine to cause a public inquiry to be held if it feels it is appropriate to do so. In the meantime, a Gating Order must not be made.

9.4 The decision of the Inspector conducting the public inquiry will have the status of a recommendation to the Council. The decision will not be binding on the Council. The application for the Gating Order may be referred back to the CSP for reconsideration or resubmission, or for consideration of whether the Gating Order should be amended.

9.5 Anticipating that only rarely will a public inquiry be required, the details for calling and holding a public inquiry are excluded from this procedure note. They may be found in the guidance and regulations.

## **10) Application to the High Court**

10.1. Any person may apply within 6 weeks of the making of the Gating Order to the High Court to question the validity of it on the grounds that:-

- i) the Council had no power to make it, or
- ii) any requirement under the legislation was not complied with.

10.2. The implementation of the Gating Order should not be carried out until after the expiry of this 6-week period. If an application has been made to

the High Court, the Council shall defer implementation of the Gating Order until notified of the High Court's final ruling.

- 10.3. On receipt of an application to it, the High Court may order a suspension of the Gating Order or any of its provisions until the final determination of its proceedings.
- 10.4. In its final ruling, the High Court may quash the Gating Order, or any of its provisions, if it is satisfied that:-
  - i) the council had no power to make the Order, or
  - ii) the interests of the applicant to the High Court have been substantially prejudiced by any failure to comply with the legislation.
- 10.5. The Corporate Director Communities shall inform the Rights of Way Committee and the CSP of the ruling of the High Court and if appropriate proceed with the implementation of the Gating Order, which will be amended as required.

## **11) Implementation / Publicity of the Gating Order**

- 11.1. Following the expiry of the 6-week period, or decision by the High Court, and after, if appropriate, the holding of a public inquiry, the Council will:-
  - i) erect sufficient suitable Notices on or adjacent to the relevant highway indicating that a Gating Order has been made and the effect of it. The Gating Order itself will be adequate Notice for this purpose.
  - ii) proceed with the installation physical restrictions as quickly as possible after the above Notices have been placed.
- 11.2. These Notices, which will normally be placed at each end of the relevant highway, should remain in place for as long as the Gating Order is in force. They should therefore be sufficiently robust and maintained appropriately such that any potential user is aware of the provisions of the Gating Order through these Notices. The presence and condition of these Notices shall therefore form part of the relevant highway maintenance inspection regime.
- 11.3. A copy of the Gating Order will be available in County Hall for at least 12 months after the Order has been made. It should also be publicised on the Council's website for as long as the Gating Order is in force.

11.4. The appearance and functionality of the physical restrictions may be of particular interest to the local community and therefore consideration should be given to their involvement prior to manufacture and installation of any gates or barriers. Particular consideration shall be given to the use of the physical restrictions by persons with disabilities. Planning permission may be required for the gates/barriers, which may include conservation area issues.

## **12) Records**

12.1. A register of all Gating Orders shall be held and maintained centrally in County Hall. The register shall contain –

- copies of all made Orders
- copies of all of the proposed making, varying and revocation Orders.
- copies of relevant maps
- details of keyholders.

12.2. It shall be available for public inspection and relevant copies must be supplied to anyone who requests them (for which the Council may decide to make a reasonable charge).

12.3. For convenience, similar records may also be kept at Area Offices for those Gating Orders relevant to its administrative area. If they are held, they must, similar to 12.1, be made available or copied as appropriate.

12.4. An up-to-date record of all current Gating Orders will also be maintained on the Council's website.

## **13) Provision of Keys and Maps**

13.1. A variety of people may have legitimate purpose to pass from time to time through the barriers. These include:-

- property owners and occupants
- statutory undertakers and utility suppliers
- emergency services
- council officers

13.2. In the early process of developing the Gating Order, an assessment should be made of the likely individuals and organisations requiring keys.

- 13.3. In all cases where a Gating Order is put in place an automatic mortice deadlock will be used to prevent unauthorised replacement of padlocks and reduce the likelihood of gates being left unlocked.
- 13.4. During the time the Gating Order is in force, the list of keyholders shall be adequately maintained. The contact details of the person(s) having keys for emergency access shall be kept up to date and made known to those listed above in 13.1.
- 13.5. Maps of the relevant highways should be prepared and made available as soon as possible after the making of the Gating Order. It is important that copies of the maps are made available in an appropriate format to particularly the emergency services.

