

AGENDA ITEM

REPORT TO APPEALS & COMPLAINTS COMMITTEE

26th September 2013

REPORT OF CORPORATE DIRECTOR OF DEVELOPMENT & NEIGHBOURHOOD SERVICES

Alleygates– Newtown

Proposed Gating Order to the alleyway at Bedford Street (7-37 odds only), Bishopton Road (66-92 evens only) and Newtown Avenue (18-34 evens only).

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 alleyway in Newtown. 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, was set up to oversee this programme. This steering group, following the analysis of the crime and anti-social behaviour statistics, made a recommendation to the Head of Community Protection as to which alleyways are to be included within a Gating Order.

- 3.3 The alleyway to the rear of Bedford Street, Bishopton Road and Newtown Avenue was identified as a priority for alleygates along with other alleyways in this area in 2004/05. However, at this time it was deemed not to be feasible to install the alleygates due to the position of garages and rear yard accesses within the alleyway. Therefore this alleyway was omitted from the programme which installed alleygates to all the other alleyways, in this area of Newtown.
- 3.4 Since this time there have been regular requests from local residents to have alleygates installed on this alleyway. Investigations still judged it not feasible to install alleygates at this location.
- 3.5 In 2011/12 the alleygate programme budget came to an end, but this type of project was deemed to be an eligible item for the Community Participation Budget. This is a small budget allocated across the Borough to undertake small environmental improvement projects, with the ward councillors determining the priorities for their own ward in response to requests from local residents.
- 3.6 Following further requests from local residents, the Newtown ward councillors asked in early 2012/13 that the feasibility of this proposal be reinvestigated, indicating that they would be prepared to support a scheme through their ward allocation of the Community Participation Budget.
- 3.7 Discussions with a third party landowner (the Environment Agency), who owns the land adjacent Lustrum Beck with runs alongside this alleyway, led to permission being granted to install security fencing on their property. This, with the alleygates, would allow the alleyway to be fully secured. The fencing extended along the length of the beck in this area would restrict access to the beck limiting the opportunity for fly-tipping in the beck.
- 3.8 The recommendation to the Head of Community Protection was for the Gating Order to include the alleyway in Newtown indicated on the attached plan (**Appendix 1**) as the statistics reveal that the alleyway is affected by crime and anti-social behaviour over an extended period, outlined in the statement of reasons of the Gating Order (**Appendix 2**).
- 3.9 Following the setting of the Appeals and Complaints Committee the latest crime and anti-social behaviour statistics were requested from the police. For the period September 2012 – September 2013 there have been 6 reported criminal and anti-social behaviour incidents that took place in the alleyway, which could have been prevented should there have been alleygates in position. This is a significant increase on the volume of reported incidents in the period November 2011 – November 2012 as outlined in the statement of reasons.
- 3.10 This scheme has been through the relevant consultation procedures, including with the local ward councillors, members of the public and the local Planning Authority.
- 3.11 The Notice of Making the Gating Order (**Appendix 3**) to restrict access along this alleyway at all times was advertised on 11th July 2013, with the objection period expiring on 8th August 2013. Following the publication of the statutory notices, the Director of Law and Democracy received one letter of objection. Despite further correspondence this objection has been reaffirmed. (copies of correspondence in **Appendix 4**)

4.0 DETAILS OF THE OBJECTIONS

- 4.1 Mr Denis Hart in his objection to the Gating Order, dated 15th July 2013, believes that *'only Stockton Council would remove funding from much needed flood prevention and divert it to an un-necessary project'* indicating that there are *'no problems of anti-social behaviour and we (Newtown) have the lowest crime rate'*.
- 4.2 In further correspondence, addressed to the Leader of the Council, Mr Hart outlined further details to his objection. In addition to repeating a believe that *'the Council has withdrawn funding to provide better flood defences'* Mr Hart raised concerns that the alleygates would prevent access to emergency vehicles, including RNLI dinghies during periods of flooding and that the size of the gates would restrict residents from using their garages which are served from the alleyway.

RESPONSE

- 4.3 There has never been any Council funding to undertake improvements to the flood defences for Lustrum Beck. The responsibility for flood risk management on Lustrum Beck lies with the Environment Agency. They have already secured £415,000 of Local Levy funding for a scheme and have submitted a bid to Government for a further £1.2million, which would allow for a better scheme, which would provide greater protection. The outcome of their bid is expected in February 2014. The Council is supporting the Environment Agency by working in partnership on the technical aspects of their scheme.
- 4.4 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 –
- Premises adjoining or adjacent to the highway are affected by crime or anti-social behaviour;
 - The existence of the highway is facilitating the persistent commission of criminal offences or anti-social behaviour; and
 - It is in all circumstances expedient to make the order for the purposes of reducing crime or anti-social behaviour.
- 4.5 The statistical information supplied by Cleveland Police, Cleveland Fire Brigade and the Council's Care For Your Area section shows that the alleyway covered by the Gating Order is affected by crime or anti-social behaviour. This is reaffirmed by the up to date information.
- 4.6 The alleygates across the Borough operate on a Master Key system. Master Keys have been given to the emergency services to allow them access through the alleygates whenever they require to do so.
- 4.7 The two proposed alleygates nearest the beck would have an open width of 2.8m; the other two gates will have an open width of 2.3m. This is sufficient width to accommodate not only cars, but also commercial vehicles that would require access to the alleyway. Larger alleygates are proposed to be installed near to the beck to assist the Environment Agency in undertaking maintenance in this area.
- 4.8 The proposal will not affect access to and from the rear of the properties. Each property will be given the opportunity to collect a key, which would open all four alleygates proposed for this alleyway.

5.0 FINANCIAL AND LEGAL IMPLICATIONS

The estimated cost for the installation of the alleygates for Newtown is £22,000 and is to be funded through the Newtown ward allocation of the Community Participation Budget.

6.0 POLICY CONTENT

The proposals are consistent with the Sustainable Community Strategy 2012 - 2021 (Safer Communities).

7.0 CONSULTATION

- 7.1 A public consultation exercise was carried out in December 2012/January 2013 with a questionnaire (**Appendix 5**) sent to those properties that would be immediately affected by the proposed alleygates. There was a 55% return (21 of 38) with 95% 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 this alleyway are attached in **Appendix 6**. The opinions vary across the issues but overall residents feel that there is a big problem in these alleyways.
- 7.3 A planning application was submitted to erect the gates in Newtown on 1st May 2013. The Planning Authority approved this application on 15th July 2013. They received one letter of objection, four letters of support and one letter of representation to this application. (copies of approval notice and these letters are attached in **Appendix 7**)
- 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 objection highlighted in section 4 of this report.

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 Newtown.
- 8.2 A report prepared by Stockton Police, in evaluating the alleygate programme, showed that the installation of the alleygates across the Borough resulted in a 43% reduction in domestic burglary, a 64% reduction in deliberate fires, a 58% reduction in anti-social behaviour and a 52% reduction in fly-tipping in the alleyways after the alleygates were installed.
- 8.3 The proposed alleygates would not prevent access to the alleyway for the emergency services or local residents who live in properties adjacent this alleyway.
- 8.4 The proposed alleygates have no bearing on the flood risk management issues for Lustrum Beck or any proposed flood alleviation scheme.

Corporate Director of Development and Neighbourhood Services

Contact Officer : **John Angus**
Telephone : **01642 526499**
Email Address : **john.angus@stockton.gov.uk**

Environmental Implications

The installation of alleygates to this alleyway in Newtown 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 this area.

