



Highways Act 1980

1980 CHAPTER 66

[^{F1}PART 8A

RESTRICTION OF RIGHTS OVER HIGHWAY

VALID FROM 16/03/2006

[^{F1}129F Variation and revocation of gating orders

- (1) A council may vary a gating order made by them so as further to restrict any public right of way over the highway to which the order relates, if they are satisfied that in all the circumstances it is expedient to do so for the purpose of reducing crime or anti-social behaviour.
- (2) A council may vary a gating order made by them so as to reduce the restriction imposed by the order, if and to the extent that they are satisfied that the restriction is no longer expedient in all the circumstances for the purpose of reducing crime or anti-social behaviour.
- (3) A council may revoke a gating order made by them, if they are satisfied that the restriction imposed by the order is no longer expedient in all the circumstances for the purpose of reducing crime or anti-social behaviour.
- (4) Before varying or revoking a gating order in relation to a highway a council must notify the occupiers of premises adjacent to or adjoining the highway, in such manner as the appropriate person may by regulations prescribe, of—
 - (a) the proposed variation or revocation; and
 - (b) the period within which they may make representations about it.
- (5) The appropriate person must by regulations make further provision as to the procedure to be followed by a council in relation to the variation or revocation of a gating order.
- (6) Regulations under subsection (5) must include provision as to—

Status: Point in time view as at 21/12/2001. This version of this provision is not valid for this point in time.

Changes to legislation: Highways Act 1980, Section 129F is up to date with all changes known to be in force on or before 02 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) publication of any proposed variation or revocation;
 - (b) notification of persons (other than those referred to in subsection (4)) likely to be affected by a proposed variation or revocation;
 - (c) the making of representations about a proposed variation or revocation.
- (7) Regulations under subsection (5) may include provision—
- (a) requiring a council to hold a public inquiry in such circumstances as may be specified in the regulations;
 - (b) permitting a council to hold a public inquiry at their discretion in such circumstances as may be so specified.]

Textual Amendments

- F1** Pt. 8A inserted (16.3.2006 for W. for specified purposes, 1.4.2006 for E. and 19.2.2007 for W. in so far as not already in force) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\), s. 2](#); S.I. 2006/768, [art. 3](#); S.I. 2006/795, [art. 2\(2\)](#); S.I. 2006/2797, [art. 3](#); S.I. 2007/306, [art. 1\(2\)](#)

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