#### **14) Gating Orders - The Review Process**

##### **14.1 Before or during installation of the Gating scheme**

- 14.1.1 The Safer Communities Team shall agree the most appropriate officer to undertake the review, this officer shall subsequently also make a recommendation to the Rights of Way Committee (RoWC).
- 14.1.2 The officer delegated these tasks shall have the necessary knowledge, training, experience and an appropriate level of seniority to undertake this role.
- 14.1.3 All correspondence, complaints etc. which refer to a specific gating order shall be forwarded to the appropriate reviewing officer so that these can be considered during the review process.
- 14.1.4 Appendix 1 contains a flow chart which summarises the recommended gating order review frequencies.

##### **14.2 First Year Review**

- 14.2.1 A gating order's first review shall start 12 months after the installation of the gates.
- 14.2.2 The review process will need to consider a number of factors in order to satisfactorily assess the use and value of a gating order. The first stage of the review process is to obtain both recorded & reported crime and ASB adjacent and adjoining the site under review for the 12 months before and 12 months after the gating order came into operation.

- 14.2.3 The views of the local Neighbourhood Police Team Inspector and the Community Safety Partnership (CSP) must be obtained in order to assess their opinions regarding the gating order.
- 14.2.4 The views of local County Councillors and ward members will also be obtained.
- 14.2.5 A postal consultation, lasting no longer than 28 days, shall be carried out amongst a random selection of the residents originally consulted, unless the numbers affected are low enough (less than 100) in order to enable consultation with all affected residents. An example of the questionnaire is given in Appendix 2.
- 14.2.6 The emergency services and the Nottinghamshire Access Forum shall also be consulted. This consultation shall last for 28 days, if after that time no response has been received it shall be assumed that no objections have been made.
- 14.2.7 A site visit should be carried out in order to gain a greater understanding of the effect of the gating order in the area under review. This should take into account factors including the appearance of the gated site, any damage to gates, whether gates have been left open, etc.
- 14.2.8 The officer undertaking the review will complete the 'Table of Considerations' shown in Appendix 3 and then produce a recommendation which they shall present to the RoWC.
- 14.2.9 The RoWC shall formally decide whether the gating order shall be left in place, varied or be revoked. The decision shall be recorded in the RoWC meeting minutes and communicated to the reviewing officer in order for them to take the appropriate action.
- 14.2.10 If the RoWC decide to leave the gating order in place it will then also decide whether the next review should take place at 36 months after the installation of the gates (which will generally be the case) or at some other frequency.
- 14.2.11 Additional reviews may be deemed appropriate by the RoWC at this time; these additional reviews will use the same methodology as the Third Year Reviews.

### **14.3 Third Year Review**

- 14.3.1 Generally the second review of a gating order shall take place 36 months after the installation of the gates.

- 14.3.2 The third year review will be identical in most respects to that done at the end of the first year except that only the recorded and reported crime and ASB occurring since the last review shall be compared to the pre-gating order data.
- 14.3.3 If the RoWC decide to leave a gating order in place it will then also determine the frequency for future reviews. This decision will be based upon achieving a reasonable balance between the likelihood of changing circumstances and the expense incurred by the review process. Review frequencies in excess of two years are not recommended.

**Comment:** 1 year (1<sup>st</sup> Review) + 2 years later (2<sup>nd</sup> Review) + 2 years later (3<sup>rd</sup> Review) = 5 years in total. I would advise that (beyond that time) further use of a GO is increasingly less likely to be viewed by the Courts as temporary.

#### 14.4 Reviews Beyond the Third Year

- 14.4.1 Reviews beyond the third year shall be identical to those described in section 14.3.3.
- 14.4.2 Within the context of the, essentially, temporary nature of the intended use of gating powers, a review cannot become a mechanism for indefinite imposition of a Gating Order. Beyond the third year there should, ordinarily, be a determination as to whether the “closure” to public use should be permanent (extinguishing public highway rights).
- 14.4.3 Since a Gating Order can only apply to a public highway, once the public rights are extinguished the Order would cease. The former public highway then returns to the status of privately owned land. The owners of that land may then restrict access as they see fit.

#### 14.5 Varying & Revocation of Gating Orders

- 14.5.1 Should the RoWC decide to vary or revoke a gating order it will be necessary to follow the procedure prescribed in Section 129F of the Highways Act 1980.
- 14.5.2 The officer undertaking the review shall be responsible for commissioning all works necessary to vary or revoke a gating order.

#### 14.6 Retention of Documents

- 14.6.1 All documents relating to the establishment or variation of a gating order shall be retained until that gating is revoked.

- 14.6.2 All documents relating to the review of a gating order shall be retained for ten years.
- 14.6.3 All reviews shall be appropriately recorded on the register of Gating Orders.