Community Safety Implications

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

Background Papers

Appendices to report

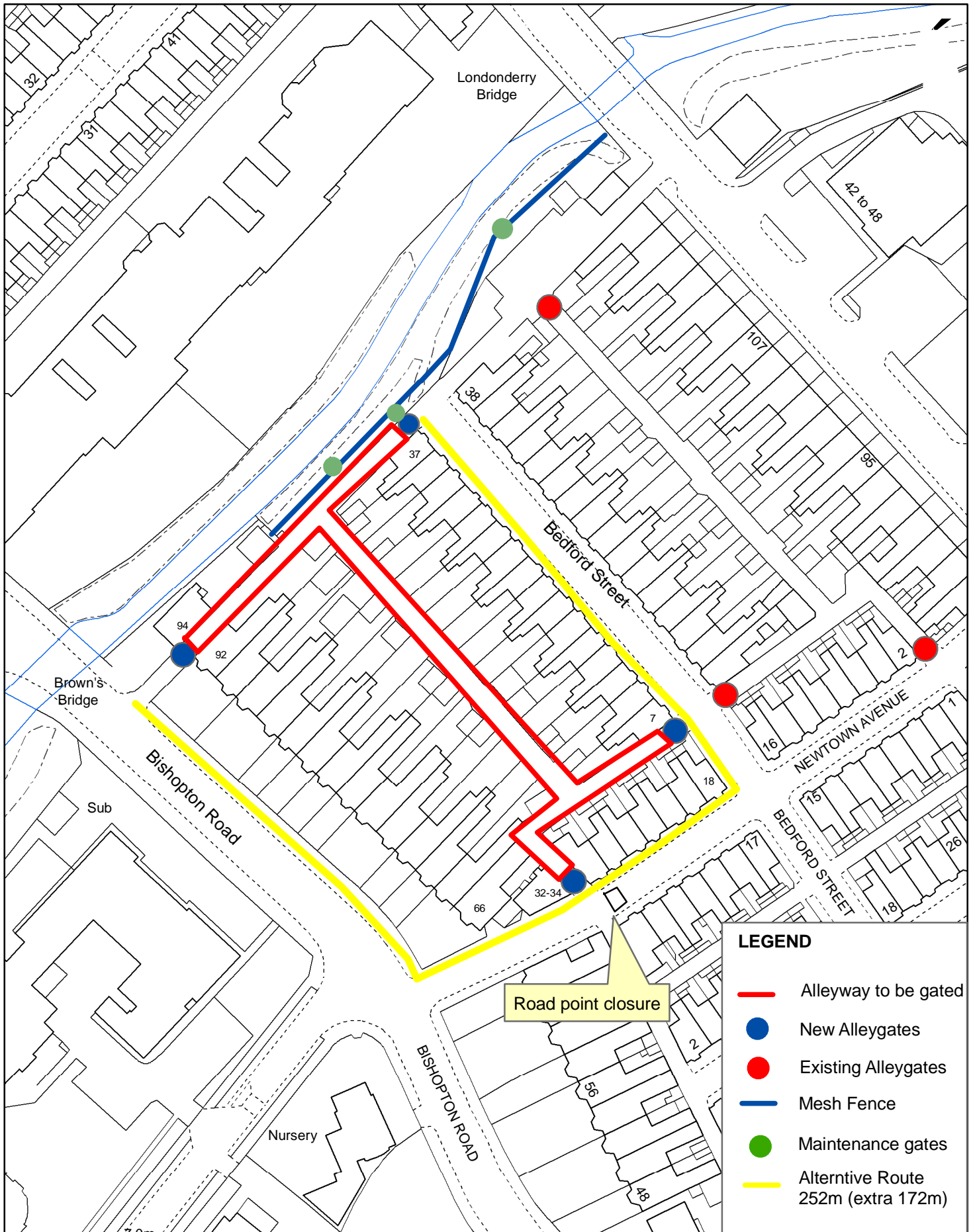
1. Plan detailing alleyway in Newtown that forms part of Gating Order.
2. Notice of Making of the Gating Order
3. Gating Order
4. Correspondence relating to objection
5. Consultation questionnaire
6. Consultation results
7. Planning Application approval notice and letters of objection and support

Education Related Item?

No.

Ward(s) and Ward Councillors:

Newtown – Councillor's Paul Baker and Robert Gibson OBE



LEGEND

- Alleyway to be gated
- New Alleygates
- Existing Alleygates
- Mesh Fence
- Maintenance gates
- Alternative Route
252m (extra 172m)

Stockton-on-Tees
BOROUGH COUNCIL

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Ordnance Survey 100023297

Development & Neighbourhood Services
Corporate Director: P. Dobson

Head of Performance & Business Services: S Daniels
Municipal Buildings, Church Road,
Stockton-on-Tees. TS18 1LE
Telephone: (01642) 393939

Date: Sept 2013

Title:
Alleygates
Bishopston Rd - Bedford Street

Scale: 1:1,000

THE COUNCIL OF THE BOROUGH OF STOCKTON-ON-TEES

**MANDALE AND VICTORIA, NEWTOWN, STOCKTON TOWN CENTRE AND VILLAGE AREAS,
STOCKTON-ON TEES GATING ORDER 2013**

**Highways Act 1980 (incorporating the Clean Neighbourhoods and Environment Act 2005
Section 2)**

This Order is made by the Council of The Borough of Stockton-on-Tees ("the Council") under Section 129A of the Highways Act 1980 ("the 1980 Act") because the Council is satisfied that premises adjoining or adjacent to the highway are affected by crime or anti-social behaviour, the existence of the highway is facilitating that crime or anti-social behaviour and that it is expedient to make the Order for the purposes of reducing that crime or anti-social behaviour.

BY THIS ORDER

1. The public right of way along the highways (being back alleys) that run behind the full extent of the properties described in Schedule 1, and more particularly delineated in red on the plans attached to this Order, shall be restricted at all times commencing on the date of the making of this Order.
2. The restriction will continue for a minimum of 2 years and the continued need for the restricted access will be reviewed by the Council on an annual basis.
3. Alternative routes can be accessed via the footpaths and roads described in Schedule 2, more particularly delineated in yellow on the attached plans to this Order.
4. Those persons and groups described in Schedule 3 shall be exempt from the provisions of this Order.
5. The installation, operation and maintenance of the gates at either or both ends of the highways for the enforcement of the restriction are hereby authorised.

SCHEDULE 1

Properties to the rear of which rights of way are restricted:

Mandale and Victoria

Falkirk Street (1-31 odds only), along full length of the side of 40 Barker Road, Barker Road (26-40 evens only) and Mansfield Avenue (132-136evens only), all in Thornaby.

Newtown

Bedford Street (7-37 odds only), Bishopton Road (66-92 evens only) and Newtown Avenue (18-34 evens only), and the side of 7 Bedford street and the highway between the front elevation of 92 Bishopton Road, along the full length side of 94 Bishopton Road, and the front elevation of 37 Bedford Street, all in Stockton-on-Tees.

Stockton Town Centre

Bright Street (8-20 evens only) and Millbank Court (14-19 odds and evens), both in Stockton-on-Tees.

Village

Behind Wheeldale Crescent (28-32 evens only)

SCHEDULE 2

In respect of Mandale and Victoria via Falkirk Street, Barker Road and Manfield Avenue, and in respect of Newtown via Bedford Street, Newtown Avenue and Bishopton Road. There are no alternative routes in respect of Stockton Town Centre and Village, Stockton-on-Tees.

SCHEDULE 3

Emergency Services, Statutory Undertakers, Utility Service providers, persons acting in their capacity as Officers of the Council, persons and/or vehicles required in connection with essential

maintenance work, residents of properties adjacent to or affected by the restrictions on the highways described in Schedule 1.

The barriers to be erected to give effect to this Order shall be maintained by the Council. If you need to contact the Council regarding the condition of the gates please telephone Care For Your Area on 01642 391959.

Dated

Executed as a Deed by affixing the Common Seal of
The Council of the Borough of Stockton-on-Tees
in the presence of:-

Authorised Officer of the Council

Function 213, Page 180

Statement of Reasons

Mandale and Victoria

Falkirk Street (1-31 odds only), along full length of the side of 40 Barker Road, Barker Road (26-40 evens only) and Mansfield Avenue (132-136 evens only), all in Thornaby.

