

HIGHWAYS ACT 1980 - SECTION 116

THE COUNCIL OF THE BOROUGH OF MIDDLESBROUGH (CASS HOUSE ROAD UNDERPASS, HEMLINGTON) STOPPING UP ORDER 2023

DATE OF HEARING: 23rd MARCH 2023

THE COMPLAINT of Charlotte Benjamin of Fountain Court, Middlesbrough and Head of Legal Services (Places) of the Council of the Borough of Middlesbrough the Highway Authority who states that:

THE COUNCIL OF THE BOROUGH OF MIDDLESBROUGH intend on the above date to apply to the Magistrates Court Middlesbrough Centre Square Middlesbrough for an Order under the provisions of Section 116 of the Highways Act 1980 authorising that the highways set out below and shown hatched and edged in black on the plan annexed hereto be stopped up on the grounds that they are unnecessary.

The Court being satisfied that the Applicant has given the notices required by Part 1 of Schedule 12 to the Highways Act 1980 AND the Court having heard the Application and being satisfied that the said area of highway is unnecessary.

IT IS HEREBY ORDERED that the said area of highway be authorised to be stopped up for the purposes of all traffic.

SCHEDULE

1. The footpath (Location 1 on the order plan) which starts at Grid Ref NZ 49347 / 14464 to the rear of No. 3 Caldwell Close and proceeds in a generally south easterly direction for approx. 29.5 m to a bridge and its junction with a footpath at Grid Ref NZ 49351 / 14436 and then in a south westerly direction for approx. 19.8 m to its junction with a footpath at Grid Ref NZ 49342 / 14416. (Approx. area to be stopped up 64 Sqm)
2. The highway (Location 2 on the order plan) which starts at the east end of the Cass House Road Underpass at Grid Ref NZ 49368 / 14431 and proceeds in a westerly direction for approx. 16.2 m to Grid Ref NZ 49352 / 14434 at the west end of the Cass House Road Underpass. (Approx. area to be stopped up 46 Sqm)
3. The footpath (Location 3 on the order plan) which starts at Grid Ref NZ 49350 / 14432 near the west end of Cass House Road Underpass and proceeds in a generally south westerly direction for approx. 16.5 m to its junction with a footpath at Grid Ref NZ 49343 / 14418. (Approx. area to be stopped up 29 Sqm)
4. The footpath (Location 4 on the order plan) which starts at the side of No. 29 Elmstone Gardens at Grid Ref NZ 49387 / 14405 and proceeds in a north westerly direction for approx. 28 m to a point near the Cass House Road Underpass at Grid Ref NZ 49371 / 14428. (Approx. area to be stopped up 49 Sqm)

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Charlotte Benjamin, Director of Legal and Governance Services, P O Box 503,
Middlesbrough, TS1 9FX

TAKEN BEFORE ME

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JUSTICE OF THE PEACE FOR THE SAID BOROUGH

Dated this day of 20[]