## USER GUIDES

### GATING ORDERS USER GUIDES - SUMMARIES OF MAIN POINTS AND REQUIRED ACTIONS

<b>A. Assessment Criteria</b>	
1	There must be clear evidence that premises adjoining or adjacent to the highway are affected by crime or ASB (anti-social behaviour). It is insufficient to rely solely on the views of individuals or local community groups and documented records, including Police Crime Incident Numbers, should be obtained.
2	There must be clear evidence that the existence of the highway is facilitating the persistent commission of crime or ASB. Again, documentary evidence should be obtained and there should be no reliance on hearsay.
3	A Gating Order may not be made if it would restrict the public right of way over a highway which is the only or principal means of access to any dwelling.
4	If the highway is the only or principal means of access to business or recreational premises, a Gating Order should not restrict the public rights of way while those premises are normally in use.
5	If the highway constitutes a through route, which it most probably will, unless there are very exceptional circumstances, there must be a reasonably convenient alternative through route which is suitable for all users including the disabled.
6	If the reported incidents of crime or ASB occur at specific times or on specific days, consideration should be given to limiting the times or periods to which an Order applies. The benefits of permitting public use of the highway at certain times will need to be weighed against the managerial and practical implications of effecting periodic closure. The management arrangements for the periodic opening/closing of the physical restrictions will need to be made clear in making the Order.
7	An Order may exclude specific persons or groups of people from the restrictions and consideration should be given to the need for such exemptions. In any case there must be exemptions for occupiers of premises adjacent to or adjoining the highway to be gated. The number of exemptions will also add to the practicalities of the management arrangements.
8	The effectiveness of the Order in reducing crime or ASB (or transferring the problem elsewhere in the vicinity) should be considered against the likely effects of making the Order on – <ul style="list-style-type: none"><li>• the occupiers of premises adjoining or adjacent to the highway</li><li>• other persons in the locality</li><li>• the emergency services</li><li>• statutory undertakers.</li></ul>
9	Alternative means of preventing crime or ASB should be considered and weighed against the option of introducing a Gating Order before it is decided to proceed. The Council's Safer Communities Team and the Police should be able to provide information in this regard.
10	Gating Orders should not be regarded as a permanent solution and should be reviewed on an annual basis. At this time, revocation or variation of the restrictions can be considered. If permanency is required then stopping up, under CROW etc., should be considered.

<b>B. Community Safety Partnership (CSP)</b>		
<b>INPUT</b>		<b>OUTCOME</b>
1	Nature and extent of problem	Verification of comments made to the CSP by individuals or groups. Determination of location and severity of different types of crime or ASB.
2	Police Incident Crime N <sup>OS</sup>	Supporting information provides essential justification for the making of a Gating Order.
3	Comparison to the main criteria	Verification that premises adjoining or adjacent to the highway are affected by crime and disorder; that the highway facilitates persistent commission of criminal offences or ASB; that the highway is not the only or principal means of access to dwellings or premises while in use and that stopping up is inappropriate.
4	Methods of reducing crime or ASB	Consideration of different methods of reducing crime and ASB and their effectiveness. Comments on why a Gating Order is the preferred solution compared to other possible solutions.
5	Location of relevant highway(s)	Definition of the geographic extent over which the Gating Order is to apply.
6	Access to dwellings/premises/facilities	Identification of the properties and facilities affected by the proposed restrictions. The list produced should, for each property and facility, indicate the type and use of the premise and whether the highway provides primary/only access to them.
7	Times/periods of restrictions	Identification of the times/periods that the restriction could apply and which particular premises/facilities are directly affected.
8	Management of restrictions	Identification of the particular body/organisation to open/close the physical restrictions. The body/organisation must be capable of providing the necessary indemnities and resources.
9	Effect on the community	Commentary on the positive and negative effects on particular sections of the community. An indication of the level of acceptability and means of mitigating the negative effects should be included.
10	Alternative routes	Identification of routes which would probably be used as alternatives to the highway being restricted, together with comments on additional distances involved and highlighting any particular negative aspects (e.g. non-compliance with mobility standards) that should be designed out if possible.
11	Consultation	Indication of groups/individuals/organisations already consulted, together with their comments.
12	Diversity issues	Comments on the effects of the proposals on the grounds of age, disability, gender, race, religion or belief, sexual orientation, other social exclusion issues.
13	Funding	Availability of financial contributions or other resources.