Newtown

Bedford Street (7-37 odds only), Bishopton Road (66-92 evens only) and Newtown Avenue (18-34 evens only), and the side of 7 Bedford street and the highway between the front elevation of 92 Bishopton Road, along the full length side of 94 Bishopton Road, and the front elevation of 37 Bedford Street, all in Stockton-on-Tees.

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Bright Street (8-20 evens only) and Millbank Court (14-19 odds and evens), both in Stockton-on-Tees.

Village

Behind Wheeldale Crescent (28-32 evens only)

- “Alleygating is a situational crime prevention measure, which attempts to reduce crime by removing opportunities for offenders to commit crimes.” (Bowers, K., Johnson, S and Hirschfield, A. 2003)
- Requests have been received by Stockton Borough Council officers from residents and Ward Councillors to install alleygates at the entrances to the alleyways of the above streets. Many of the requests received for gates are as a direct result of crime/anti social behaviour taking place in the alleyway.
- Statistics have been provided by the Police, Fire Brigade and the Council cleansing team for these streets to justify the need for alleygates in this location. The Council is 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.
- Mandale and Victoria – July 2011 to July 2012 – 4 serious crime and anti-social behaviour incidents in the alleyway. During this period there were 10 incidents of fly tipping. For the period April 2012 to April 2013 there were 10 incidents of fly tipping in the alleyway.
- Newtown – November 2011 to November 2012 – 1 serious crime and anti-social behaviour incident in the alleyway. During this period there were 21 incidents of fly tipping. For the period April 2012 to April 2013 there were 17 incidents of fly tipping in the alleyway.
- Stockton Town Centre – April 2011 to April 2012 – 3 serious crime and anti-social behaviour incidents in the alleyway. During this period there was 1 incident of fly tipping. For the period April 2012 to April 2013 there were 6 incidents of fly tipping in the alleyway.
- Village – April 2012 to April 2013 – 17 serious crime and anti-social behaviour incidents in the alleyway.

Consultation has been carried out with all residents living on the streets to gauge their support for the installation of alleygates in their alleyway.

- Mandale and Victoria – 13 responses were received back from 27 questionnaires (48% response rate). All 13 were in support of the scheme (100% support rate).
- Newtown - 21 responses were received back from 38 questionnaires (55% response rate). 20 were in support of the scheme (95% support rate).

- Stockton Town Centre – 6 responses were received back from 13 questionnaires (46% response rate). All 6 were in support of the scheme (100% support rate).
- Village – 3 responses were received back from 3 questionnaires (100% response rate). All 3 were in support of the scheme (100% support rate).
- It has been assumed that those residents who have not responded to the initial consultation have no objections to the installation of alleygates. Further opportunities for objection are given during the Planning & Legal Order processes.

Since 2002 many areas across the Borough have benefited from having alleygates installed, particularly the four main priority areas. Statistics have shown that there has been a 43% reduction in domestic burglaries, 64% reduction in fires and 58% reduction in anti social behaviour in alleygated areas.

THE COUNCIL OF THE BOROUGH OF STOCKTON-ON-TEES
NOTICE OF THE MAKING OF GATING ORDERS
HIGHWAYS ACT 1980

GATING ORDER IN MANDALE AND VICTORIA, NEWTOWN, STOCKTON TOWN CENTRE AND VILLAGE AREAS, STOCKTON-ON TEES

The Council of The Borough of Stockton-on-Tees ("the Council") proposes to make the gating order set out in draft form below in accordance with Section 129A of the Highways Act 1980 (incorporating the Clean Neighbourhoods and Environment Act 2005 Section 2)

MANDALE AND VICTORIA, NEWTOWN, STOCKTON TOWN CENTRE AND VILLAGE AREAS, STOCKTON-ON TEES GATING ORDER 2013

This Order is made by the Council of The Borough of Stockton-on-Tees ("the Council") under Section 129A of the Highways Act 1980 ("the 1980 Act") because the Council is satisfied that premises adjoining or adjacent to the highway are affected by crime or anti-social behaviour, the existence of the highway is facilitating that crime or anti-social behaviour and that it is expedient to make the Order for the purpose of reducing that crime or anti-social behaviour.

BY THIS ORDER

1. The public right of way along the highways (being back alleys) that run behind the full extent of the properties described in Schedule 1, and more particularly delineated in red on the plans attached to this Order, shall be restricted at all times commencing on the date of the making of this Order.
2. The restriction will continue for a minimum of 2 years and the continued need for the restricted access will be reviewed by the Council on an annual basis.
3. Alternative routes can be accessed via the footpaths and roads described in Schedule 2, more particularly delineated in yellow on the attached plans.
4. Those persons and groups described in Schedule 3 shall be exempt from the provisions of this Order.
5. The installation, operation and maintenance of the gates at either or both ends of the highways for the enforcement of the restriction are hereby authorised.

SCHEDULE 1

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Stockton Town Centre

Bright Street (8-20 evens only) and Millbank Court (14-19 odds and evens), both in Stockton-on-Tees.

Village

Behind Wheeldale Crescent (28-32 evens only)

SCHEDULE 2

In respect of Mandale and Victoria via Falkirk Street, Barker Road and Manfield Avenue, and in respect of Newtown via Bedford Street, Newtown Avenue and Bishopton Road. There are no alternative routes in respect of Stockton Town Centre and Village, Stockton-on-Tees.

SCHEDULE 3

Emergency Services, Statutory Undertakers, Utility Service providers, persons acting in their capacity as Officers of the Council, persons and/or vehicles required in connection with the essential maintenance work, residents of properties whose rear access is taken from the highways described in Schedule 1.

The barriers to be erected to give effect to this Order shall be maintained by the Council. If you need to contact the Council regarding the condition of the gates please telephone Care For Your Area on 01642 391959.

Copies of the Order and the Order plans, together with a statement of reason has been placed and may be seen free of charge at Stockton Customer Service Centre, Central Library, The Square, Stockton-on-Tees during normal office hours Monday to Friday inclusive, and on the Council's website. Copies may be bought for £2.00.

Any representation about or objection to the making of the Order must be sent in writing to the Director of Law and Democracy at the address below not later than 8 August 2013, stating the grounds on which they are made.

Dated 11 July 2013

D E Bond
Director of Law and Democracy
Stockton-on-Tees Borough Council
Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD

70, Bishopston Road,
 Stockton-on-Tees,
 Tees Valley
 TS19 0AS

Date:- 15 July, 2013

Dear D. E. Bond.

I own 68 and 70 Bishopston Road and strongly oppose your move to Alleygate at the rear of these properties. Last year we had the worst flooding at Browns Bridge since I moved here in 1985. The only exit was via the back alley. Only Stockton Council would remove funding from much needed flood prevention and divert it to an unnecessary project. I assisted the Council to obtain funding for the Newtown Centre which was to be a 'Drop-In Centre' agreed after consultation with residents. This was another promise never fulfilled.

I worked for many years with difficult young people at Aycliffe Young Persons Centre. There are no problems of anti-social behaviour and we have the lowest crime rate because Newtown is a community and your proposed Order will destroy this.

I will seek an injunction against the Council should you seek to curb my freedom of movement and would seek compensation if the scheme went ahead and either property experienced flood damage.

Such an Order should have seen consultation on a face to face level with our councillors. Since 1985 I have yet to meet ours.

Yours faithfully,
 Denis A. Hart

M. Phil (Watts), MA (Keele), MA (Notts), B.Sc (Soc) Lond
 Visiting Fellow at Teesside University in Health
 and Social Care Law

My Ref: UDN0011_15_2013/14
Your Ref:
Please ask for: John Angus
Tel: 01642 526499
Email: john.angus@stockton.gov.uk

PO Box 229, Kingsway House,
West Precinct, Billingham
TS23 2YL
Tel: (01642) 526709
Fax: (01642) 526713
DX 60611
Postcode for Sat Nav purposes
TS23 2NX

25th July 2013

Dear Mr Denis Hart

GATING ORDER IN MANDALE AND VICTORIA, NEWTOWN, STOCKTON TOWN CENTRE AND VILLAGE AREAS, STOCKTON-ON TEES

I write in response to your letter dated 15th July 2013 in connection with the above advertised proposal, specifically the Newtown location, which was officially received by the legal section.

