

AGENDA ITEM

**REPORT TO EXECUTIVE
SCRUTINY**

31 JULY 2012

**REPORT OF DIRECTOR
OF LAW & DEMOCRACY**

REVIEW OF GATED COMMUNITIES

Summary

Following appointment of a Task and Finish Group to review access to Gated Communities, evidence was gathered regarding properties with controlled access systems. This was then presented to the Group to assess whether there are any issues for investigation.

Detail

1. The following motion was agreed at Council on 9 March 2011:

"This Council acknowledges the trend towards increased numbers of gated communities within the Stockton Borough Council Area necessitating entry codes to access and leave.

Council recognises the practical difficulties this creates for delivery of mail and other communications. Council therefore requests that the issue be considered by the Executive Scrutiny Committee or a Task Finish Group."

2. Executive Scrutiny Committee appointed to a Task and Finish group on 8 May 2012, and the group met on 21 June 2012 to discuss the initial evidence gathered regarding access issues to residential properties. The minutes of the meeting are attached at **appendix 1**.
3. The Emergency Services, Post Office, and several services within Stockton Borough Council, including Care For Your Area, Community Protection, Electoral and Adult Social Care, had been contacted to ask whether they had experienced any issue with access to residential properties due to entry code gates, intercom, or any other controlled access system. The Electoral Team had experienced difficulties accessing two sets of flats when carrying out the Annual Canvas, the team held contact details for key holders to enable them access. Adult Social Care also noted one occasion where a social worker had experienced difficulty accessing a property. There were no other issues with access reported.
4. Planning informed that there are no planning requirements for intercom systems, and that a development of up to five dwelling may have gated access if the area behind the gates is not to be adopted public highway and the gates do not open

out on to public highway. Legal Services informed that Alley Gate Orders are made under Section 129A of the Highways Act 1980 (including the Clean Neighbourhood & Environmental Act 2005 Section 2) at residents' request.

5. Tristar noted that a review by their Scrutiny Panel has led to investment planning being identified for low to mid rise properties which will include some improvements to door entry systems.
6. All Council Members were asked if they had experienced any difficulties in accessing residential properties while carrying out their ward work. Ten Members replied giving examples of gated communities, individual properties and blocks of flats with intercom access system, and retirement villages within seven wards which they found difficult to access when delivering leaflets, newsletters, conducting surveys and ward walks. It was noted that arrangements had been put in place for some of these properties to ensure Members can carry out their ward work, e.g. leaving leaflets with a house manager, asking a resident to hand deliver newsletters, posting newsletters, and holding a surgery in a retirement village.
7. The concierge service for Tristar properties is carried out by Security Service and a policy had been agreed with Tristar in 2006 for Ward Councillors and political parties entering properties to carry out ward work and canvassing. The policy is attached at **appendix 2**.
8. Following discussion of the evidence presented, the Task and Finish Group concluded that the only significant issue was Ward Member access. Using Ward Member contacts and local knowledge as current practice was the most appropriate arrangement for gaining access to controlled access properties and in order to build up a contact list.
9. Although the Task and Finish Group noted there is no planning or building requirements when building new developments to ensure access for those who wished to circulate information, Members queried whether Planning Services could highlight this issue with developers at planning application stage.
10. The Task and Finish Group agreed that there were no further issues regarding access to gated communities or properties with controlled access systems to investigate and therefore no further review work required.

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