<b>C. Area Highway Manager/Countryside Access Team Manager</b>		
<b>INPUT</b>		<b>OUTCOME</b>
1	Application from CSP	Verification that the application is complete, in order and provides full justification for the making of a Gating Order. Satisfaction that the main criteria are met and that closure under CROW is not a better option.
2	Consultation with the Cabinet Member for Community Safety and with the Local Member	Confirmation of the Cabinet Member's and the Local Member's view to be included in the report to the Rights of Way Committee.
3	Comparison with standards and policies	Satisfaction that the proposals do not significantly act against any of the County Council's aims or requirements in respect of policies, standards or plans, including planning/conservation area approval if required.(See separate sheet for diversity issues). Conflicts with NCC criteria should be identified as far as possible in the report to the Rights of Way Committee. Risk assessment (additionally a Health Impact Assessment may be required).
4	Report to the Rights of Way Committee	Authorisation to commence formal procedures to make Gating Order.
5	Notices and consultation	Confirmation of the wording of the draft Gating Order with Legal Services. Posting of Notices and advertisements. Invitation of comments on the proposals from the statutory and other consultees. Agreement of the relevant community representatives/groups to the appropriate design and siting of gates/barriers, and the times/periods of the restrictions etc.
6	Consideration of representations/objections	Resolution of objections, as required, either by officers or by Public Inquiry. Incorporation of comments in finalising the proposals.
7	Implementation of Gating Order	Erection of gates/barriers at agreed locations and with any necessary permissions etc. Establishment of management regime for opening/closing gates/barriers. Erection of Notices and confirmation of the making of the Order to consultees/objectors, together with required publicity on the web site etc. Inclusion on register of Gating Orders and issue of any copies. Keys issued.
8	Maintenance of records	Accurate and up-to-date records of all Gating Orders and relevant keyholders. Record of actual opening/closing times/periods.
9	Review	Every 12 months, consideration of changing the restrictions or revoking the Gating Order appropriate to current circumstances. (Follow procedures for the variation and revocation of gating orders as necessary.)

<b>D. Aide Mémoire</b>	
1	Is there clear evidence that premises adjoining or adjacent to the high way are affected by crime or ASB?
2	Is there clear evidence that the existence of the highway is facilitating the persistent commission of criminal offences or ASB?
3	Would a Gating Order restrict the public right of way over a highway that is the only or principal means of access to any dwelling?
4	Is the highway the only or principal means of access to business or recreational premises? If so, would limited times or periods be appropriate?
5	If the highway constitutes a through route, is there a reasonably convenient alternative route that is suitable for all users, including the disabled? Would the alternative be likely to lead to an increase in vehicular use?
6	Do the instances of crime or ASB occur at specific times and/or on specific days? If so, would limited times or periods be appropriate?
7	How will the limited times or periods be managed? And, which specific persons, groups of people or organisations should be excluded from the restrictions?
9	How will the Gating Order affect – <ul style="list-style-type: none"> <li>• occupiers of premises adjoining or adjacent to the highway and normal users of the highway?</li> <li>• other persons in the locality?</li> <li>• the emergency services and the statutory undertakers?</li> </ul>
10	Have alternative means of preventing crime or ASB been considered a weighed against the option of a Gating Order? Why is a Gating Order preferable to stopping up under CROW procedures?
11	Will the Gating Order lead to the relocation of the problem? If so, what measures are needed to address this?
12	Have the relevant Members been consulted? Have the proposals been advertised and appropriate individuals/groups/organisations been consulted (including regarding design details and consideration of diversity issues)?
13	If there are any objections, have they been resolved or is there otherwise reason to hold a Public Inquiry?
14	Have the physical restrictions been implemented in accordance with the Gating Order and the relevant design criteria?
15	Have the management arrangements been put in place including - the issue of keys to those exempt from the restrictions; suitable additions to the inspection & maintenance regime; and, the establishment of the recording systems?
16	Have all copies of the Order been made available or advertised, and have all records been updated (including on the web)?
17	Has the review date been set?

## E. Managing Diversity

The proposals for the making of a Gating Order must acknowledge human diversity and difference. They should aim to provide an environment that is safe, equitable and enjoyable to use by everyone regardless of age, disability, gender, race, religion or belief, sexual orientation or social exclusion. The following notes should be used to help the assessor or designer to identify and reduce, where possible, the intentional or unintentional effects of the proposals on these groups -