I would firstly like to give you some background to the proposal.

In 2004/05 alleygates were installed to all the other alleyways in the Bedford Street area. At this time the alleyway between Bishopton Road and Bedford Street was also assessed for the erection of the alleygates, but it was deemed not to be feasible due to the layout of the alleyway. Since this time the Council has continued to receive complaints from local residents regarding incidents of crime and anti-social behaviour taking place in this alleyway, which are supported by reports to the police and anti-social behaviour team.

Alleygating is a tried, tested and proven Crime Reduction Initiative. It has been used very successfully all over the country and is an excellent example of how partnership work between local authorities, the police and the community can proactively combat crime and anti-social behaviour.

A report prepared by Stockton Police showed that the installation of alleygates across the Borough resulted in a 43% reduction in Domestic Burglary, a 64% reduction in Deliberate Fires, a 58% reduction in Anti-Social Behaviour (ASB) and a 52% reduction in Fly tipping after the gates were installed.

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.

The Council are satisfied that these criteria are being met.

The local ward councillors indicated that they viewed this proposal as a priority for their ward, stating that they would be prepared to allocate funds from the Community Participation Budget (CPB) to an alleygating scheme. The CPB is a Stockton Council fund which is allocated across the Borough on a ward-by-ward basis to undertake improvement schemes. This budget is prioritised by the ward councillors.

With this allocation of funding Council officers entered into discussions with a third party landowner with a view to erect security fencing on their land, which would enable the alleyway, with the installation of alleygates, to be fully secured. As these discussions were positive officers began a consultation exercise with local residents.

This consultation showed that the majority of those who responded were in support of the scheme, only yourself raised an objection.

Following this 2 separate applications were made, 1 for the making of a Gating Order to close off the alleyway and another for Planning permission as the alleygates would be over 2m tall.

In your letter you mention the funding for the flood defence improvement scheme to Lustrum Beck.

The Environment Agency have responsibility for flood risk management on Lustrum Beck as it's a main river. They have already secured £415K of Local Levy funding for a scheme for Lustrum Beck and have submitted a bid to Government for a further £1m which would allow for a better scheme which would provide more protection for the residents. The outcome of the bid will be known in early 2014; residents will be notified of the outcome.

Information on the flooding and funding of a future scheme was given at a public meeting on 15th May 2013, at Newtown Resource Centre; all residents of the area were invited to attend this meeting.

The Alleygate scheme is a scheme to reduce anti-social behaviour and improve security for residents. The scheme in the Bedford Street/ Bishopton Road area will not impact in any way on the flood risk to the properties in that area, which will remain the same. The scheme will not impact on any future flood alleviation work and has not redirected funds; flood alleviation funding cannot be used for alleygates and vice versa; they are completely separate funding streams.

The proposal to install the alleygates in the Bedford Street/Bishopton Road area is being funded through a Council fund (Community Participation Budget).

Also in your letter you indicated that you have yet to meet your ward councillors (Cllr Paul Baker and Cllr Robert Gibson, OBE). For your information they hold a ward surgery every 2 weeks alternating between Ragworth Neighbourhood Centre and Newtown Resource Centre. Details, including their contact information are available on the Council's website.

Your letter has been recorded by the legal section as an objection to the proposed Gating Order. If you wish your objection to stand it will be referred to the Council's Appeals and Complaints Committee for consideration. The Appeals and Complaints Committee is independent to the Gating Order process and as an objector you would be invited to attend and to address committee members if you so wish.

I would be grateful if you could complete the enclosed reply indicating if you wish your objection to stand and be considered by the Appeals and Complaints Committee or if you wish to officially withdraw your objection. I would appreciate it if you could return the reply slip by Friday 16th August 2013; a pre-paid envelope is enclosed for your convenience.

Yours Sincerely



John Angus
Community Project Officer

CC Councillor Paul Baker
Councillor Robert Gibson, OBE
Sue Wilkinson, Legal Assistant

Mr Denis Hart
70 Bishopton Road
Stockton-on-Tees
TS19 0AS

To: Community Project Officer
Stockton-on-Tees Borough Council
Technical Services
PO BOX 229
Kingsway House
West Precinct
Billingham
TS23 2YL

Ref: UDN0011_15_2013/14

Dear Mr Angus

GATING ORDER IN MANDALE AND VICTORIA, NEWTOWN, STOCKTON TOWN CENTRE AND VILLAGE AREAS, STOCKTON-ON TEES

With reference to my letter to the Council's Corporate Director of Law & Democracy regarding the above proposal and the contents of your correspondence dated 25th July 2013:

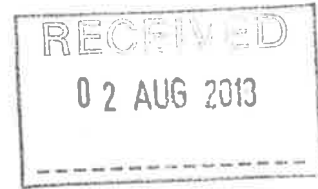
- | | |
|--|------------|
| 1. I wish my objection to the proposed Gating Order to be considered by the Council's Appeals and Complaints Committee | YES / NO * |
| 2. I wish to withdraw my objection to the proposed Gating Order | YES / NO * |

(* Please delete as appropriate)

From:
Address:
.....
.....
Postcode:
Date:

Please return reply slip by 16th August 2013

To: Community Project Officer
Stockton-on-Tees Borough Council
Technical Services
PO BOX 229
Kingsway House
West Precinct
Billingham
TS23 2YL



Ref: UDN0011_15_2013/14

Dear Mr Angus

EVEN THIS TITLE
IS WRONG WITH REGARDS
TO PREVIOUS
CORRESPONDENCE

GATING ORDER IN MANDALE AND VICTORIA, NEWTOWN, STOCKTON TOWN CENTRE AND VILLAGE AREAS, STOCKTON-ON TEES

With reference to my letter to the Council's Corporate Director of Law & Democracy regarding the above proposal and the contents of your correspondence dated 25th July 2013:

1. I wish my objection to the proposed Gating Order to be considered by the Council's Appeals and Complaints Committee YES / ~~NO~~ *
2. I wish to withdraw my objection to the proposed Gating Order ~~YES~~ / NO *

(* Please delete as appropriate)

From: D. A. HART
Address: 70 BISHOPTON ROAD
..... STOCKTON - ON - TEES
.....
Postcode: TS 19 0AS
Date: 30/7/2013

Please return reply slip by 16th August 2013



Stockton-on-Tees
BOROUGH COUNCIL

Big plans, bright future

My Ref: BC/JL/103
Your Ref:

Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD
SAT NAV code: TS19 1UE

Tel: 01642 527032
Email: robert.cook@stockton.gov.uk

Date: 23 July 2013

Dear Mr Hart

Thank you for your letter dated 22 July 2013. I am looking into the issues you have raised and will respond more substantively to you in due course.

Yours sincerely

Councillor Bob Cook
Leader of the Council

Denis A Hart
70 Bishopton Road
Stockton-on-Tees
TS19 0AS



The Government Standard

23 JUL 2013

70 Bishopton Road
Stockton-on-Tees
Cleveland
TS190AS

22/07/2013

WITHOUT PREJUDICE

Re: Alley gates, mesh etc in Bishopton Road

Dear Council Leader

I am writing this as courtesy before I make an official complaint to the Local Government Ombudsman. I received a letter from D.E. Bond your Director of Law and Democracy by 'Signed for' post. This states clearly that representation may be made until August 8th 2013. I wrote accordingly and posted my response on July 15th 2013. Imagine my surprise when I received a letter on Saturday 20th July 2013 from Carol Straughen your Head of Planning informing me: -

- the Council had already met on the 15th July 2013.
- had reached a decision approved subject to conditions.
- had considered my response to D.E. Bond, which could not have been received at that time.

