

LEEDS LOCAL ACCESS FORUM

Meeting to be held in CIVIC HALL on
Tuesday, 13th May, 2008 at 6.30 pm

MEMBERSHIP

Mike Willison (Chair) - User of local rights of way
Phillip Maude - User of local rights of way
Didy Metcalf - User of local rights of way
Steven Wood - User of Local Rights of Way
Vacancy - User of Local Rights of Way
Doreen Lawson - Owners and Occupiers
Vacancy - Owners and Occupiers
Vacancy - Owners and Occupiers
Councillor J Dunn - LCC

Agenda compiled by: Laura Pilgrim
Governance Services
Civic Hall
LEEDS LS1 1UR
Telephone: (0113) 2474359

A G E N D A

- 1 **Apologies for Absence**
To receive apologies for absence (if any).
- 2 **Chair's Opening Remarks**
To receive the Chair's opening remarks.
- 3 **Minutes of the last meeting** 1 - 8
To consider the minutes of the last meeting held on 5th February 2008.
- 4 **Matters Arising from the last meeting**
To consider any matters arising from the minutes of the last meeting.
- 5 **Proposed Review Process for Alleygating Leeds** 9 - 16
To consider a report from the Alleygating Co-Ordinator regarding the Review Process for Alleygating Leeds.
- 6 **Gating Orders** 17 -
108
To consider the Alleygating Officers report on Gating Orders for White Laithe Garth, Whinmoor, Nancroft Mount, Armley and Aysgarth Estate, East End Park.
- 7 **Rights of Way Improvement Plan Update**
To receive an update on the progress of the Rights of Way Improvement Plan for Leeds.
- 8 **Open Access**
To receive an update on Open Access within Leeds.
- 9 **Natural England - Handbook for Local Access Forum Members**
To receive the Local Access Forum Handbook produced by Natural England.

(Copy attached separately for Members)
- 10 **Rights Of Way Circular - Guidance for Local Authorities**
To receive and consider the 'Rights of Way Circular – Guidance for Local Authorities' issued by DEFRA.

(Copy attached separately for Members)

- | | | |
|----|---|--------------|
| 11 | Discovering Lost Ways - E-Bulletin | 109 -
114 |
| | To consider the Discovering Lost Way E-Bulletin. | |
| 12 | Access Newsletter | 115 -
116 |
| | To receive the latest Access Newsletter issues by DEFRA. | |
| 13 | Date and Time of Next Meeting | |
| | The next meetings of the Local Access Forum will be on 15 th July 2008 at 18:30. | |

This page is intentionally left blank

Leeds Local Access Forum

Tuesday, 5th February, 2008

PRESENT: Dr. M. Willison in the Chair

Councillor C. Fox, Phillip Maude, Didy Metcalf and Steven Wood

IN

ATTENDANCE:

- Bob Buckenham - Assistant Countryside and Access Manager
- Brent Brady – Alleygating Coordinator
- Roger Brooks - Rights of Way Development Officer
- Laura Pilgrim – Governance Services Officer

66 Apologies for Absence

Apologies were received from Councillor Dunn and Mrs. D. Lawson.

67 Chair's Opening Remarks

The Chair welcome all Members and officers to the Forum and proposed that the order of the agenda be varied to take Agenda Item 7 'Gating Orders' first.

RESOLVED: That the agenda be varied to take Agenda Item 7 'Gating Orders' first.

68 Gating Orders

The Forum received a report of the Director of Neighbourhoods and Housing on proposed Gating Orders for Wellington Mount / Wellington Terrace and Back Stratford Terrace (Middle and Upper Sections). The Alleygating Coordinator advised the Forum that the proposed gating order for Back Sandhurst place had been withdrawn.

Wellington Mount / Wellington Terrace

The Alleygating Officer informed the Forum that the proposed gating order for this area covered two small paths which linked three streets in the Bramley area. The specific area had witnessed an increase in anti-social behaviour which included vehicle crime and criminal damage to residents' property. The two paths were used by youths moving to and from the St. Catherine's estate. Frequent damage was caused such as smashing windows but there had also been two serious incidents which had occurred in the area.

