

In the Borough of Ashford

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH AU79, CHURCH YARD PASSAGE)
(GATING) ORDER 2012

CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT 2005
HIGHWAYS ACT 1980 (GATING ORDERS) (ENGLAND) REGULATIONS
2006

NOTICE is hereby given that The Kent County Council in exercise of all its powers under Part 1, Section 2 of the Clean Neighbourhoods and Environment Act 2005 and Sections 129 A to 129 G of the Highways Act 1980 (Gating Orders) (England) Regulations 2006, is proposing to make a Gating Order the effect of which will prohibit public pedestrian access to Public Footpath AU79, Ashford, by means of installing a lockable gate.

The alternative route for pedestrians will be via Tufton Street, Bank Street and the High Street.

A copy of the proposed Order, an explanatory statement and a map showing the extent of the restriction may be inspected during normal office hours at the Kent County Council Offices, Invicta House, Maidstone, Kent, ME14 1XX; and Kent Highways Services, Ashford Highway Depot, Henwood Industrial Estate, Javelin Way, Ashford, TN24 8AD; and at Ashford Borough Council Offices, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL.

Anyone wishing to support or object to this proposal may do so in writing quoting the name of the proposed Order and Reference No: CAS/GDER/12/GO2 to: Graham Rusling, Kent County Council, Countryside Access Service, Invicta House, Maidstone, Kent, ME14 1XX. All objections, representations or letters of support must be received on or before the 29th May 2012.

Des Cilley
Director of Customer and Communities

Customer and Communities
Invicta House
Maidstone
Kent
ME14 1XX

In the Borough of Ashford

THE KENT COUNTY COUNCIL
(Public Footpath AU79)
(GATING) ORDER 2012

CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT 2005
HIGHWAYS ACT 1980 (GATING ORDERS) (ENGLAND) REGULATIONS 2006

STATEMENT OF REASONS

The Kent County Council is proposing to install an alley gate on public footpath AU79 at the junction with the High Street.

The introduction of gating orders in 2006 enabled public highways to be gated in cases where the highway facilitates crime and antisocial behaviour but they cannot interrupt access to business during opening hours. Alley gates are not permanent as circumstances can change, so situations will need a periodic review and orders may be revoked or changed to allow public use of highway again.

A study of criminal and anti-social behaviour for the Ashford Church Yard area indicates that premises adjacent to the public footpath are subjected to persistent antisocial and criminal behaviour and that this is facilitated by the public footpath. It is considered that the installation of a gate at the junction of the Church Yard and the High Street is the most appropriate means of preventing this crime and antisocial behaviour as it will disrupt the movement through the Church Yard of those responsible for the crime and antisocial behaviour. The gate will be locked to prohibit public access between 22:00 and 6:00 commencing Friday evening until 6:00 Sunday morning with the exception of those occasions when it is necessary to accommodate services and events at St Mary's Church. The closure times reflect the typical pattern of criminal and antisocial behaviour in the area. At all other times public access will be available.

Alternatives to gating including resource intensive policing, regular foot patrols, CCTV and environmental improvement measures including lighting the area have been introduced or are in operation but have had a limited success.

Graham Rusling
Public Rights of Way Operations Manager
Customer and Communities

Customer and Communities
Invicta House
Maidstone
Kent
ME14 1XX

In the Borough of Ashford

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH AU79, ASHFORD)
(GATING) ORDER 2012

CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT 2005
HIGHWAYS ACT 1980 (GATING ORDERS) (ENGLAND) REGULATIONS 2006

THE KENT COUNTY COUNCIL, acting as the local traffic authority in exercise of its powers under Part 1, Section 2 of the Clean Neighbourhoods and Environment Act 2005 and Sections 129 A to 129 G of the Highways Act 1980 (Gating Orders) (England) Regulations 2006; and having met the requirements of section 129A (3) of the Act, hereby makes the following order:-

1. Save as provided in Article 2 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause any vehicle or pedestrian to proceed through the length of gated public footpath AU79 at the junction with AU79 and the High Street between 22:00 and 6:00 hours commencing on Friday at 22:00 until Sunday at 6:00, other than when these times coincide with the holding of events at St Mary's Church, Ashford and activity related to them.

The alternative route for pedestrians will be via Tuffon Street, Bank Street and the High Street.

2. Nothing in Article 1 of this Order shall prevent any person from causing any person or vehicle to proceed in any of the lengths of highway referred to in that Article if -;

1. Is being used in conjunction with the holding of any event at St Mary's Church.
2. It is driven / ridden by an owner of premises adjacent to or which are accessed via the gated alley way.
3. It is driven/ ridden by a representative of The Kent County Council's Kent Highways and Transportation and the Countryside Access Service in exercise of their duties.
4. It cannot conveniently be used for such purpose elsewhere, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the carrying out of any road works or the laying, erection and alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telegraph or telephone wires, cables, posts or supports.
5. Is being used in the service of a Local Authority or Water Authority in pursuance of statutory powers or duties.
6. Is being used for Police, Fire Brigade or Ambulance purposes.