Signage (Notices)	<ul style="list-style-type: none"> <li>• are they clear, unambiguous and easy to read?</li> <li>• are they positioned so that visibility/conspicuousness is good for all users?</li> </ul>
Gates/barriers and the alternative routes	<ul style="list-style-type: none"> <li>• do they conform to national and NCC standards for the mobility impaired?</li> <li>• are they easy to use by people with –             <ul style="list-style-type: none"> <li>○ a wheelchair?</li> <li>○ a buggy/pram and/or with small children?</li> <li>○ a walking aid?</li> <li>○ visual impairments?</li> </ul> </li> </ul>
Locks and locking mechanisms	<ul style="list-style-type: none"> <li>• are they at an appropriate height for all users?</li> <li>• are they easy to use by persons with manual dexterity problems or other disabilities?</li> </ul>
Access to facilities	<ul style="list-style-type: none"> <li>• is access to any of the following significantly affected?             <ul style="list-style-type: none"> <li>○ schools (including faith, coeducational or single gender)</li> <li>○ shops (including specialist ethnic stores)</li> <li>○ health centres (including specialist units, e.g. maternity)</li> <li>○ churches or religious establishments</li> <li>○ libraries or other public buildings/amenities</li> <li>○ bus stops/taxi ranks</li> <li>○ 'phone boxes, post boxes</li> </ul> </li> <li>• would the highway users be discouraged from using local facilities?</li> </ul>
Levels of vehicle usage/ownership	<ul style="list-style-type: none"> <li>• would the highway users be discouraged from walking or cycling and use vehicular transport instead?</li> <li>• are vehicle ownership levels low and would highway users therefore be significantly affected by the proposals?</li> </ul>

## APPLICATION FORM

PROPOSED GATING ORDER FOR .....

APPLICATION FROM ..... **COMMUNITY SAFETY PARTNERSHIP**

1	<b>LOCATION OF HIGHWAY</b> <ul style="list-style-type: none"><li>• provide sufficient details and a suitable map to identify the start and end points of the highway, including, as appropriate, house numbers, street names, parish/district/sub-district, number if PROW</li></ul>	
2	<b>NATURE OF THE PROBLEMS</b> <ul style="list-style-type: none"><li>• provide details of the type and location of all relevant crime and ASB NOTE – Police Incident Crime Numbers <u>must</u> be provided together with other relevant evidence</li><li>• indicate how the following main criteria are met and how they are applicable to this application -<ul style="list-style-type: none"><li>○ premises adjoining or adjacent to the highway are affected by crime or ASB</li><li>○ the existence of the highway is facilitating the persistent commission of criminal offences or ASB</li><li>○ it is in all the circumstances expedient to make the Order for the purposes of reducing crime or anti-social behaviour</li></ul></li></ul>	

3

**ALTERNATIVE METHODS OF REDUCING CRIME OR ASB**

- provide details of the alternative methods that have been tried or considered, or dismissed (give reasons). Indicate which have been tried and which have been considered or dismissed. Also indicate the actual or presumed levels of effectiveness of each method.
- indicate why stopping off or diverting the highway is not considered appropriate.
- indicate any previous contact/discussions with the County Council concerning possible stopping up.

4 **ACCESS TO DWELLINGS/PREMISES/FACILITIES**

- provide location details and addresses of all properties or facilities whose access would be directly affected by the restrictions
- for each of these properties or facilities indicate its type and normal use. Also indicate whether the highway provides the primary or only access
- provide location details and addresses of all buildings or facilities whose access is indirectly affected by the restrictions (i.e. always accessible, but takes longer to get there)

5	<p><b>ALTERNATIVE ROUTES</b></p> <ul style="list-style-type: none"> <li>• provide details, including location maps, of alternative routes during the restricted periods</li> <li>• indicate the approximate increase in distance and foot or cycle journey times involved and comment on the potential negative aspects of the alternative routes (e.g. non-compliance with mobility standards, personal safety issues, lack of surfaced highway or lack of adequate crossing points, etc.)</li> </ul>	
6	<p><b>RESTRICTIONS</b></p> <ul style="list-style-type: none"> <li>• indicate the times and periods of the restrictions, providing reasons for the appropriateness thereof</li> <li>• provide details and addresses of the premises or facilities for which access is required at particular times or periods. Also indicate how the premises or facilities would be affected if the restrictions did not match these times or periods and how such effects would be mitigated</li> </ul>	

7	<p><b>MANAGEMENT OF THE RESTRICTIONS</b></p> <ul style="list-style-type: none"><li>• suggest the particular bodies or organisations willing and capable of opening/closing the gates/barriers at the designated times/periods. NOTE – the body or organisation <u>must</u> have the capacity and resources available to fulfil these obligations on 100% of occasions and also must be able to provide full indemnities for employees and third parties (currently £5m)</li></ul>	
8	<p><b>EFFECT ON THE COMMUNITY</b></p> <ul style="list-style-type: none"><li>• indicate the positive and the negative effects on particular sections of the community (not just those adjoining or adjacent to the restricted highway). Include comments that indicate how the negative effects can be reduced to acceptable levels</li></ul>	

