

Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Wednesday, 26th March, 2008.

Present: Cllr Robert Gibson, Cllr Mrs O'Donnell (vice Cllr Baker) and Cllr Mrs Mary Womphrey

Officers: J. Butcher, M. Henderson (LD), J. Angus (DNS)

Also in attendance: Mr D. Fern (Objector), PS Lincoln (Cleveland Police)

Apologies: Cllr Paul Baker, Cllr Ian Dalgarno, Cllr Alan Lewis, Cllr Andrew Larkin and Cllr Mohammed Javed

ACC 4/07 Declarations of Interest

There were no declarations of interest.

ACC 5/07 Procedure

All those present were informed of the procedure for the meetings of the Appeals and Complaints Committee.

RESOLVED that the procedure be noted.

ACC 6/07 Alleygates 2007/2008 - Thornaby - on - Tees

The committee initially considered a report of the Corporate Director of Development and Neighbourhood Services, which was presented by Mr. John Angus.

Members were reminded 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.

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 the programme. The 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 would be included within a Gating Order.

To minimise the risk of displacing incidents to un-gated areas the alleygate programme investigated the installation of gates across as wide an area as possible.

It was explained that, for 2007/08 the recommendation to the Head of Community Protection was for the Gating Order to include a number of alleyways in Thornaby. Members were provided with appropriate location plans together with statistics that, it was considered, revealed that the alleyways in question were affected by crime and anti-social behaviour over an extended period.

This scheme had been through the relevant consultation procedures, including the local ward councillors and members of the public. Overall there had been support for the proposals.

The Gating Order to restrict access along these alleyways at all times had been advertised on 3rd December 2007, with the objection period expiring on 18th January 2008. Following the publication of the statutory notices, the Director of Law and Democracy had received two letters of objection. One objection had been resolved, however the remaining objection had not. Copies of correspondence received from the objectors and responses to that correspondence was provided to the Committee.

Members were informed that the statistical information supplied by Cleveland Police and Cleveland Fire Brigade to the alleygate steering group showed that all alleyways in the area covered by the Gating Order, including those mentioned in the objection were affected by crime or anti-social behaviour and more recent information reaffirmed this.

The outstanding objection had been received from Mr Denis Fern and related to the restriction to the alleyways at the rear of 123 – 171 Thornaby Road.

Mr Fern was present at the meeting and provided his reasons for objecting:-

- The gates would create a wind tunnel and would prove difficult to handle, particularly for older people.
- The gates would create the wrong impression of the area and consequently house prices would drop. No compensation was on offer for this.
- The alleygates he was objecting to, were to be positioned on an alley that did not suffer from crime and cases of anti social behaviour were rare and minor in nature.
- The crimes or anti social behaviour that existed would migrate to other nearby locations.
- Responses to consultation had been low, as only 16 out of 38 households had responded and, therefore, may not be representative of all residents views.

An Officer from Cleveland Police, Sergeant Eddie Lincoln, was present at the meeting and spoke in support of the alleygates.

Sergeant Lincoln indicated that the gates that would be used, were the best available from a security point of view but were lightweight, unaffected by wind and easy to handle. He indicated that gating had a very positive affect on crime committed at the rear of properties and also hindered criminals means of escape.

Mr Fern queried why the gating order covered a general area rather than each specific alley.

It was explained that the relevant legislation referred to highways, and the steering group was happy to look at individual alleys, as well as areas as a

whole. It was considered that all alleys identified in the proposed Order would benefit from gating, individually, and that gating in the wider area would increase this benefit.

At this point the committee agreed that it had received sufficient evidence and the objector and officers, other than those from Law and Democracy, left the meeting room whilst the committee considered its decision.

Members discussed the information and representations it had received and was satisfied that the alleyways identified would benefit from the Gating Order in terms of a reduction in crime and anti social behaviour. Overall, security would improve and there was no evidence that crime would migrate to other areas. The Committee noted that the gates would not be significantly affected by wind and were lightweight and easy to handle. Additionally, consultation had indicated support for the proposals amongst residents affected and there had been only one objection.

In view of the above the committee felt it could not uphold the appeal and considered that the Gating Order should proceed.

RESOLVED that the Head of Community Protection be recommended to implement the Gating Order.