The following issues were discussed in questions to the Officer:

- The Community Safety Coordinator for the area had carried out the consultation with the residents of Wellington Grove, Wellington Terrace and Wellington Mount.
- The proposed gates would mean that instead of using the paths pedestrians would be redirected through Broad Lane which was very well lit and a quicker route.
- In relation to the respondents of the consultation the majority of the residents were in support of the Gating Order. There was one objector to the proposed Order but the Officer felt that she was not aware of some of the problems which many residents, especially those at the gable end of the street, experienced. The objection did not also refer to access issues.
- Some palisade fencing which was located along the path and around the school grounds had been pulled away. This would be fixed to ensure that no access to the path could be obtained.
- The Officer had not consulted directly with the Ramblers Association but agreed to review the list of consultees for all Gating Orders.
- In relation to potential problems with fly-tipping in the area if the gates were installed the Officer advised the Forum that the path was an area adopted by the local authority and would be maintained. Residents would have keys to access the paths and should report any fly tipping to the Council.
- A faulty street light near 35 Wellington Grove had been fixed but this had created an area for youths to congregate around.
- There were arguments for and against cutting back the shrubbery on the paths. If the area was cut back it could be used by people to hide in and one woman had been approached by someone who had hidden in the shrubbery and threatened with assault. However if the area was cut back it provided a larger area for littering and fly-tipping. The area had not been maintained very well by Highways however, officers were working with all relevant agencies and the Area Managements Board for the area to ensure that the paths were maintained appropriately.
- All Gating Orders were subject to a review after 1 year. There were currently no Orders which were subject to review as all gates had been installed less than a year. The Forum requested that the Officer bring a report to the next meeting of the Forum to advise what the review process would consist of so that their feedback could be incorporated into the procedure. The Officer advised the Forum that the procedure would have to contain some form of consultation with local residents as it was not appropriate to look at crime statistics in isolation.

After considering the contents of the report and the answers provided by the Alleygating Officer the Forum resolved to approve the Gating Order for Wellington Terrace / Wellington Mount.

Back Stratford Terrace

The Forum was advised that the back road of Stratford Terrace was split into three parts and the lower end of the back road had been subject to a Gating Order due to anti-social behaviour, traffic issues and crime for a number of years. The Gating Order had seen a noticeable difference in the improved security of the gated area. However, the anti-social behaviour, traffic and crime had shifted to the upper two

sections of the back lane. The Forum was advised that there was an additional problem in the area as English was an additional language for many of the residents who were unable to understand the importance of locking the gates. Warning letters had been sent but work was also underway to resolve this including the use of pictorial leaflet which was yet to be used in the area. The gated areas had seen an improvement in crime and disorder but the area continued to be a crime hotspot and required further Gating Orders.

The following issues were discussed in questions to the Officer:

- A Member of the Forum raised their concern that the Gating Orders were being used in a way that they were not intended to be used. The back street had been used as a rat run and the crime and disorder in the gated area had been displaced further up the back street. Also issues such as the high levels or burglaries in the area seemed to relate to people not locking their premises. The Officer advised that further education was required in the area but the gates would operate as a short term measure to help prevent the problems in the area.
- There was little evidence from other local authorities that the installation of gates resulted in a displacement of crime and disorder to another area. Although this had happened in one area in Leeds but the general consensus with other local authorities was that there was no displacement. There were no neighbouring backstreets which officers could anticipate that crime could displace to .
- The back street was used as a means of escape for many crimes and to enclose the area would force people to use the main street which was busier and better lit in an evening.
- There was also an issue in the area that crime was often unreported or that once reported there was little information supplied by people in the locality. It was therefore very important to speak to local residents when the Gating Order was reviewed as the statistics could not be relied on entirely.

After considering the contents of the report and the answers provided by the Alleygating Officer the Forum resolved to approve the Gating Order for Back Stratford Terrace (Middle and Upper sections).

RESOLVED –

- a) That the Gating Order proposed for Wellington Terrace / Wellington Mount and Back Stratford Terrace be approved.
- b) That the Alleygating Officer provide a report to the next meeting of the Forum on the proposed Annual Review of Gating Orders.

69 Minutes of the last meeting

The minutes of the meeting held on 9th October 2007 were approved subject to the following amendments:

- Minute 58 was amended so that the second paragraph read:

'Regarding the suggested Bridleway at Rombalds Moor Officers were still waiting for action from Bradford City Council. It was hoped that the Reva Reservoir footpath link would be developed wide enough to be upgraded to a multi-user path in the future. However the path was currently isolated as it led to footpaths only at the moment.'

- Bob Buckenham's correct job title was Assistant Countryside Manager and Councillor Proctor was the Executive Member of Leisure Services.