This is a clear breach of the democratic consultation process and at no point has anyone engaged the issues I raised. I need urgent assurance from you that no action will be taken to install alley gates or mesh fencing until a properly planned process of consultation has been implemented and completed as failure to do so would constitute a number of breaches by the Council which would need to be raised with the Local Government Ombudsman. Issues around the ECHR and Human Rights Act, 1998 are also relevant and issues around Habeas Corpus - "movement without let or hindrance".

It may be helpful to explain the prime objections as they may lead to me seeking an injunction against the Council at some point.

1. Last year we had the worst flooding ever in the Newtown area yet the Council has withdrawn funding to help support the Environment Agency provide better flood defences.
2. The installation of ally gates at Browns Bridge will prevent emergency vehicles notably fire engines entering an effectively enclosed area. Should there be a fire to the rear of any property how would you expect the Fire Service to respond?
3. Evacuation at the bottom end of Bishopton Road was by RNLI dinghies. Again the alley gates would not allow access to the rear of the properties affected when during the last flood it was the only safe route in and out.
4. There is no alternative through route to Durham Road until the bend at the top of Bishopton Road. One solution would be to make Newtown Avenue a through road but seems not to have been considered.
5. The narrow road that leads onto the back of Bishopton Road where many residents have garages they regularly use will become even more restrictive and may mean that either these residents would have to park elsewhere or downsize their vehicle to fit through what would become a narrower gap. This will have a monetary impact in the short term for many and may even cause property values to drop as garages become unusable for their intended purpose.

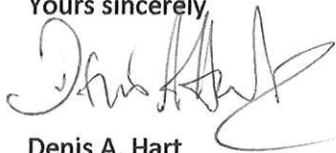
6. On the occasions that Newtown has been flooded the only way my household and my tenants at 68 Bishopton Road could get out to the local Bedford Street shop was via the back. Properties with alley gates already installed are too high up to be affected currently though global wetting may change this.
7. I really cannot see any wisdom in wire meshing the beck - it won't hold back flood water and we are not being over-run by insurgents.

This is an ill thought out and dangerous scheme reflecting more a commitment to ghettoisation than to dealing with a real problem of flooding. There is virtually no crime in this block - anti social behaviour being concentrated outside the local off-licence 600 yards to the east of the area.

I am asking you to address serious errors in your consultation process including the need to engage with the issues identified. I feel that I am affording you more courtesy than your Officers have afforded to me.

Obviously there are further issues such as the impact on property values, the increased liability on the Council for damage incurred through further flooding and the like but hopefully we can avert these now by a little more thought than currently given to the Council's proposals. Please take this letter as formal feedback to Development Control.

Yours sincerely,



Denis A. Hart
M.Phil(Notts), MA(Keele), MA(Notts) B.Sc(soc)Lond, CQSW,
Visiting Fellow at the University of Teesside

c.c. D.E. Bond - Director of Law and Democracy,
Ms. C. Straughen - Head of Planning,
Ms. D. Moody - Legal clerk.

My Ref: BC/JL/106
Your Ref:

Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD
SAT NAV code: TS19 1UE

Tel: 01642 527032
Email: robert.cook@stockton.gov.uk

Date: 14 August 2013

Dear Mr Hart

Alleygates at Bishopton Road

I refer to your letter dated 22 July. Firstly, I must clarify that there are two separate procedures to follow prior to the erection of alleygates. Planning Permission must be applied for and obtained and this process is dealt with by the Planning Department. The application was submitted on 29 April 2013 and public consultation carried out by the planning department. Your objection to the planning application dated 16 May was duly received and considered by the officer before planning permission was granted. The officer's report is available for viewing on our website and clearly includes reference to your objections. The letter dated 20 July 2013 from Carol Straughan was in reference to the planning application which had been granted prior to receipt of your letter of 15 July.

Secondly, a Gating Order must be made before the alleygates can restrict access to a highway. This is subject to a separate consultation process which commenced on 4 July and included a notice in the local press and consultation letters sent by recorded delivery to the affected addresses, including your property. Your letter of objection dated 15 July was received by the Director of Law and Democracy and I can assure you that it has been accepted as a valid objection and will be considered before any final decision is taken. You may have already received a response from the team leading on the Gating Order, namely Urban Design.

I am satisfied that the consultation process for the Gating Order has been carried out correctly and the due process will continue to be followed.

Yours sincerely



Councillor Bob Cook
Leader of the Council

Denis A Hart
70 Bishopton Road
Stockton-on-Tees
TS19 0AS



My Ref: UDN0011_15_2013/14
Your Ref:
Please ask for: John Angus
Tel: 01642 526499
Email: john.angus@stockton.gov.uk

PO Box 229, Kingsway House,
West Precinct, Billingham
TS23 2YL
Tel: (01642) 526709
Fax: (01642) 526713
DX 60611
Postcode for Sat Nav purposes
TS23 2NX

19th August 2013

Dear Mr Denis Hart

I have been forwarded a copy of the letter, which you sent to the Leader of the Council (Councillor Bob Cook); dated 22nd July regarding alleygates, mesh etc. in Bishopton Road.

I understand that Councillor Cook has replied to you clarifying the situation concerning the separate procedures which are required for the proposal to erect alleygates.

Within your letter you explain your objections to the proposal to install alleygates to the alleyway at the rear of Bishopton Road/Bedford Street/Newtown Avenue. I would like to provide you with further information regarding this proposal in response to these points you raise.

1. Lustrum Beck is a main river and as such flood risk management responsibilities are with the Environment Agency. The Environment Agency has already secured £415k and submitted a further bid to Government for £1.2m for a scheme to reduce the risk of flooding in the area. The outcome of the bid is expected in February 2014. In the meantime the Council is supporting the Environment Agency by working in partnership on the technical aspects of this scheme. There has never been any Council funding for this scheme, as the Council are not the responsible authority for main rivers, therefore the statement that the Council has withdrawn funding is incorrect.
2. The alleygates across the Borough operate on a Master Key system. Master Keys have been given to the emergency services to allow them access through the gates whenever they require. Since the alleygate programme started in 2002, there have been no incidents where the emergency services have not been able to respond to an incident, where access was required through an alleygate.
3. as above
4. The proposed installation of alleygates on the alleyway between Bishopton Road and Bedford Street would not affect the vehicular route between Bishopton Road and Durham Road. The road point closure on Newtown Avenue was installed sometime in the 1970/80's as a road safety scheme, to address the issue of people using the road as a shortcut (rat-run). Residents with garages/in curtilage parking provision, which are accessed from the alleyway, will continue to have the option to enter/exit this alleyway as they currently do. The installation of the alleygates would make the bollards which are located to the side of 37 Bedford Street redundant. These would be removed with the installation of the

alleygates, providing an additional point of access to residents. There is no reason to reopen the closure on Newtown Avenue, with the installation of the alleygates.

5. The proposed alleygates nearest the beck will have an open width of 2.8m; the other 2 alleygates will have an open width of 2.3m. This is sufficient width to accommodate not only cars, but also commercial vehicles. Larger alleygates are to be installed near to the beck to assist the Environment Agency in undertaking maintenance in this area. It is also understood that some residents park their commercial vehicles to the rear of their property, accessed from the alleyway; the alleygates would not impede their access.
6. The proposal will not affect access to and from the rear of properties as each property will be given the opportunity to collect a key, which will open all four alleygates proposed for the alleyway. Residents in areas where the alleygates are already installed have been given this same opportunity to collect keys to the gates on their particular alleyway.
7. The wire mesh fencing along the beck is not a flood defence measure. Its purpose is to secure the alleyway (along with the alleygates) and the beck to remove the opportunity for criminal and anti-social behaviour activity taking place in the alleyway and the beck, i.e. fly-tipping in the beck which could affect the flow of water; fly tipping is known to increase flood risk.

I have enclosed a copy of the Gating Order, Statement of Reasons and plan showing where the alleygates are proposed to be installed.

Schedule 3 of the Gating Order lists the persons and groups who shall be exempt from the provisions of the Order, i.e. who will be provided with a key to the alleygates.