9	<p><b>CONSULTATION</b></p> <ul style="list-style-type: none"> <li>• indicate which groups/individuals/bodies or organisations have been consulted, either formally or informally, and supply their comments</li> <li>• for negative comments from such consultations, indicate what modifications have been made to the proposals or indicate why any particular comments should not be taken into account and considered further</li> <li>• indicate which groups/individuals/bodies or organisations it was not possible to consult, but which it is considered should be given the opportunity to comment on the proposals</li> </ul>	
10	<p><b>MANAGING DIVERSITY</b></p> <ul style="list-style-type: none"> <li>• provide comments on the direct or indirect effects of the proposals on the grounds of age, disability, gender, race, religion or belief, sexual orientation or social exclusion. (Notes to assist with this are provided in the Procedure Notes for Gating Orders)</li> </ul>	

11	<p><b>FUNDING</b></p> <ul style="list-style-type: none"> <li>• indicate the amount of funding available from other than the County Council's specific budget for Gating Orders</li> <li>• indicate whether this funding is available for either or both of the initial implementation and the annual ongoing management/maintenance costs</li> </ul>	
12	<p><b>OTHER INFORMATION/COMMENTS</b></p> <ul style="list-style-type: none"> <li>• indicate the source/origin of the initial request for consideration of a Gating Order</li> <li>• comment here on any other matter in support of this application</li> <li>• if the CSP has made other applications, indicate the priority of this application compared to those others</li> </ul>	

Completed on behalf of..... CSP by ..... Date.....  
(print name)

Authorised on behalf of ..... CSP by ..... Date.....  
for submission to Nottinghamshire County Council (print name)

.....  
(signed)

**FOR USE BY NOTTS COUNTY COUNCIL COMMUNITIES DEPARTMENT ONLY**

	Issue	Y/N	Remarks including next actions
1	<b>Status of the highway</b> <ul style="list-style-type: none"> <li>• private                   ▶ no action by NCC</li> <li>• adopted*               ▶ action – Safer Communities</li> <li>• unmetalled PROW*   ▶ action – Safer Communities Team</li> </ul> <i>*see Procedures Section4.3</i>		
2	<b>Has the application been completed fully and correctly, and does it provide full justification for a Gating Order?</b>		
3	<b>Are all of the main criteria met? And have the relevant Members been consulted?</b>		
4	<b>Are there any conflicts with other NCC Policies, Standards or Plans (including diversity issues)?</b>		
5	<b>If the application from the CSP was initially unacceptable/incomplete, has the CSP been given the opportunity to modify/amend it for further consideration?</b>		

<b>Date of EPPM .....</b>	<b>RECOMMENDATION</b>
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**Completed on behalf of the Area Highway Manager (North/South\*)/Countryside Access Team Manger\*** ..... **Date** .....  
 (\* delete as appropriate) (print name)  
 .....(signed)

## **CONSULTEES**

1. The local County Council Member and the Cabinet Member for Community Safety should be consulted upon receipt of an acceptable application from the District CDRP.
2. Subsequent to the approval of the Rights of Way Committee to the making of a Gating Order, the following should be sent a copy of the Notice -
  - a) Occupiers of premises adjacent to or adjoining the highway\*
  - b) In respect of the administrative area through which the highway runs –
    - i) Chief Constable\*
    - ii) Chief Fire Officer\*
    - iii) NHS Trust\* or NHS Foundation Trust\*
    - iv) District Council\*
    - v) Town Council\*
    - vi) Parish Council\*
    - vii) The statutory undertakers\*
    - viii) The gas or electricity service providers\*
    - ix) The water service providers\*
    - x) The communications providers\*
    - xi) Chief Ambulance Officer
  - c) Ramblers Association (local and national)
  - d) Local Access Forum
  - e) British Horse Society (local and national)
  - f) Nottinghamshire Footpaths Preservation Society
  - g) Cyclists Touring Club
  - h) Trail Riders Fellowship
  - i) Byways and Bridleways Trust
  - j) The British Driving Society
  - k) The Commons and Open Spaces and Footpaths Preservation Society
  - l) The relevant local Tenant & Residents' Association
  - m) Relevant local community groups
  - n) Groups identified from the service diversity assessment
  - o) Any person who requests a copy of the Notice\*
  - p) Any other consultees considered appropriate, having regard to the circumstances

Should the relevant highway normally take vehicular traffic, the consultees should include those for Traffic Regulation Orders.

\* Required by the Regulations

## **INVOLVEMENT OF LEGAL SERVICES**

The involvement of Legal Services in the process for the making of Gating Orders will be on a similar basis to that of Traffic Regulation Orders.

Earlier parts of the administrative and managerial requirements will be carried out by the Safer Communities Team within the Communities Department; including ensuring that relevant consultations have taken place and that any necessary approvals have been obtained. Subsequently Legal Services will administer and manage the production of the draft Order, draft Notice, public notice, receipt of objections, making the legal Order etc.