The minutes of the meeting held on 20th November 2007 were approved as a correct record.

RESOLVED –

- a) That the minutes of the meeting held on 9th October 2007 be approved subject to the above amendments.
- b) That the minutes of the meeting held on 20th November 2007 be approved.

70 Matters arising from the minutes of the last meeting

Minutes of the meeting held on 9th October 2008

The Rights of Way Development Officer advised that in relation to the Asset Management Grant Scheme the local authority had been led to believe that a grant would be received for an outstanding application. However it was now the officer's understanding that the grants had been frozen once again.

71 Rights of Way Improvement Plan Update

At the last meeting of the Forum Members resolved to write to the Executive Member for Leisure Services and to the Chief Recreation Officer to express their concern that the Draft Rights Of Way Improvement Plan (ROWIP) had yet to be approved. A response which had recently been sent to the Chair was tabled for Members. The letter explained the reason for the delay in approving the Draft Plan for consultation. The Executive Member for Leisure Services Councillor Proctor had been briefed on the Plan in January 2008 and following this meeting the Councillor advised that the matter would have to be submitted to the Council's Executive Board for approval. It was anticipated that the ROWIP would be considered by the Executive Board in April 2008.

Members of the Forum raised their concerns that this was a further delay in the progress of the ROWIP and questioned Officers as to whether or not there were any legal sanctions for a local authority as the November 2007 had not been met. The Rights of Way Development Officer advised that there were no sanctions contained in the relevant legislation. The Officer also added that the ROWIP was an advisory document and there was no requirement for the Council to carry out any of the work included in the Plan or to commit any finances to it. The delay in the progress of the ROWIP had not affected the work of officers in this area and applications for money continued to be made. The document was also referred to in the Local Transport Plan.

Draft minutes to be approved at the meeting
to be held on Tuesday, 13th May, 2008

In the discussion which followed the Forum proposed to write a letter to the Acting Chief Recreation Officer, Executive Members for Leisure Services and to the Chair of the Executive Board to emphasise the Forum's disappointment at the delay in progressing the ROWIP and to reiterate the need to ensure that the Plan is dealt with by the Executive Board as soon as possible.

RESOLVED: That the update be noted and that a letter be written to the Acting Chief Recreation Officer, the Executive Member for Leisure Services and the Chair of the Executive Board to re-emphasise The Forum's disappointment and urge the Executive Board to deal with the matter as soon as possible.

72 Correspondence

a) National Access Forum

The Forum received a letter from the Chairman of West Yorkshire Pennine Local Access Forum in relation to the establishment of a National Access Forum. A further update from the Chair of Cumbria LAF, Duncan Graham, following a meeting of 16 LAF chairs and representatives from Natural England was tabled at the meeting. The Forum noted from the second letter that an agreement had been reached for a National Access Forum to be established and the basic purpose and structure had also been agreed. The Forum welcomed the establishment of a National Access Forum and looked forward to receiving further information regarding the Forum.

RESOLVED – Noted.

b) Ramblers' Association

The Ramblers' Association had written to the Forum requesting that the Forum write a letter of support for the Asset Management Grant Scheme (AMGS) to Natural England. The Rights of Way Development Officer had previously updated the Forum that he believed that the AMGS had been frozen. The Forum resolved that the current situation should be clarified and a letter of support in the scheme should be written to Natural England.

RESOLVED – That support of the Asset Management Grant Scheme be conveyed the Natural England once the current situation was established.

c) British Horse Society

The British Horse Society had written to the Forum seeking a response to questions which related to the list of streets maintainable at public expense prepared under section 36(6) of the Highways Act 1980. The Forum was advised that in relation to question 1 the current review of the Definitive Map and Statement included checking the List of Streets on a regular basis. Officers also had extensive historical resources open to them including information held by the West Riding of Yorkshire as well as being in regular contact with street registration. In relation to questions two and three in the letter the Assistant Countryside and Access Manager would not be able respond accurately without looking at each individual file. The Forum wished to

respond to the Society to express that Lists of Streets was an issue officers were sensitive to.

RESOLVED – That a response be provided to the British Horse Society regarding the List of Streets.

d) Equestrian Access Forum

The Equestrian Access Forum had circulated to all Local Access Forums a letter sent to Natural England regarding Discovering Lost Ways. A Member of the Forum advised that she was aware that it may be the case that the Government removes the 2026 deadline for Discovering Lost Ways.

