

Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Thursday, 26th September, 2013.

Present: Cllr David Wilburn(Chairman), Cllr Norma Wilburn(Vice-Chairman), Cllr Robert Gibson, Cllr Maurice Perry

Officers: John Angus(DNS), Allen Squires, Sarah Whaley(L&D)

Also in attendance: Eddie Lincoln(Crime Reduction Officer, Stockton Police)

Apologies: Cllr Ian Dalgarno, Cllr Ross Patterson, Cllr Andrew Sherris

ACC 14/13 Declarations of Interest

Cllr Bob Gibson declared a personal interest in respect of agenda item 5, Alleygates - Newtown, as he was the ward councillor for Newtown. He made representations but did not take part in the vote when item 5 was considered.

ACC 15/13 Minutes of the meeting held on 20 June 2013.

Consideration was given to the minutes from the meeting which was held on the 20th June 2013 for approval and signature.

AGREED that the minutes be approved and signed by the Chairman.

ACC 16/13 Procedure

The Committee considered and agreed a proposed procedure for the meeting, which the Chairman explained ahead of the following item.

RESOLVED that the procedure be agreed.

ACC 17/13 Alleygates - Newtown

Members were provided with a report relating to an outstanding objection received following statutory advertising of the 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).

An Officer from Technical Services was in attendance to present the report.

It was explained to the committee that the Council had 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 were experiencing high levels of crime and anti-social behaviour, termed by the Police and Fire Brigade as 'Hot Spot' areas.

It was confirmed that the alleyway to the rear of Bedford Street, Bishopton Road and Newtown Avenue was identified as a priority for alleygates in 2004/05. At that time, however, 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

the alleyway at Bedford Street, Bishopton Road and Newtown Avenue was omitted from the programme which installed alleygates to all the other alleyways, in that area of Newtown.

The Committee heard that the Police and Fire Authority confirmed that issues which had been brought to light previously were still causing issues and complaints from residents were still being received.

A representative from Stockton Police confirmed to the Committee that Stockton Police encouraged the use of alleygates to reduce crime and anti-social behaviour and was in support of the proposed order, as they were of the opinion that such alleys could be used as 'rat runs' for criminal activities. In support of his opinion he identified that Stockton Police had had 21 incidents reported to them between September 2012 and September 2013 in the area of the proposed order.

In 2011/12 the alleygate programme budget came to an end, however after a further reinvestigation in 2012/13 it was deemed an eligible scheme through the Community Participation Budget.

Officers explained to the committee that in addition to the alleygates being installed the installation of security fencing had been agreed with a third party landowner (the Environment Agency), on land adjacent to Lustrum Beck which ran alongside the alleyway allowing the alleyway to be fully secured.

It was confirmed that the scheme had been through the relevant consultation procedures, including local ward councillors, members of the public and the local Planning Authority. The notice of making the Gating Order was advertised on the 11th July 2013 with the objection period expiring on the 8th August 2013. One letter of objection was received from a member of the public, details of which was included in the attached report.

The Objector was not present to make representation to the Committee however the main issues identified within the report by the complainant were the impacts to funding for flood defences, access for emergency services (in particular the Fire Service), and instant access on occasions when the area may flood.

Following the officer's report the Committee raised questions in relation to potential access restrictions on garage users. In response details were provided on the width of the proposed alley gates in this area and that the gates near to Lustrum Beck were to be larger than standard alleygates, with keys being available to all residents. Questions were further raised regarding access for emergency services, specifically the Fire Service. Clarification was provided by the Officer, that following consultation with the Fire Service it had been confirmed access to the alleys was not required for their vehicles as other processes were used. Alleygates would not obstruct such vehicles and the emergency services had master keys for the alleygates.

The Committee also considered that as keys to alley gates were available for all residents, in practice instant access to the alleys was always available including during occasions of flooding.

The Officer and the representative from Stockton Police Authority then left the meeting room.

The Committee, in the presence of officers from Law and Democracy, considered its decision taking account of the written information provided to it and verbal representations it received at the meeting.

Members were mindful of the flooding issues being experienced in this area; however, having considered fully all the information provided they agreed that funding for flooding was a distinct issue not directly related to the funding for the proposed gating order. The Committee also considered that as keys to alley gates were available for all residents, in practice instant access to the alleys was always available including during occasions of flooding.

Members were satisfied that the installation of alleygates would not prevent access for emergency services, as they would have a master key. It was also noted that the Fire Service had stated their vehicles would not be required to enter the alleys, even though alleygates would not obstruct such vehicles.

In considering all the factors the Committee were in agreement that the proposed order would not make the current flooding situation any worse and that the access issue could be managed appropriately through the proper use of keys by residents and the emergency services.

Members considered information of the effect alleygates had had in other areas in relation to reducing crime and anti-social behaviour. The Committee agreed that alley gates were a tried and tested method to reduce crime and anti-social behaviour in such circumstances, it was a method supported by the police and that sufficient levels of crime and anti-social behaviour did exist in the area subject to the proposed order. Members were therefore of the view that that on balance the proposed installation of alleygates was justified.

The Committee noted the objectors concerns, along with the representation from the Corporate Director of Development and Neighbourhood Services, and of those members who voted it was agreed that the reasons set out in the objection did not outweigh the reasons for making the proposed Order and therefore the objection was not upheld.

RESOLVED that the Corporate Director of Development and Neighbourhood Services be recommended not to uphold the objection.