As I previously advised your letter dated 15th July 2013 has been recorded by the legal section as an objection to the proposed Gating Order. Please can you advise, in light of the additional information above, if you still wish for your objection to stand being referred to the Council's Appeals and Complaints Committee for consideration, or if you wish for it to be removed?

I would be grateful if you could complete the enclosed reply indicating if you wish your objection to stand and be considered by the Appeals and Complaints Committee or if you wish to officially withdraw your objection. I would appreciate it if you could return the reply slip by Monday 2nd September 2013; a pre-paid envelope is enclosed for your convenience.

Yours Sincerely



John Angus
Community Project Officer

CC Councillor Paul Baker
Councillor Robert Gibson, OBE

Sue Wilkinson, Legal Assistant

Mr Denis Hart
70 Bishopton Road
Stockton-on-Tees
TS19 0AS

To: Community Project Officer
Stockton-on-Tees Borough Council
Technical Services
PO BOX 229
Kingsway House
West Precinct
Billingham
TS23 2YL

Ref: UDN0011_15_2013/14

Dear Mr Angus

GATING ORDER IN MANDALE AND VICTORIA, NEWTOWN, STOCKTON TOWN CENTRE AND VILLAGE AREAS, STOCKTON-ON TEES

With reference to my letter to the Council's Corporate Director of Law & Democracy regarding the above proposal and the contents of your correspondence dated 19th August 2013:

- | | |
|--|------------|
| 1. I wish my objection to the proposed Gating Order to be considered by the Council's Appeals and Complaints Committee | YES / NO * |
| 2. I wish to withdraw my objection to the proposed Gating Order | YES / NO * |

(* Please delete as appropriate)

From:

Address:

.....

.....

Postcode:

Date:

Please return reply slip by 2nd September 2013

To: Community Project Officer
Stockton-on-Tees Borough Council
Technical Services
PO BOX 229
Kingsway House
West Precinct
Billingham
TS23 2YL

Ref: UDN0011_15_2013/14

Dear Mr Angus

GATING ORDER IN MANDALE AND VICTORIA, NEWTOWN, STOCKTON TOWN CENTRE AND VILLAGE AREAS, STOCKTON-ON TEES

With reference to my letter to the Council's Corporate Director of Law & Democracy regarding the above proposal and the contents of your correspondence dated 19th August 2013:

1. I wish my objection to the proposed Gating Order to be considered by the Council's Appeals and Complaints Committee

YES / ~~NO~~

2. I wish to withdraw my objection to the proposed Gating Order

~~YES~~ / NO *

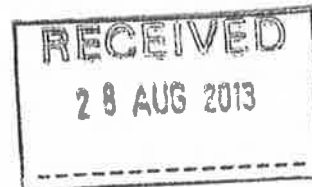
(* Please delete as appropriate)

From: D. HART

Address: 70 BISHOPTON ROAD

Postcode: TS19 0AS

Date: 27/8/2013



Please return reply slip by 2nd September 2013

WITHOUT PREJUDICE

70, Bishopson Road
Stockton-on-Tees
TS 19 0AS

02 SEP 2013

27/8/2013

Re: - Alleygates in Newtown

Dear Councillor Cook:

I am in receipt of your Mr. Angus' letter of the 19th instance. Whilst laudable it does not engage the 2 key issues — both of which ironically relate to safety — namely resolving concerns about further flooding and access by the Fire Service.

I'm delighted to hear there are bids to be made for the reduction of risk of flooding. I hope to win the Lottery but aspirations are a poor basis on which to build Policy. The Council may deny liability for flooding at present but, as I'm sure as your Head of Democracy and Legal Services will confirm, once you intervene, in this case by installing alleygates to prevent INSTANT access you acquire a measure of liability. I continue to maintain that the Bishopson Road area is in a flood plain and instant access is required in emergency situations.

My second objection is that Fire Service vehicles could not respond to fires at the back of these properties. You would have to hose across from Bedford Street or Newtown Avenue if you seal off the lane by the back. Propose alleygates which allow Fire Service vehicle access and my complaint on these grounds would evaporate.

With regards to "rat runs", a dated 1990's alarmist term like 'ram raiding', I wrote reports for Tony Hodgson and Mike Batty to secure EU funding for the Newtown Centre. What was produced wasn't what the community identified and included a police office. Surely that is a better defence than mesh. I never thought for one moment mesh was to prevent flooding. My irony was clearly wasted.

Incidentally the argument no emergency vehicles have been impeded since 2002 is tautological. We haven't had alleygates. What happens elsewhere is not relevant as those streets are not in the flood plain and there is road access for the Fire Service

I note your recording my complaint on the internet has led to a number of calls, some pro, some anti and I find myself explaining my position. Isn't that the proper function of a public meeting or would you prefer I converse my own?

I'm afraid "Big Plans for keeping communities safe" is at best a misnomer. Drug dealing is rife outside A.A. Johnson's shop and trafficked locally. No enforcement action is apparent. Erecting alleygates like expensively paving the High Street is cosmetic and doesn't grapple with the real problems of a neighbourhood starved of resources.

Yours sincerely,

Denis A. Hart.

M. Phil (Notts), MA (Keele), MA (Notts),

B Sc (Sec) Lond,

Visiting Fellow at the University of Teesside
and Author of Youth Inclusion Project research by
the YJB and on behalf of Stockton Council 2002.

My Ref: BC/JL/110
Your Ref:

Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD
SAT NAV code: TS19 1UE

Tel: 01642 527032
Email: robert.cook@stockton.gov.uk

Date: 3 September 2013

Dear Mr Hart

Alleygates at Bishopton Road

I refer to your letter dated 27 August.

I am aware of two letters sent to you by John Angus from the Urban Design team of the Council in which he clearly explains that the alleygates will not increase the flood risk to the adjacent properties and that the fire brigade have a master key for the gates to access the lane in an emergency, whether that be a flood or a fire.

Residents themselves will also have the opportunity to obtain a key to open the gates to maintain access for themselves at all times, including opening the gates in an emergency.

Your objection to the gating order has not been posted on the website, you may be referring to your objection to the planning application for which the public consultation process makes it clear that all representations received will be available to the public to view.

Your objection to the Gating Order will be considered by the Appeals and Complaints Committee, on a date to be advised to you in due course, which is open to the public should anyone else wish to attend. You can attend the meeting and address the committee and your outstanding concerns will be fully considered.

Drug dealing is a police matter therefore please refer any such incidents or other criminal activity to the police who will action it accordingly.

Yours sincerely



Councillor Bob Cook
Leader of the Council

Denis A Hart
70 Bishopton Road
Stockton-on-Tees
TS19 0AS

Bedford Street/Bishopton Road/Newtown Avenue

STOCKTON ALLEYGATING QUESTIONNAIRE

Thank you for taking the time to complete this questionnaire, the results of which will be used to help determine whether there is a need to erect gates on the back alleyways in your neighbourhood.

Name: _____

Address: _____

1. Which of the following options best describes your home?

Owner Occupier (1)

Rented from Tristar Homes (2)

Rented from a housing association (3)

Rented from a private landlord (4)

Renting sheltered accommodation (5)

Private Landlord (6)

If rented, please include the name of your Landlord / Organisation:

Name: _____

Address: _____

2. Do you use your back yard for car parking?

Yes (1) No. (2)

Should you require an alleygate key, the first key per property will be free of charge, with all replacement and additional keys charged at £10 per key.

3. Do you think you will require a key to the alleyway?

Yes (1) No. (2)

4. Do you feel safe to enter your back alley at any time during the day?

Yes (1) No. (2)

5. How afraid are to leave your home unoccupied when you are out?

Not afraid at all (1) A little afraid (2) Quite afraid (3)

Please turn over

6. How much of a problem are the following issues IN THE REAR ALLEYS in your neighbourhood?

	Not a Problem (1)	A slight problem (2)	A fairly big problem (3)	A big problem (4)	Don't Know (5)
People hanging about in the rear alleys.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Being robbed or mugged in the alleyway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anti-social behaviour due to people taking drugs in the alley.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anti-social behaviour due to drunkenness/drinking in the alley.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People dealing drugs in the alley.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Litter being left in the alley.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dog Fouling in the alley.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People leaving large items of rubbish in the alley.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dirty needles or other drugs litter being left on the ground in the alley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Would you be in favour of the Alleygating scheme being introduced to the alley located to the rear of your property?

