

**SOLIHULL METROPOLITAN BOROUGH COUNCIL (FOOTPATH  
UNDER 70 MORRIS CROFT, SMITHS WOOD)  
GATING ORDER (NO 1) 2007**

Solihull Metropolitan Borough Council ("the Council") in exercise of its power under Section 129A (1) of the Highways Act 1980 ("the Act") and of all other enabling powers and being satisfied that the conditions set out in Section 129A (3) of the Act have been met hereby makes the following Order:-

1. Except as provided in Article 2 of this Order, no person shall use the public highway being the footpath beneath 70 Morris Croft, Smiths Wood (“the highway”) at all times. The highway is indicated as a solid black line on the plan attached to this Order.
2. The restriction in Article 1 shall not apply 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 requiring access to their apparatus situated in the highway. The restriction shall also not apply to the owners / occupiers of 68 and 70 Morris Croft and 33 Austin Croft.
3. Barriers may be installed, operated and maintained at points A and B shown on the plan annexed to this Order and at each end of the highway. The Council’s Neighbourhood Management team will be responsible for maintaining and operating any gates and keys. Their contact telephone number is 0121 704 6429.
4. The Order will be reviewed annually and will not affect the status of the footpath.
4. The Council has identified an alternative route via the footpath running at the front of 33 – 34 Austin Croft to link to Austin Croft carriageway pavement and from there following the footpath to the rear of those properties, indicated on the attached plan by a heavy broken black line.

Dated this                      day of                      2007

THE COMMON SEAL of THE )  
METROPOLITAN BOROUGH OF SOLIHULL )  
was hereunto affixed in the presence of:- )

Solicitor to the Council