



## **The Nottinghamshire County Council (The Alleyway leading from Percival Close, Sutton-in-Ashfield) Gating Order 2012**

The Council of the County of Nottinghamshire ("the Council") in exercise of its power under Section 129A to G 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. In this Order "the highway" means: the highway specified in the Schedule to this Order.
2. Save as provided in Article 3 of this Order the public right of way over the highway is restricted at all times to all persons so that passage and repassage thereover may not occur.
3. Nothing Article 2 shall apply to any person proceeding or causing to proceed in respect of the following:
  - (1) Ambulance, Fire and Rescue Service or Police purposes;
  - (2) Access to or egress from properties adjoining or fronting the highway, by owners or occupiers (of those properties) and their invitees or licensees;
  - (3) Any of the following operations if the relevant vehicle cannot conveniently be used for such purpose in any other highway,
    - (a) Building or demolition,
    - (b) The maintenance, improvement or reconstruction of the highway,
    - (c) The laying, erection, alteration or repair in, or on land adjacent to, the highway of any sewer, main, pipe 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 highway,
    - (e) The permission of or the direction of a duly authorised officer of the Council.
4. A gate or other barrier may be installed, operated and maintained at any point or points on the highway as determined from time to time by the Council.

5. The following are responsible for maintaining and operating any gate or barrier in the highway:-
  - (a) Station Sergeant at Sutton Police Station, 45 Church Street, Sutton-in-Ashfield, Nottinghamshire NG17 1AE – contact number is 0300 123 1212.
  - (b) Community Protection Manager at Ashfield District Council, Urban Road, Kirkby-in-Ashfield, Nottinghamshire NG17 8DA – contact number 01623 450000.
6. The alternative routes available when the use of the highway is restricted is via Davies Avenue, Carsic Lane, Carsic Road, Percival Close and vice versa.
7. This Order shall take effect on the **8th** day of **October 2012**.

**SCHEDULE**

Highways at Sutton-in-Ashfield in the District Bassetlaw

- (a) The alleyway at the rear of premises numbered 11 to 61 Percival Crescent (between Davies Avenue and Carsic Road), from its junction with the alleyway between its junctions with Paling Crescent and Percival Crescent in a north-westerly direction for a distance of 40 metres.
- (b) The alleyway between premises numbered 13 and 63 Percival Crescent leading from its junction with the alleyway at the rear of premises numbered 19 to 11 Percival Crescent in a south-westerly direction for a distance of 15 metres.

**THE COMMON SEAL** of **THE** )  
 )  
**NOTTINGHAMSHIRE COUNTY COUNCIL** )  
 )  
 was hereunto affixed this **20th** )  
 )  
 day of **October 2012** )  
 )  
 in the presence of :- )



*J. Beaman*  
**Authorised Signatory**