

Form 5

*To be completed by the local highway authority*

**NOTICE OF AN ORDER MADE BY MAGISTRATES' COURT REQUIRING THE LOCAL HIGHWAY AUTHORITY TO SECURE THE REMOVAL OF AN OBSTRUCTION**

**HIGHWAYS ACT 1980 SECTION 130B(6)**

[Name of Authority]

**Notice is hereby given that an Order has been made by the Magistrates' Court at [location of Magistrates' Court] on [date] requiring this Authority to take the following steps [insert the steps and timescale specified in the order] to secure the removal of the obstruction described below.**

**Status of the highway:**

**Location of the highway** (including path reference number, if known):

**Location of the obstruction:**

**Description of the obstruction:**

**Copies of this notice are being displayed on each side of the obstruction and at the first point, on each side of the obstruction, where the highway (or connecting highway) joins a metalled highway. [Also identify any other points where the notice is being displayed.]. Copies have also been sent to those who have been identified as having an interest, or who have indicated that they have an interest, in the order. These notices will be displayed until [date]**

**This Order takes effect on the 22<sup>nd</sup> day from the day on which the Order was made.**

Signed ..... Date .....

**Right of appeal against this Order**

The local highway authority and any person who is for the time being responsible for the obstruction, or was responsible when the application for the Order was made to the Magistrates' Court, may appeal to the Crown Court on the grounds that the highway or the obstruction is of a type which falls outside the legislation or that the obstruction does not significantly interfere with the exercise of public rights over that highway.

Subject to the Crown Court's power to extend the period for appeal, notice of an appeal to the Crown Court must be given within 21 days after the date on which the Magistrates' Court Order was made.