

**NOTTINGHAM CITY COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 – PUBLIC SPACES PROTECTION ORDER**

**NOTTINGHAM CITY COUNCIL (HOVENDEN GARDENS, HYSON GREEN NOTTINGHAM) VARIATION ORDER 2023**

- a. The Nottingham City Council (Hovenden Gardens, Hyson Green Nottingham) Gating Order 2012 (GO5010) ('the Order') was made under section 129A of the Highways Act 1980 ('HA') and originally known as a Gating Order.
- b. Section 129A HA has now been repealed but pursuant to section 75 of the Anti-social Behaviour, Crime and Policing Act 2014 ('the 2014 Act') the Order remained in force until 20 October 2017, after which it continued to remain in force as if the provisions of the Order were provisions of a Public Spaces Protection Order ('PSPO') made under the 2014 Act.
- c. PSPOs can remain in force for up to three years unless first extended in accordance with the 2014 Act. On 2 October 2020, pursuant to section 60(2) of the 2014 Act, Nottingham City Council ("the Council") approved an extension of the period that the Order had effect, to expire on 18 October 2023 unless first further extended.
- d. The Council in exercise of its power under section 61 of the 2014 Act and being satisfied on reasonable grounds that the conditions set out in section 59(2) and (3) of the 2014 Act are met

HEREBY varies the Order by **this Order** the Nottingham City Council (Hovenden Gardens, Hyson Green, Nottingham Variation Order 2023 ("this Variation Order") to extend the area where the public right of way is restricted by the Order as follows:

1. Paragraph 2 of the Order shall be amended so that in the fifth line of that Paragraph the reference to the letter "B" in brackets and before the words "*between points (A) and*" shall be replaced with the letter "D"
2. The Order Map as defined in Paragraph 2 of the Order and attached to the Order is to be replaced with the map attached to this Variation Order marked **[insert heading on the map to be inserted]** ("the Varied Order Map")
3. Paragraph 5 of the Order shall be amended so that in the third line of that Paragraph the reference to the letter "B" in brackets and before the words "*between points (A) and*" shall be replaced with the letter "D"
4. Schedule 1 of the Order shall be replaced with the following:

**“SCHEDULE 1**

**THE HIGHWAY**

The section of footpath running from SK 455523 341223 (point A) to SK 455537 341190 (point D) comprising a total distance of approximately 35.8 metres as shown on the Order Map by the crossed hatched area within the solid black border.”

5. Schedule 4 of the Order shall be replaced with the following:

**“SCHEDULE 4**

**OPERATION OF BARRIER(S)**

The Director of Communities of Nottingham City Council at Central Police Station, Byron House, Maid Marian Way, Nottingham, NG1 6HS telephone number 0115 9155555”

6. Schedule 5 of the Order shall be replaced with the following:

**“SCHEDULE 5**

**ALTERNATIVE ROUTE**

The alternative route available will for point (A), continue north for a 41 metres, then turn right towards Birkin Avenue, then turn right onto Birkin Avenue, continue along Birkin Avenue for a distance of 54 metres, and the turn right on to the footpath and continue along the footpath to point (D) comprising a total distance of 205.81 metres as shown on the Order Map by a dashed black line.”

Dated this                      day of                      2023

Given under the COMMON SEAL of                      )  
NOTTINGHAM CITY COUNCIL                      )

AUTHORISED SIGNATORY