

## **AGENDA ITEM**

### **REPORT TO APPEALS & COMPLAINTS COMMITTEE**

**26 MARCH 2008**

### **REPORT OF CORPORATE DIRECTOR OF DEVELOPMENT & NEIGHBOURHOOD SERVICES**

#### **Alleygates 2007/08 – Thornaby-on-Tees**

- Proposed Gating Order to the alleyways at Westbury Street, Peel Street, Scarborough Street, Havelock Street, Cromwell Terrace, Thornaby Road, Park Terrace, Victoria Road, St Pauls Road, Cambridge Road and Oxford Road

#### **1.0 SUMMARY**

The purpose of this report is to seek Members views on the outstanding objection received following the statutory advertising of the proposed Gating Order for the alleyways in Thornaby-on-Tees – reference SA/LG/GO/44120. It is not considered appropriate for the Head of Community Protection to consider the objections, as he would effectively be reviewing his own decision.

#### **2.0 RECOMMENDATIONS**

It is recommended that: -

- (i) Members give consideration to the objection raised and the comments of the Head of Community Protection
- (ii) A recommendation on the merits of the objection is made to the Head of Community Protection.
- (iii) The local Ward Councillors and the objector are informed of the Committee's recommendation.

#### **3.0 DETAIL**

- 3.1 The Council has a longstanding commitment to reduce crime and anti-social behaviour and the fear of crime across the Borough. Therefore the Alleygate programme was commenced - to install gates on the alleyways in areas that are experiencing high levels of crime and anti-social behaviour termed by the Police and Fire Brigade as 'Hot Spot' areas.
- 3.2 A steering group, made up of representatives from the Council's Community Protection, Care For Your Area and Technical Services sections, Cleveland Police and Cleveland Fire Brigade, oversees this programme. This steering group, following the analysis of the crime and anti-social behaviour statistics, makes a recommendation to the Head of Community Protection as to which alleyways are to be included within a Gating Order.

- 3.3 To minimise the risk of displacing incidents to un-gated areas the alleygate programme investigates the installation of gates across wide as area as possible.
- 3.4 For 2007/08 the recommendation to the Head of Community Protection was for the Gating Order to include those alleyways in Thornaby indicated on the attached plans (**Appendix 1**) as the statistics reveal that these alleyways are affected by crime and anti-social behaviour over an extended period (**Appendix 2**).
- 3.5 This scheme has been through the relevant consultation procedures, including the local ward councillors, members of the public and the local Planning Authority.
- 3.6 The Gating Order (**Appendix 3**) to restrict access along these alleyways at all times was advertised on 3<sup>rd</sup> December 2007, with the objection period expiring on 18<sup>th</sup> January 2008. Following the publication of the statutory notices, the Director of Law and Democracy received two letters of objection. The Open Space Society objection was received on 21<sup>st</sup> December 2007, they objected to the Order across all the areas. Following further correspondence they withdrew their objection. The other objection letter was received from Mr Denis. Fern on 17<sup>th</sup> January 2008 indicating an objection to the restriction to the alleyways at the rear of 123 – 171 Thornaby Road (**indicated in blue on Appendix 1**). Despite further correspondence this objection has been reaffirmed. (copies of correspondence in **Appendices 4& 5**)

#### 4.0 DETAILS OF THE OBJECTIONS

- 4.1 The objection raised by Mr Denis Fern to the Gating Order states that it is his view that the Order “*does not apply to 123-171 Thornaby Road we are unaffected by anti-social behaviour and crime has been minimal*”. Mr Fern also raises objection to the “*inconvenience of having to open and close heavy gates*”.

#### RESPONSE

- 4.2 In accordance with Section 129A of the Highways Act 1980 (incorporating The Clean Neighbourhoods and Environment Act 2005 Section 2) before making a Gating Order in relation to a relevant Highway the Council must be satisfied that –
  - a. Premises adjoining or adjacent to the highway are affected by crime or anti-social behaviour;
  - b. The existence of the highway is facilitating the persistent commission of criminal offences or anti-social behaviour; and
  - c. It is in all circumstances expedient to make the order for the purposes of reducing crime or anti-social behaviour.
- 4.3 The statistical information supplied by Cleveland Police and Cleveland Fire Brigade to the alleygate steering group shows that the all alleyways in the area covered by the Gating Order, including those mentioned in the objection raised by Mr D Fern, are affected by crime or anti-social behaviour. This is reaffirmed by the up to date information.

#### 5.0 FINANCIAL AND LEGAL IMPLICATIONS

The estimated cost for the installation of the alleygates for Thornaby is £48,000 and is to be funded out of the 2007/08 capital budgets.

## 6.0 POLICY CONTENT

The proposals are consistent with the Community Strategy 2005 - 2008 (Safer Communities).

## 7.0 CONSULTATION

- 7.1 A public consultation exercise was carried out in May/June 2007 with a questionnaire (**Appendix 6**) sent to those properties that would be immediately affected by the proposed alleygates. There was a 48% return (137 of 288) with 98% of those who responded indicating their support to the proposals. There was 1 response indicating an objection.
- 7.2 As part of this questionnaire local residents were asked indicate how much of a problem, in their opinion, they rated anti-social behaviour issues within the alleyway at the rear of their property. The results for the alleyways covered by 123 – 171 Thornaby Road (as indicated in the objection raised by Mr D Fern) are attached in **Appendix 7**. The opinions vary across the issues but overall residents feel that there is a problem in these alleyways.
- 7.3 A planning application was submitted to erect the gates in Thornaby on 31<sup>st</sup> July 2007. The Planning Authority approved this application on 13<sup>th</sup> September 2007. They received one letter of objection and one letter of support to this application. (copies of approval notice and letters in **Appendix 8**)
- 7.4 Finally, consultation was undertaken advertising the Gating Order on site, in the local press and correspondence to those residents immediately affected. This resulted in the objections highlighted in paragraph 3.5.

## 8.0 CONCLUSIONS

- 8.1 The proposed installation of alleygates to these alleyways should assist in reducing the current levels of crime and anti social behaviour in this area of Thornaby
- 8.2 In a recent evaluation of existing alleygates installed around the Borough, a significant reduction (55%) in incidents of crime and anti social behaviour was found in the 12 months following the installation of gates compared to the 12 months prior to the installation of the gates. In one area of Thornaby the installation of alleygates resulted in an 88% reduction in the number of incidents in the 12 months following installation.

### **Corporate Director of Development and Neighbourhood Services**

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### Environmental Implications

The installation of alleygates to these alleyways in Thornaby should reduce the incidents of fly tipping and dog fouling. Any incidents that occur, as access is restricted, can be attributed to a smaller section of the community with the appropriate enforcement being focused on these areas.

### Community Safety Implications

The installation of alleygates to these alleyways in Thornaby should reduce the incidents of crime and anti-social behaviour across this area.

### Background Papers

Plan detailing alleyways that form part of Gating Order in Thornaby  
Crime, Anti-social Behaviour, Arson and Fly-tipping statistics for area covered in Gating Order  
Letters of objection  
Planning Application Approval Notice and letters of objection and support

### Education Related Item?

No.

### Ward(s) and Ward Councillors:

Mandale & Victoria Councillors T Large, A Trainer, S Walmsley