Whilst supportive of the work done to discover Lost Ways the Forum also welcomed the work done by Sustainable Transport (Sustrans) to establish new and more meaningful routes to link the city with other areas within Leeds. These routes were included in the Local Transport Plan and the ROWIP and the Forum's remit may cover some of the new routes.

RESOLVED – Noted.

e) Waymark

The Forum received information from the Institute of Public rights of Way Management regarding subscription to their journal 'Waymark'. The Chair recommended that the Forum saw previous issues of the journal before subscribing to the publication. The Rights of Way Development Officer advised that there was also an alternative publication which could be circulated to Members produced by the Byways and Bridleways Trust which may also be of use.

RESOLVED – That previous copies of 'Waymark' and Byways and Bridleways Trust Magazine be circulated to Members

f) Minister of Marine, Landscape and Rural Affairs

The Forum received an introductory letter from Jonathon Shaw MP, Minister for Marine, Landscape and Rural Affairs and Minister for the South East. The letter was noted by the Forum.

RESOLVED - Noted

g) Natural England

The Forum received details of a presentation provided by Natural England to the Institute of Public Rights of Way which outlined various sources of funding for public rights of way and open access. The Forum noted that organisations such as 'Friends of' groups were able to apply for funding which was not available to the Council, and officers in Leeds were working with outside bodies to access this funding. For organisations, including parish councils, who wanted information of what funding was available to them Sustrans would be able to advise them.

RESOLVED – Noted

73 West Leeds Country Parks and Green Gateways

The Forum received the minutes of the last meeting West Leeds Country Park and Green Gateways and details of the draft phase four leaflet covering Woodhall Lake to Cockersdale. The minutes were noted by the Forum who then went onto discuss the draft phase four leaflet. Members were please to see that other routes would be included in the map including Leeds Country Way and Calverley Millennium Way. The Forum highlighted that it would be useful to have contact details of Leeds Metro included on the leaflet to assist people in using public transport to access the area.

The Rights of Way Development Officer advised the Forum that there were some areas of land within the area which the Council had leased from the owner to ensure that there would be open access. Some areas of land were not managed in this way and would be reviewed as part of work for Leeds Bradford Connectivity .

RESOLVED – That the report be noted

74 Access Newsletters

The Forum received copies of Defra’s ‘Access Newsletter’ for their information.

RESOLVED: That the Newsletters be noted.

75 Consultation Responses

The Forum received, for information, details of the response of the Chair to the Forum to a recent consultation on the Aire Valley Area Action Plan. There would be further consultation on all of the Area Action Plans with which the Forum would be kept up to date.

RESOLVED – That the report be noted.

76 Items for the next meeting

The following items were identified for the next meeting of the Forum:

- ROWIP Update
- Gating Order Review Process

Members of the Forum were requested to contact the Forum’s Secretary with any items they wished to be discussed at the next meeting of the Forum.

77 Date and Time of Next Meeting

RESOLVED – That the agreed date of the next meeting of Leeds Local Access Forum was Tuesday 13th May 2008 at 18:30 p.m..

This page is intentionally left blank

Report of *Alleygating Coordinator, Leeds Community Safety*

Report to the Chief Highways Officer

Date: 13th May 2008

Subject: Proposed Review Process for Alleygating in Leeds

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity	<input type="checkbox"/>
Community Cohesion	<input type="checkbox"/>
Narrowing the Gap	<input type="checkbox"/>

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

Executive Summary

From April 1st 2006, new legislation has been introduced to allow for the making of gating orders to temporarily close a highway for the purposes of crime reduction. Leeds Community Safety has promoted the gating of problematic carriageways both before and after the new legislation being introduced. This report seeks to inform the Chief Officer for Highways of the proposed annual review process for Alleygating in Leeds as required through the current legislation.

1.0 Purpose of this Report

1.1 The purpose of this report is to inform the Chief Officer for Highways of the proposed annual review process for Alleygating in Leeds.

2.0 Background Information

2.1 Leeds Community Safety (LCS) has led the way with Alleygating schemes in Leeds since 2003. Whilst LCS acknowledges that a number of these temporary closures were carried out unlawfully (due to lack of relevant legislation available), it does recognise that these closures will need a relevant gating order to ensure they become lawful obstructions.

