

# CHESHIRE WEST AND CHESTER

## REPORT TO REGULATORY HEAD OF SERVICE

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**Date of meeting:** Wednesday 1<sup>st</sup> February 2012

**Report of:** Joanne Byrne, Safer, Stronger Partnership Officer

**Executive Member:** Councillor Lynn Riley

### 1. REPORT TITLE: The Proposed Gating of alleyways of

1.1 Alexandra Street, Edwards Street and Grace Road, Ellesmere Port.

### 2. Is this a Key Decision?

2.1 No.

### 3. What is the report about?

3.1 A proposal to make an Order under Section 129A Part 8A of the Highways Act 1980 to gate public footpaths, between Alexandra Street, Edwards Street and Grace Road in Ellesmere Port.

Proposed Gating Order Alexandra Street towards Edward Road Ellesmere Port 2011



#### **4. What Decision is required?**

4.1 Whether or not the proposed Gating Order should be made.

#### **5. How does the Decision contribute to the Council's Corporate Priorities?**

5.1 The proposed Order is designed to achieve a reduction in crime, disorder and antisocial behaviour (ASB) through the use of situational crime prevention. As such, it contributes to build safer and stronger communities, contributing to the environmental sustainability by building a clean, attractive, and healthy environment for all business, visitors and residents throughout the area. Delivering a customer focused response, to requests made to the Council for the installation of a Gating Order in this area.

#### **6. Report Details**

6.1 Residents of Alexandra Street made an application to the Council for a Gating Order in February 2011. The application form made reference to the alleyway facilitating issues such as youth nuisance, drug taking, and secondary fires.

6.2 Consideration has been given as to whether there are viable alternatives to a Gating Order, which may address the problems being experienced. Following the installation of a neighbouring Gating Order (appendix 1) in November 2011 to the Livingstone Road area, residents had reported that the number of issues relating to youth nuisance had increased.

6.3 In aiming to combat these issues; the Council's Community Safety Wardens frequently patrolled the area alongside Cheshire Police's PCSOs. Patrols undertaken found that there were no visual issues that required further action, however reported incidents of crime and ASB, shown in paragraph 7.3, does not reflect this.

6.4 individuals excluded from the affects of this Gating Order, include residents of properties that are adjacent to the proposed Gating Order and those whose health or mobility issues would be at detriment due to the installation of the Order.

6.5 This Gating Order will take effect on a 24/7 basis because of the likely effect on occupiers of premises adjoining or adjacent to the highway and on other persons in the locality. Taking particular regard to the availability of a reasonably convenient alternative routes less than 60 metres away. Rendering the resources required for managing the opening and closing arrangements disproportionate.

6.6 This Gating Order will be reviewed 12 following installation; from then on a review will be completed every 18 months by the Council to ensure that the Gating Order is still necessary and appropriate. Findings of each

review could result in the Gating Order being varied or removed in response to changes in the circumstances which led to an Order being made in the first instance.

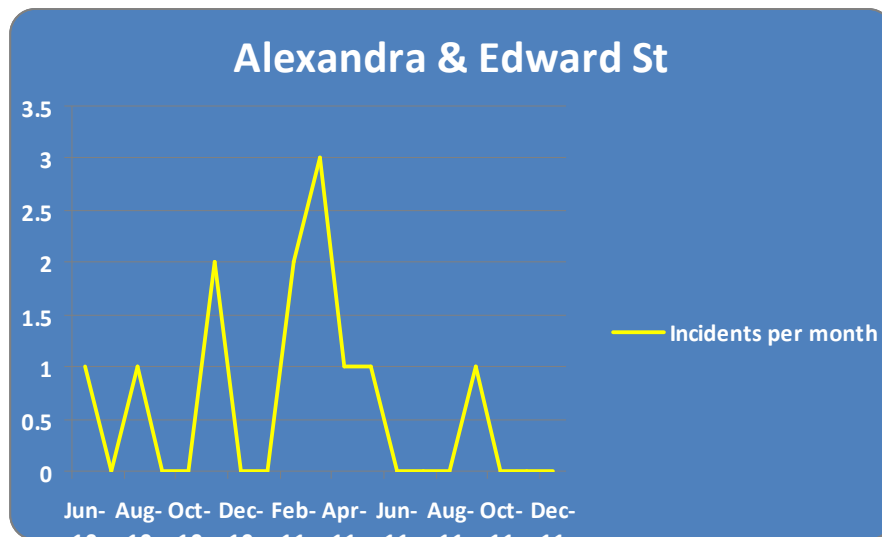
## 7. Reasons for the Recommendation

7.1 The chart illustrates incidents of crime and ASB reported to Cheshire Police from June 2010 to December 2011. This time period has been examined due to the installation of a Gating Order in a neighbouring area in November 2011; residents had reported that this had led to an increase in nuisance behaviours in their locality.