Yes (1) No. (2)

If 'No', please could you tell us why?

Thank you for your help.

Bedford Street/Bishopton Road/Newtown Avenue

Consultation Results

No of properties	Replies/Returns	Response Rate	In Favour	% in Favour
38	21	55%	20	95%

In his objection to Planning and the Gating Order Mr Hart advised that he is the owner of 68&70 Bishopton Road, during the consultation there was no return from 68 Bishopton Road.

	Not a problem	A slight problem	A fairly big problem	A big problem	Don't know
People hanging about in the alleyway	1	4	4	11	1
Being robbed or mugged in the alleyway	2	5	3	4	7
Anti-social behaviour due to people taking drugs in the alley	2	2	2	11	4
Anti-social behaviour due to drunkenness/drinking in the alley	1	2	3	12	3
People dealing drugs in the alley	1	1	1	11	7
Litter being in the alley	1	1	5	15	1
Dog fouling in the alley	1	3	4	12	2
People leaving large items in the alley	0	3	4	13	1
Dirty needles or other drug litter begin left on the ground in the alley	2	3	3	8	6
	11	24	25	97	32

www.stockton.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

APPROVAL SUBJECT TO CONDITIONS

Application Number: 13/1037/FUL

Applicant :

Technical Services
Kingsway House
West Precinct
Billingham
TS23 2YL

Agent :

Stockton Borough Council - Urban Design
Kingsway House
West Precinct
Billingham
TS23 2YL

This Council of Stockton on Tees as the Local Planning Authority **HEREBY PERMIT** the development proposed by you in your application registered on 1 May 2013 namely

Application for erection of alleygates to entrance of alleyways and erection of 2.4 m high mesh fencing alongside watercourse, with gates to allow maintenance access at 66-94 Bishopton Road, 18-34 Newtown Avenue, 7-37 Bedford Street, Stockton On Tees

and shown on the approved plan(s) subject to the compliance with the Building Regulations and general statutory provisions in force in the district and subject to the conditions and reasons specified hereunder:

01 The development hereby permitted shall be begun before the expiration of THREE years from the date of this permission.

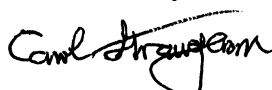
Reason

By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

Change to planning procedure relating to Amendments to Approved Plans

As a result of changes contained in the Town and Country Planning (General Development Procedure)(Amendment No 3) (England) Order 2009 There are now procedures for dealing with Non Material changes to Planning permissions, Varying conditions attached to a planning permission under Section 73 of the Town and Country Planning Act 1990 and planning applications which seek to extend the period of an Extant planning permission granted on or before 1st October 2009 for development which has not yet begun. For further guidance please contact the Development Services Section.

Dated: 15 July 2013



Head of Planning

This decision relates to planning consent only. Any other statutory decision e.g. Building Regulation and Improvement Grant must be obtained from the appropriate authority

02 The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
SBC0001	1 May 2013
UDN-0011_15	1 May 2013
UDN-0011_15A	29 April 2013
UDN-0011_15B	29 April 2013

Reason: To define the consent.

03. The following works are not allowed under any circumstances:
- _ No equipment, signage, structures, barriers, materials, components, vehicles or machinery shall be attached to or supported by a retained tree;
 - _ No fires shall be lit or allowed to burn within 10 metres of the canopy spread of a tree of within the Root Protection Zone;
 - _ No materials shall be stored or machinery or vehicles parked within the Root Protection Zone;
 - _ No mixing of cement or use of other materials or substances shall take place within the Root Protection Zone or within such proximity where seepage or displacement of those materials or substances could cause them to enter the Root Protection Zone;
 - _ No unauthorised trenches shall be dug within the Root Protection Zone.

The post holes should be hand dug carefully and if any roots greater than 25mm or numerous smaller fibrous roots are encountered the hole should be back filled with the existing soil and a new position for the post holes located where few roots or no roots are found.

Reason : In the interest of the amenity of the area

04. Notwithstanding the submitted drawings, the colour of the mesh fencing shall be black (RAL 7021) to match the existing alley gates, unless otherwise agreed by the Local Planning Authority.

Reason: In the interest of the amenity of the area.

Informatives

The scheme has been considered against the policies below and it is considered that the scheme accords with these policies as the development does not have an adverse impact on the character and appearance of the street scene, does not have an adverse impact on the amenity of the neighbouring land users and is not considered to have a detrimental impact on highway safety and there are no other material considerations which indicate a decision should be otherwise.

Adopted Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel
 Adopted Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change
 National Planning Policy Framework - March 2012

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If this is a decision to refuse planning permission for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.**
- **In the case of any other decision if you wish to appeal against the decision of the Local Planning Authority's decision then you must do so within 6 months of the date of this notice.**
- Appeals must be made using a form which you must get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS 1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any direction given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land to grant it subject to conditions, the owner may claim that the land has become incapable of reasonable beneficial use in its existing state and in a case where planning permission was granted subject to condition, that the land cannot be rendered capable of reasonable beneficial use by the carrying out of the permitted development in accordance with these conditions, and in any case that the land cannot be rendered capable of reasonably beneficial use for the carrying out of any other development for which planning permission has been granted or for which the Local Planning Authority or the Secretary of State has undertaken to grant planning permission.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated requiring the council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Part VI of the Town and country Planning Act 1990.

By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended) and Article 7(1) of the Town and country Planning General Development Order 1988, where outline planning permission is granted on or after the 1st April 1969 of this section it shall be granted subject to the condition that in the case of any reserved matter, application for the approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission and that the development to which the permission relates must be begun not later than whichever is the later of the follow dates:-

- (i) the expiration of three years from the date of the grant of outline planning permission;
- Or
- (ii) the expiration of two years from the final approval of the reserved matters or in case of approval on different dates, the final approval of the last such matter to be approved.

The attention of developers is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to the consent constitutes a contravention of the provisions of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.

REPRESENTATION FORM

OM VACK
BH

APPLICATION DETAILS

App No.	13/1037/FUL	Case Officer	Miss Debra Moody
Location	66-94 Bishopton Road, 18-34 Newtown Avenue, 7-37 Bedford Street Stockton Ont Tees		
Proposal	Application for erection of alleygates to entrance of alleyways and erection of 2.4 m high mesh fencing alongside watercourse, with gates to allow maintenance access.		

YOUR DETAILS - If you are wishing to make comments on the application you **MUST** complete Your name and address details

Name	DENIS HART		
House No	70		
Street	BISHOPTON ROAD		
Email		Tel No	XXXXXXXXXX

It is important that you provide your signature and date where indicated otherwise comments will be treated as anonymous.

Please enter any comments the box below and if necessary use overleaf.