Liaison with Members and managing the decision making elements of the process will be carried out by the Safer Communities Team within the Communities Department.

The Order will be made under seal by Legal Services.

## **SAMPLE NOTICE**



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

#### **The Nottinghamshire County Council (Any Street, Anywhere)** **Gating Order 200#**

**NOTICE IS HEREBY GIVEN** that the Nottinghamshire County Council proposes to make an Order under Section 129A (1) of the Highways Act 1980 (for the purposes of reducing crime and anti-social behaviour) the effects of which in respect of a road at Anytown in the District of Anyborough will be:-

All pedestrians, equestrians and vehicles, other than those specified in the Order, will be prohibited from using the alleyway to the rear of 1 to 13 Any Street (“the Highway”). The Highway is shown between points A and B on the attached plan. The prohibition will apply at all times.

The Order will exempt from the prohibition, any person who lives in premises adjoining the highway, emergency services personnel, statutory undertakers and utility providers. An alternative route for pedestrians, equestrians and vehicles is available by using the road at the front of 1 to 13 Any Street, Anywhere as shown on the Order plan.

A draft of the proposed Order is set out in the Schedule to this notice.

A copy of the Council’s statement of reasons for making the Order, a plan and other associated papers are available for inspection at:-

- i. The Nottinghamshire County Council, County Hall, West Bridgford, Nottingham NG2 7QP.
- ii. The Anytown Library, Main Street, Anytown, Nottinghamshire NG24 1UW.

A copy of this notice can be viewed by visiting the Council’s website at [www.#####.gov.uk](http://www.#####.gov.uk) under Environment and #####, #/#####, #####, #####.



## SCHEDULE

### Draft Gating Order – Section 129A Highways Act 1980

#### The Nottinghamshire County Council (Any Street, Anywhere) Gating Order 2007

The Council of the County of Nottinghamshire in exercise of its power under Section 129A (1) 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 met hereby makes the following Order:

1. Save as provided in Article 2 to this Order no person shall proceed on foot, cause any horse to proceed, cause any animal to proceed or cause any vehicle to proceed in the public right of way over the alleyway to the rear of 1 to 13 Any Street, Anytown (“the Highway”) at any time. The Highway is shown between points A and B on the plan annexed to this Order.
2. Nothing in Article 1 shall apply to any person proceeding or causing to proceed in respect of the following:-
  - (a) Ambulance, Fire Brigade or Police purposes;
  - (b) Access to and/or egress from properties adjoining or fronting the highway, by residents (of those properties) and their invitees/licensees;
  - (c) Any of the following operations if the vehicle cannot conveniently be used for such purpose in any other highway,
    - a. Building, industrial or demolition.
    - b. The maintenance, improvement or reconstruction of the said length of highway.
    - c. The laying, erection, alteration or repair in, or land adjacent to the said length of highway, of any sewer, main, pipe, or apparatus and the supply of gas, water or electricity or of any electronic telecommunications apparatus as defined in Schedule 3 of the Communications Act 2003.
  - (d) The service of a local authority for the collection of refuse from premises adjacent to the said length of highway.

3. A barrier may be installed, operated and maintained at each end of the Highway. #####, ##### is responsible for maintaining and operating the gate. Their contact telephone number is #####.

4. The alternative route for pedestrians and vehicular traffic which is available for use during the period the use of the Highway is prohibited is the highway to the front of 1 to 13 Any Street, Anytown.