7.2 Cheshire Police report that from June 2010 to Dec 2011, there were 12 incidents, 7 of which (58.3%) were reported from Edward Street addresses with the other 5 (41.7%) being reported from Alexandra Street. There have been no incidents reported since September 2011. ASB and Domestic incidents comprise the predominance of reports.

|                         | 2010 |       | 2011 |       |
|-------------------------|------|-------|------|-------|
|                         | ASB  | Crime | ASB  | Crime |
| <b>Edward Street</b>    | 0    | 1     | 2    | 1     |
| <b>Alexandra Street</b> | 0    | 1     | 3    |       |
| <b>Total</b>            | 0    | 2     | 5    | 1     |

7.3



## 8. Time Line

8.1

| Date | Process |
|------|---------|
|------|---------|

|                             |                             |
|-----------------------------|-----------------------------|
| 3rd February 2012           | Decision Made               |
| 6th February 2012           | Draft Order in Press        |
| 16th March 2012             | Gating Order Made           |
| WC 19th March 2012          | Gating Order into Press     |
| 19 <sup>th</sup> March 2012 | Gating Order placed on site |
| 26 <sup>th</sup> March 2012 | Installation                |

8.2 Upon expiry of the statutory notice period of 19<sup>th</sup> March 2012, and in the absence of any objections received prior to this period (other than objections the nature and substance of which have already been considered during the informal consultation exercise undertaken), Officers be authorised to make the said Gating Order and erect barriers pursuant to the same; and,

8.3 Officers be authorised to give formal notice of the Council's intention to make an Order pursuant to Section 129A of the Highways Act 1980 in the form of the attached draft Order; and,

## 9. Officers recommendations

9.1 To apply a Gating Order to approximately 9 meters of footpath in between the roads set out in paragraph 1.1.

9.2 Keys will be granted to those residents who evidence health or mobility issues that are negatively impacted upon due to the proposed Gating Order, and those residents who's property's are adjacent to alley way in accordance to the key policy. Applications for keys will be granted on a case by case basis. Padlocks placed upon the gates will be secured in a manner as to reduce risk of their removal.

## 10. Costs

10.1

| Costs        | Amount    |
|--------------|-----------|
| Publications | £1,175.76 |
| Keys         | £70.00    |
| Gates        | £1,990.00 |
| Total        | £3,235.76 |

## 11. Publicity

11.1 The Council will publicise the public notice of intention within free local press, on Council webpage's and on gating locations. A copy of this advert is available (appendix 2).

## 12. Legal Aspects

12.1 Please see the making Places Safer Policy (appendix 3).

## 13. Consultation

13.1 A restricted evidence file can be found in (appendix 4). This evidence file has been reviewed by Head of Regulatory Services, whilst the evidence file is confidential in accordance with the provisions of the Data Protection Act 1998. The outcome of the consultations are summarised below, a further breakdown of the consultation results can be seen in (appendix 4).

| Area             | Total Number of addresses | Forms Completed | In favour | Against |
|------------------|---------------------------|-----------------|-----------|---------|
| Edward Street    | 5                         | 4               | 4         | 0       |
| Alexandra Street | 8                         | 4               | 4         | 0       |
| Grace Road       | 7                         | 3               | 3         | 0       |
| <b>Total</b>     |                           | 55%             | 100%      | 0%      |

### 13.2

| Area             | Total Number of addresses | Forms Completed | In favour | Against |
|------------------|---------------------------|-----------------|-----------|---------|
| Edward Street    | 5                         | 4               | 4         | 0       |
| Alexandra Street | 8                         | 4               | 4         | 0       |
| Grace Road       | 7                         | 3               | 3         | 0       |
| <b>Total</b>     | 27                        | 11              | 11        | 0       |

13.3 Residents of Edwards Street, Alexandra Street and Grace Road have been consulted through one to one contacts with Community Safety Wardens; an explanation was given of the proposed Gating Order and the implications for all those who would be affected. Residents commonly stated that the alley-ways facilitated crime and

disorder, including small secondary fires, drug related issues and youth nuisance. No consultation forms returned indicated opposition to the installation of the proposed Gating Order.

**14. Consultations in relation to this proposal have been undertaken with:-**

14.1 Local Residents of:-

Edwards Street  
Alexandra Street  
Grace Road

14.2 Local Government:

Cllr Justin Madders  
Cllr Lyn Clare  
Cheshire Police, Inspector Peter Case  
Cheshire Fire and Rescue Service  
The Highway Authority

14.3 The proposals for the Gating Order have been shared and minuted at the ASB task group meeting held December 2011. Support for the Gating Order has been received from the local residents, the Emergency Services, and local Councillors. The Highways and Public Rights of Way Service have not objected to the making of the Order.

**15. What risks are there and how can they be reduced?**

15.1 The risks have been addressed in the body of this report.

**16. Are there any other options?**

16.1 The availability of alternative options has been addressed in the body of this report.

***For further information:***

*Executive Member: Lynn Riley, Community and Environment*

*Officer: Joanne Byrne, Safer Stronger Partnerships Officer*

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***Background Documents:***

*Making Places Safer Policy, Alexandra Street Evidence File is available upon request.*

*Appendix*

*1 Livingstone Road Gating Plan 2010*

*2 Press Notice*

*3 Making Places Safer Policy*

*4 Evidence File*

*5 Consultation Results*