

# CHESHIRE WEST AND CHESTER

## REPORT TO REGULATORY HEAD OF SERVICE

**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 Brairfield Road towards Beechfield Road Beechfield Road towards Priestfield Road Enfield Road towards Victoria 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 Beechfield Road towards Briarfield Road, Beechfield Road towards Priestfield Road and Enfield Road in Ellesmere Port.

Proposed gating order - Enfield Road, Beechfield Road, Briarfield Road, Priestfield Road.  
(No.4 S129A Highways Act 1980 Ellesmere Port) Order 2012



#### **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 helping to build a clean, attractive, and healthy environment for all business, visitors and residents throughout the area. Delivering a customer focused response to requests made for the Council to apply a Gating Order in this area.

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

6.1 Elected Members had made the application to the Community Safety Team for a Gating Order to be considered for this area, due to displacement of crime and disorder following the installation of the Victoria Road Gating Order being installed in December 2010.

6.2 Consideration has been given as to whether there are viable alternatives to a Gating Order, which may address the problems being experienced. From June 2011 a multi agency action plan was instigated (appendix 1), during this time Cheshire Police and the Council's Community Safety Wardens increased foot patrols in the area and Streetscene frequently cleansed the areas of detritus materials. These efforts appeared to have been unsuccessful as no significant impact on crime; disorder and ASB has been recorded, as shown in paragraph 7.5.

6.3 Individuals excluded from the effects of this Gating Order are those residents whose 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.

6.4 There is a disproportionate amount of reported incidents of crime and ASB in the area surrounding the proposed Gating Order site. It is believed that such behaviours are facilitated by the sections of alleyways stated in paragraph 1.1, as they provide a convenient or concealed means of access and egress for those who wish to indulge in such reported behaviours.

6.5 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

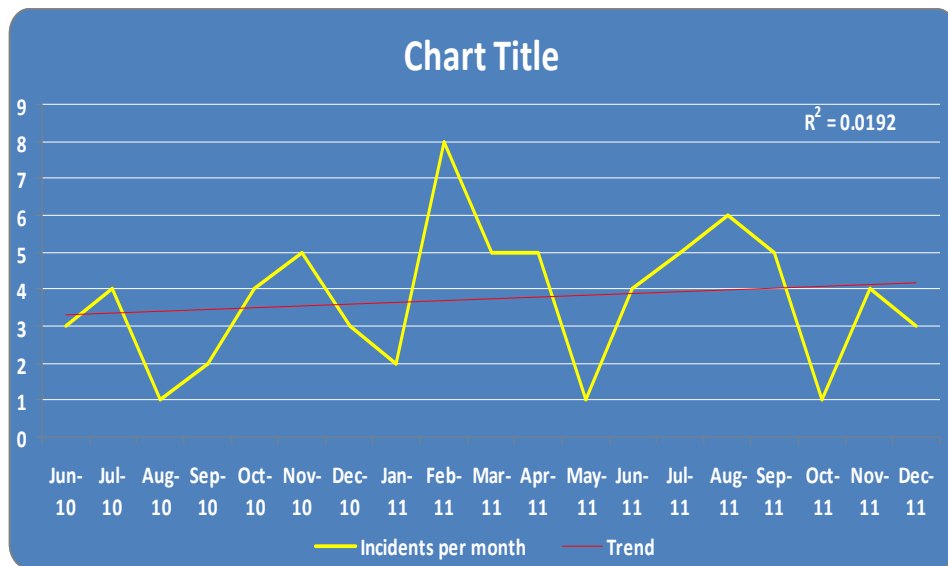
7.1 Data review period was June 2010 to December 2011. This time period has been examined due to a Gating Order being installed in close proximity of the proposed area in December 2010 (appendix 2). Residents had reported that this had led to an increase in nuisance behaviour in their locality, evidence in paragraph 7.5 supports this qualitative information.

7.2 Cheshire Police report that within this time period there were 71 incidents reported to Cheshire Police relating to the proposed gating area, the trend shows approximately 2% increase with no immediate prospect of decline.

7.3 Enfield Road and Briarfield Road reported over 70% of the 71 incidents.

7.4 The predominance of incidents (over 58%) comprises ASB, Burglaries, Criminal Damage, Domestic Violence and Suspicious persons.

7.5



## 8. Time line

8.2

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

8.3 Upon expiry of the statutory notice period of 19<sup>th</sup> March 2012, and in the absence of any objections received during the statutory notice 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,

8.4 To apply a Gating Order to approximately 506 meters of footpath in between the roads set out in paragraph 1.1.

8.5 This Gating Order should 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 route less than 60 metres away, rendering the resources required for managing opening and closing arrangements disproportionate.

8.6 Keys will be granted 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.

## 9. Costs

### 9.1

Contributions	Process
Community Safety Partnership	£18,574
Ellesmere Port ASB unit	£1,600
Our Place Team	£1,000
Total	£21,349.76

Costs	Amount
Publications	£1,175.76
Keys	£600
Gates	£20,000
Total	£21,775.76

## 10. Legal aspects

10.1 Please see the making Places Safer Policy (appendix 3)

## 11. Publicity

11.1 The Council will publicise the all public notices within free local press, on Council webpage's and on gating locations. A copy of these adverts are available (appendix 4)

## 11. Consultation

11.1 A restricted evidence file can be found in (appendix 5). This evidence file has been reviewed by the 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 consultation is summarised below.

### 11.2

Location	Number of Properties	Number of Responses	Percent of Responses	In Favour	Against	Total
Beechfield Road/Briarfield Road	55	33	66%	28	2	84% In Favour 6% Against
Beechfield Road/ Priestfield Road	43	32	74%	31	1	97% In Favour 3% Against
Enfield Road	47	19	40%	17	2	89% In Favour 22% Against
<b>Total</b>	<b>Number of Properties</b>	<b>Number of Responses</b>	<b>Percent of Responses</b>	<b>In Favour</b>	<b>Against</b>	
	165	95	58%	87	5	91% In Favour 5% Against

11.4 Residents of Beechfield Road, Priestfield Road, Brairfield Road and Enfield Road, have been consulted door to door over the time period of October 2011 to November 2011, the completed forms are shown in (appendix 6). Residents commonly stated that the alley-ways facilitated crime and disorder, including drug dealing, drug taking, fire setting behaviour, grafting, which encouraged people to gather at night, leaving residents feelings unsafe. Youths are known to gather in this space, consuming alcohol and causing distress to local residents. Residents who opposed the Gating Order, did so on the grounds that they did not want restrictions on public access to be applied.

## 12. Consultations in relation to this proposal have been undertaken with:-

12.1 Local Residents of  
Beechfield Road  
Brairfield Road  
Priestfield Road  
Enfield Road

12.2 Local Government  
Cllr Justin Madders  
Cllr Lyn Riley

12.3 Statutory Stakeholders  
Cheshire Police, Ellesmere Port Inspector Peter Case

Cheshire Fire and Rescue Service  
The Highways Authorities  
Utilities

12.4 All key stakeholders have been consulted regarding the proposed installation of this Gating Order; no objections to the proposals have been received.

### **13. Publicity**

13.1 The council will publicise all public notices within free local press, on Council webpage's and on gating locations. A copy of these adverts are available (appendix...)

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

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

### **15. Are there any other options?**

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

#### ***For further information:***

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#### ***Background Documents:***

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