OBJECTIONS

1. I OWN 68 & 70 BISHOPTON ROAD. LAST YEAR WITH THE FLOODS THE ONLY ACCESS WAS VIA THE REAR OF THESE PROPERTIES. ALLEY GATES ARE UNWISE FOR SUCH CIRCUMSTANCES IMPEDING ACCESS. THE MONEY IS MORE WISELY SPENT ON FLOOD PREVENTION WHICH IT HAS WITHDRAWN FROM
2. NO FITTING OR STRUCTURE MAY BE ATTACHED EXTERNALLY TO 68 OR 70 AND I WOULD TAKE THE COUNCIL FOR A JUDICIAL REVIEW IF ANY ATTEMPT WERE MADE TO DO SO
3. ANYONE LIVING IN AN ALLEYGATED AREA MUST BE OFFERED COUNCIL TAX REBATE AS THE COUNCIL MAKES SAVINGS AT THE EXPENSE OF CITIZENS LIBERTY
4. YOU ARE IN BREACH OF THE EUROPEAN CONVENTION AS A COUNCIL IF YOU PLACE SOMEONE AT RISK OF HARM (IMPEDING ACCESS - WITHHOLDING FLOOD PREVENTION FUNDING) AND IMPOSING ON RESPECT OF FAMILY LIFE AND PRIVATE LAW BY UNNECESSARY INTRUSION

Signature: Denis Hart Date: 15/5/13

Important - Please tick whether your comments are objections, supporting or representations in the comment box below

Object	<input checked="" type="checkbox"/>	Support	<input type="checkbox"/>	Representation	<input type="checkbox"/>
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REPRESENTATION FORM

DM v ACK
Planning
RU

APPLICATION DETAILS

STOCKTON CUSTOMER SERVICES
RECEIVED
14 MAY 2013

App No.	13/1037/FUL	Case Officer	Miss Debra Moody
Location	66-94 Bishopton Road, 18-34 Newtown Avenue, 7-37 Bedford Street Stockton Ont Tees		
Proposal	Application for erection of alleygates to entrance of alleyways and erection of 2.4 m high mesh fencing alongside watercourse, with gates to allow maintenance access.		

YOUR DETAILS - If you are wishing to make comments on the application you **MUST** complete Your name and address details

* Name			
House No	76		
Street	BISHOPTON ROAD		
Email		Tel No	01642 XXXXXX XXXXXX

* Andrew.Luzaka@XXXXXX XXXXXX

* **It is important that you provide your signature and date where indicated otherwise comments will be treated as anonymous.**

Please enter any comments the box below and if necessary use overleaf.

We fully support the addition of alleyway gates as it provides security to our back yards, prevents unwanted people drinking and leaving rubbish bags in Alleyway.

STOCKTON PLANNING COUNCIL
PLANNING
13 MAY 2013
DATE RECEIVED

Signature Aluzaka Date 14/05/2013

Important - Please tick whether your comments are objections, supporting or representations in the comment box below

Object		Support		Representation	<input checked="" type="checkbox"/>
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DM
ACK/LB

Sample, Lindsay

From: david mills ~~XXXXXXXXXXXX~~
Sent: 14 May 2013 11:32
To: Planning Administration
Subject: application number: 13/1037/FUL

RE: APPLICATION FOR ALLEYGATES
LOCATION: 66-94 BISHOPTON ROAD, 18-34 NEWTON AVENUE, 7-37 BEDFORD STREET STOCKTON ON TEES

My name s David Mills and I am co-owner of 92 BISHOPTON ROAD. I want to go on record as being fervently in favour of there alley gates.

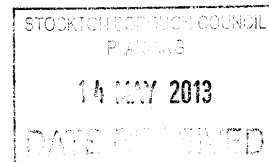
The alley that is presently open t public is regularly used by people to sit and drink alcohol both during day and night.

Additionally this seems to attract of activities that may or may not be illegal. My property is directly next to this alley and we receive unwanted litter thrown over our fence from time to time.

Finally, I have 5 children and it would feel much safer knowing that our back area/garden is more secure than it presently feels.

Many thanks in advance

David Mills



REPRESENTATION FORM

DM^{ack} 24

①

APPLICATION DETAILS

App No.	13/1037/FUL	Case Officer	Miss Debra Moody
Location	66-94 Bishopton Road, 18-34 Newtown Avenue, 7-37 Bedford Street Stockton Ont Tees		
Proposal	Application for erection of alleygates to entrance of alleyways and erection of 2.4 m high mesh fencing alongside watercourse, with gates to allow maintenance access.		

YOUR DETAILS - If you are wishing to make comments on the application you **MUST** complete Your name and address details

Name	MR + MRS CHAPMAN + FAMILY.		
House No	35		
Street	BEDFORD ST	TS19 0DA	
Email		Tel No	XXXXXXXXXXXXXXX

It is important that you provide your signature and date where indicated otherwise comments will be treated as anonymous.

Please enter any comments the box below and if necessary use overleaf.

We fully support the proposal to avoid -

- fly tipping.
- Dog Faeces.
- Torn black bin bags.
- Rubbish.
- People walking through using the beck as a rubbish bin.
- People urinating
- People drinking alcohol
- Dealing drugs.

STOCKTON PARISH COUNCIL
Planning
16 MAY 2013
DATE RECEIVED

Signature *[Signature]* Date 12.5.13
may.

P.T.O →

Important - Please tick whether your comments are objections, supporting or representations in the comment box below

Object		Support		Representation	<input checked="" type="checkbox"/>
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• HOUSEHOLD RUBBISH BEING SET ALIGHT THE NIGHT BEFORE REFUSE COLLECTION ②

• BURNT OUT CARS

• Unwanted rubbish put out before the refuse collection date.

12.5.2013



REPRESENTATION FORM

STOCKTON BOROUGH COUNCIL
PLANNING
28 MAY 2013

APPLICATION DETAILS

App No.	13/1037/FUL	Case Officer	Miss Debra Modder
Location	66-94 Bishopton Road, 18-34 Newtown Avenue, 7-37 Bedford Street Stockton On Tees		
Proposal	Application for erection of alleygates to entrance of alleyways and erection of 2.4 m high mesh fencing alongside watercourse, with gates to allow maintenance access. <i>gates</i>		

YOUR DETAILS - If you are wishing to make comments on the application you MUST complete Your name and address details

Name	MRS CHRISTINE THWAITES		
House No	78		
Street	BISHOPTON RD		
	STOCKTON - ON - TEES, TS19 6AS		
Email		Tel No	01642 XXXXXXX

It is important that you provide your signature and date where indicated otherwise comments will be treated as anonymous.

Please enter any comments the box below and if necessary use overleaf.

I have no objections to alleygates as long as there is easy access for the Council to organise cleaning of the alleys, and maintenance.

As far as the mesh fencing along the beck side - how does this fit with plans to solve the problem of flooding? At a recent meeting at Newtown Resource Centre we were told that there is a local fund of over £400K for Browns Bridge flooding defence work, but that this was being held onto until a wider scheme was decided upon using Partnership Funding with the Government. Is there not a need for solid walls along the beck-side and around the Bridges?

Signature..... *C. Thwaites* Date..... *25/05/13*

Important - Please tick whether your comments are objections, supporting or representations in the comment box below

Object	<input type="checkbox"/>	Support	<input type="checkbox"/>	Representation	<input checked="" type="checkbox"/>
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REPRESENTATION FORM

DM
ACK/LS

APPLICATION DETAILS

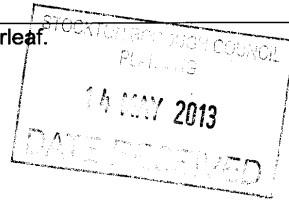
App No.	13/1037/FUL	Case Officer	Miss Debra Moody
Location	66-94 Bishopton Road, 18-34 Newtown Avenue, 7-37 Bedford Street' Stockton Ont Tees		
Proposal	Application for erection of alleygates to entrance of alleyways and erection of 2.4 m high mesh fencing alongside watercourse, with gates to allow maintenance access.		

YOUR DETAILS - If you are wishing to make comments on the application you **MUST** complete Your name and address details

Name	MR JOE CLAY		
House No	94		
Street	BISHOPTON ROAD		
Email	XXXXXXXXXXXX	Tel No	

It is important that you provide your signature and date where indicated otherwise comments will be treated as anonymous.

Please enter any comments the box below and if necessary use overleaf.



GENERAL COMMENT

GLAD TO SEE THING HAPPENING
"AT-LAST."
LAST WEEK A CAR WAS SET ALIGHT IN
THIS AREA. PLUS DRUG-DEALING STILL GOING ON
REPORTED BY PHONE 101 (NO-ACTION)

Signature..... *J. Clay* Date.....

Important - Please tick whether your comments are objections, supporting or representations in the comment box below

Object		Support	<input checked="" type="checkbox"/>	Representation	
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