3. Gating Orders are not considered as a permanent solution and the effectiveness of gates will be reviewed every year. If circumstances change the Order may be revoked or varied at this time.

4. The gates will be maintained and operated by Environmental Services (Street Scene), Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL. 01233 331111.

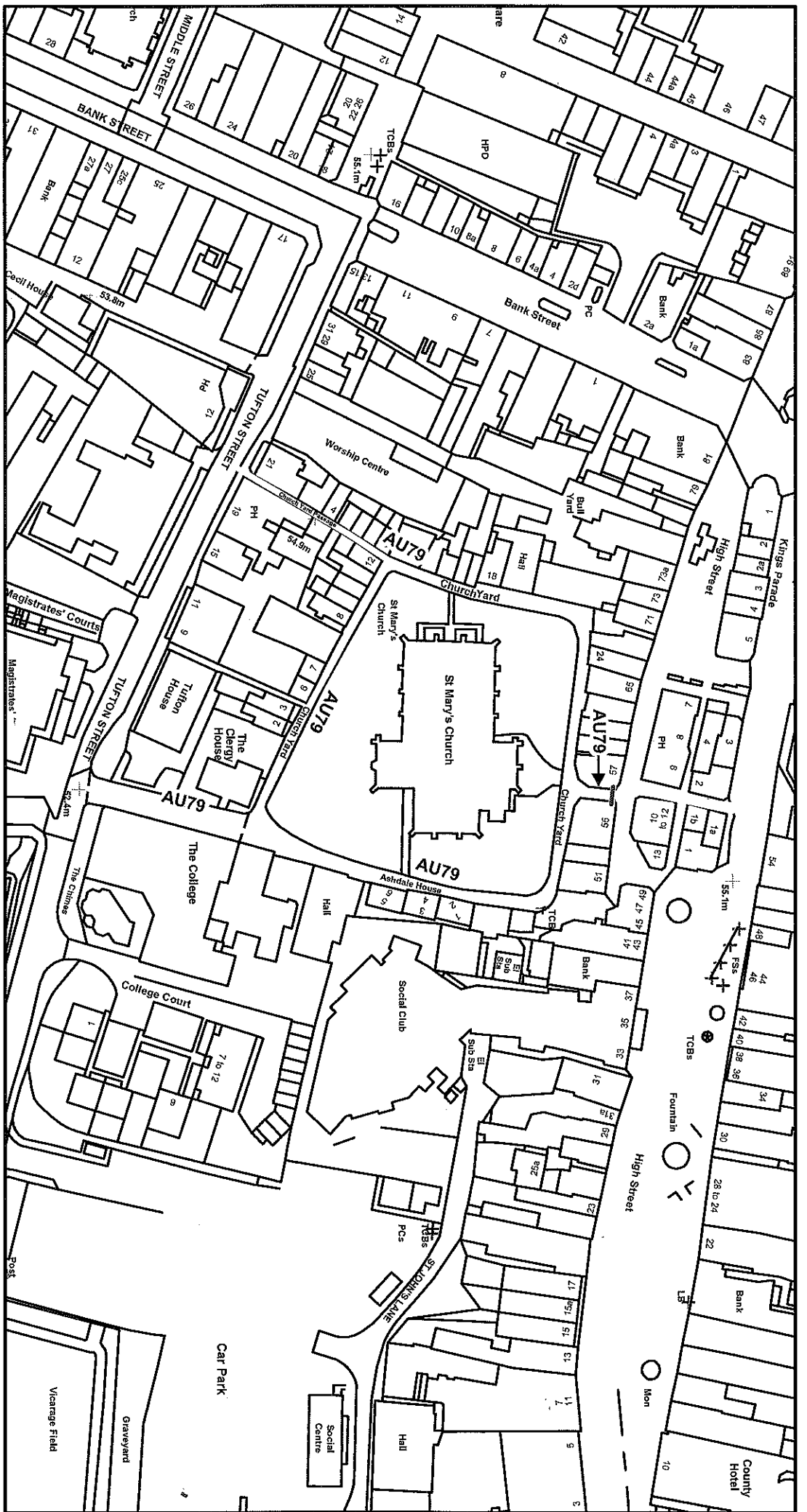
5. This Order shall come into operation on DD MMMMM YY.

Authorised Signatory:

SIGNED FOR AND ON BEHALF OF THE KENT COUNTY COUNCIL BY DES CRILLEY DIRECTOR OF CUSTOMER AND COMMUNITIES FOR KENT COUNTY COUNCIL OR BY HIS AUTHORISED SIGNATORY	MANAGING DIRECTOR
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DATED the xxth day of mmmmmmmm 2012

DRAFT

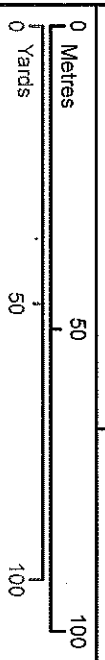


Key

Public Footpath
 Site of Proposed
 Gate

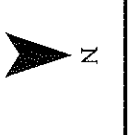
Public Footpath AU79

Please note: this map extract is not a legal record of the alignment or existence of a public right of way.
 No measurements should be taken from it.



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