2.2 It has been agreed that LCS will look to pursue gating orders for each of these pre-legislation closures on a rolling programme, as and when funds and time permit. As a result of this, LCS will begin a review of the earliest, pre-legislation gates from July 2008 (subject to approval from the Chief Highways Officer). This will take in 12 gated back streets in East Leeds, one gated backstreet in North East Leeds and

one gated backstreet in North West Leeds. At present, there are a total of 33 gated back streets (59 gates) across the city that were erected pre-legislation. The remaining 19 gated back streets to be reviewed shall be done so on a rolling basis starting with the earliest schemes first. It is estimated that the review process will take up to, but not exceed 3 months to complete. This will allow for a 4 week consultation period, 6-8 week request period for crime stats and / or other necessary info. It should also incorporate a 2-4 week period for analysis, report writing and presentation of any decisions taken. If, at the conclusion of the review period, the decision is taken to apply for a gating order, this process would then take precedence over further reviews being carried out.

- 2.3 The purpose of this review will be to ascertain if these gates are still required. This shall be determined by the outcome of up to date crime stats for the area along with feedback received by all owner / occupiers, and should also incorporate the opinions of the local Neighbourhood Policing Team (NPT). Should the outcome of the review be in support of continued gating, gating order reports will be submitted thereafter as per the gating orders procedures currently followed by LCS.
- 2.4 The review should supersede the need for pre-consultation to be carried out, which is part of the standard procedure within the Gating Orders process.

3.0 Main Issues

3.1 The proposed review process for post-legislative gating schemes

- 3.1.1 As per Section 129A and 129G of the Highways Act (Gating Orders), all gating orders in place will need to be reviewed on an annual basis to ensure that the temporary closure is still warranted.
- 3.1.2 The proposed procedure for the annual review shall include the following process:
- Crime and Anti-Social Behaviour statistics 12 months before gates installed and 12 months immediately after gates installed.
 - Consult with local NPT to ascertain their opinions regarding the gates under review. Do they still see a need for the gates under review?
 - Postal questionnaire (see Appendix 1) to be sent to all owners / occupiers of property within the review area. A 28 day period should be allowed for responses.
 - The review area will be site visited to carry out a site audit (to include issues such as appearance of gated area, any damage to gates, gates left open, etc). This will help determine what effect the gates have in the review area.
 - Responsibility for decision making as a result of the review process should be taken and put in writing by the Alleygating Coordinator. This will take the form of a brief report to explain the decision taken and which will include a table of 'considerations' (see Appendix 2) that will influence the final decision taken.
 - Should it be deemed necessary to revoke the order, reasons for this shall be reported to the Chief Officer for Highways for their consideration. They shall make the final decision regarding the supporting or not of this recommendation.

3.1.3 Post-legislative gating orders up for review are Back Pasture Road, Harehills and the Carrholms / Wensleys ginnels, Meanwood. The review process for these will also take place from July 2008 (subject to Chief Highways Officer approval).

3.2 Potential outcomes of the review process and considerations

3.2.1 There are three suggested outcomes available as a result of any review process. These are:

- Temporary restriction (gates / fencing) is still necessary and is kept in place for a further 12 months.
- The gating order remains in place but the gates are locked open subject to a period of no less than 3 months to allow for the monitoring of the site, and to establish if gates are still necessary for the purposes of crime prevention and community safety.
- Temporary restriction is no longer required.

3.2.2 Should crime and / or ASB in the review area still remain high enough to warrant the continued temporary restriction, AND support of the majority of responding owner / occupiers support a continuation of the restriction, it shall be the responsibility of the Alleygating Coordinator to recommend this to the Chief Officer for Highways for consideration.

3.2.3 Where the outcome of a review regarding pre-legislative (Non-gating orders) schemes is in support of it continuing, and there is a majority support of the owners / occupiers in the gated area, AND the crime statistics back this up, a gating order report will be submitted to the Chief Officer for Highways for consideration as per normal gating order procedures.

3.2.4 Where the outcome of a review shows that there is no longer the need for a temporary restriction, either through low crime and / or ASB stats, and / or also strong opposition from owners / occupiers, the Alleygating Coordinator shall recommend that the gating order be considered for revocation. Where the council looks to revoke a gating order, the process will follow a similar process to the one used for the application of a gating order (legal notification of intent to revoke a gating order).