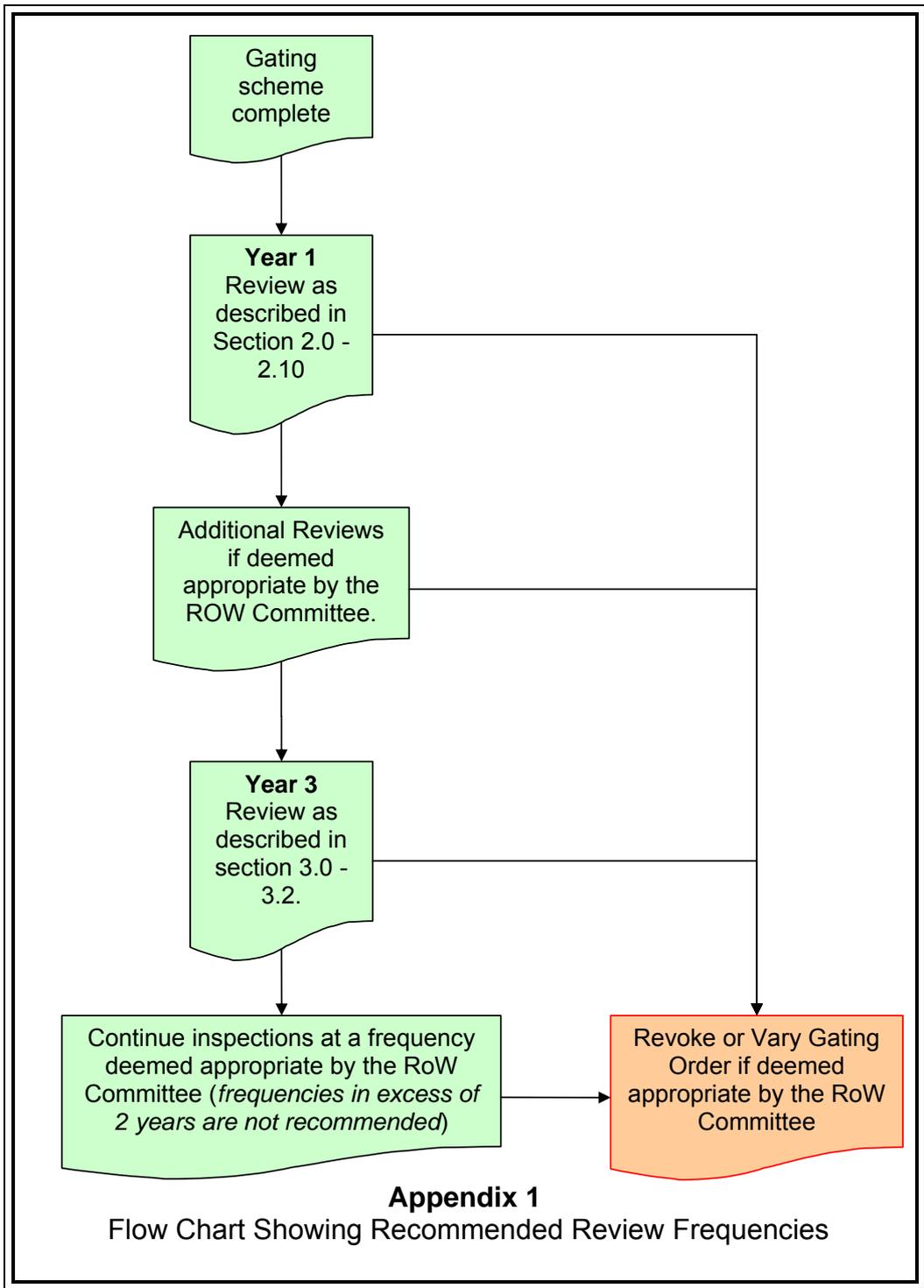
5. This Order shall take effect on the ### day of ##### 200#.

**THE COMMON SEAL** of **THE** )  
 )  
**NOTTINGHAMSHIRE COUNTY COUNCIL** )  
 )  
was hereunto affixed this ##### )  
 )  
day of ##### 200# )  
 )  
in the presence of:- )

**Authorised Signatory**

---

The Nottinghamshire County Council (Any Street, Anywhere) Gating Order 200#



**1** What is your postcode?

**2** Do you know why the path was gated?  
 YES / NO

**3** Did you use the path before it was gated?  
 YES / NO

**4** Please tick one of the following

Has the alley-gating scheme has improved the area OR  
 Has the alley-gating scheme inconvenienced you OR  
 Made no difference?

**5** Given that the alley gating scheme is under review, please tick your preferred option

Continuation of the gating scheme  
 Removal of the gates  
 Night time closure only

**6** Please use this space to provide any further comments you may have

Please return by: .....  
 If you have any questions please contact:  
 .....


**Nottinghamshire County Council**

## Gating Order Questionnaire

**POSTAGE PAID**

Nottinghamshire County Council  
 Communities – Highway Policy  
**FREEPOST**  
 MID 20768  
 Nottingham  
 NG2 1BR

This Questionnaire is part of a review of the alley-gating scheme at   
 Thank you for your comments your views are very important.


**Nottinghamshire County Council**

## Gating Order Questionnaire

**Appendix 2 – ‘Post card’ Type Questionnaire**

### Appendix 3

#### Table of 'considerations'

Location of Gate	
Date of Installation	
What affects have the gates had on crime during the current review period?	
What affects have the gates had on ASB during the current review period.	
Are the gates still required? Feedback from consultees.	
What affects have the gates had on users of the path?	
Have any other measures been introduced to combat / reduce crime and ASB?	
Is there any evidence that crime / ASB has moved on to another location?	
Do the existing key arrangements work?	
Have there been any comments or correspondence during the closure?	
Outcome of review and decision recommended (to include comments).	