3.2.5 PLEASE NOTE: Where the outcome of a review regarding pre-legislative gating schemes highlights major opposition to its continuation, Leeds Community Safety will look at the feasibility of removing these gates / fences. Where this occurs, all relevant partners should be notified, i.e. refuse services.

3.3 Possible Issues arising from review process

3.3.1 Should the outcome of any such review process regarding gating schemes support the revoking of the gating order and thus the removal of the temporary restriction, careful consideration needs to be given to the impact this might have on the gated area. Firstly there will need to be an assessment of the time and funding required to carry out the revocation process, and both these factors should be available before the revoking of a gating order is pursued.

3.3.2 Secondly, the cost of removal of the gates / fences will need to be considered. There may also be an issue regarding inconvenience this causes to local residents.

3.3.3 Thirdly, where the crime stats no longer support gating schemes BUT there is considerable support for their continued usage by the local residents, consideration

should be given to the impact upon the gated area should the gates be removed (will crime and ASB return?)

- 3.3.4 Finally, consideration should be given to the potential political response to the removal of any gates and / or the revoking of a gating order, where applicable. It is important to note that the majority of these gating schemes were match funded by area committees, with the decision to support the match funding of these schemes made by local ward members. It is therefore important that the review process includes the opinions of the local ward members before any decisions are taken.

3.4 Proposals

- 3.4.1 Subject to the agreement of this Board, Leeds Community Safety intends to carry out all forthcoming reviews of gating orders in place over a period of 12 months, as well as those pre-legislative schemes mentioned at 2.2. The process shall take the form of that stated at 3.1.2.
- 3.4.2 Any decision taken by the Alleygating Coordinator regarding the outcome of reviews shall be presented as a written report for consideration by the Chief Officer for Highways. Where it is recommended that gating orders remain in place for a further 12 month period, they shall remain recorded as such on the Highways street register kept under Section 36 of the Highways Act 1980.
- 3.4.3 Where it is recommended that a gating order be revoked, and / or the temporary restriction be removed, careful consideration should be given to points 3.3.1 to 3.3.4 before a final decision is taken.

4.0 Recommendations

- 4.1 The Chief Officer for Highways is requested to note the content of this report.
- 4.1.2 The Chief Officer is requested to approve the proposed review process as recommended by Leeds Community Safety as part of the requirement of the Gating Order legislation.

Annual Review of Alleygating – Residents’ Questionnaire

Safer Leeds is currently committed to a programme of Alleygating schemes across Leeds. As part of each Alleygating scheme, Safer Leeds is required to carry out an annual review. By carrying out this review with residents, Safer Leeds can monitor the effectiveness of these schemes, gather the views of residents and ultimately determine if the gates are still necessary for the purposes of Community Safety. As Alleygating is classed as a ‘temporary restriction’, should the majority of responses to the review be opposed to the gates, Safer Leeds would determine if gates should be removed.

The following questionnaire is designed to help us find out what residents think about their Alleygating scheme and whether or not residents would like to see their scheme continue in the future. In order for the review to reflect the views of all residents living in gated areas, we are reliant on all residents to respond to the questionnaire as soon as possible. All information you give us will be treated in the strictest of confidence. No details will be passed on to any third parties.

All returned questionnaires will be entered into a prize draw with a chance to win one of 2 £50 capital bonds. Please complete the questionnaire and return it in the pre-paid envelope provided.

Name

Address

.....

.....

Postcode

Email

Are you the owner of this property? Yes / No (circle as appropriate)

If you are not the owner of this property, we would like to know the owner’s details so that we may send them a copy of this questionnaire.

Owner’s Name

Owner’s contact details

.....

.....

Appendix 1 – Residents’ Questionnaire

Personal Safety

1. Since Alleygates were installed, how safe have you felt in the Alleygated area?	Very Safe <input type="checkbox"/> Safe <input type="checkbox"/> Unsafe <input type="checkbox"/> Very Unsafe <input type="checkbox"/>
2. Since the installation of the Alleygates, do you feel crime and Anti-Social behaviour in your neighbourhood has:	Increased <input type="checkbox"/> Stayed the same <input type="checkbox"/> Decreased <input type="checkbox"/>
3. Do you have any general comments about the crime in your area? What crime has been reduced since the Alleygates were installed? What crime remains?	

Community Life

1. Since the gates were installed, has the amount of litter in your Alleygated area:	Increased <input type="checkbox"/> Stayed the same <input type="checkbox"/> Decreased <input type="checkbox"/>
2. Since the gates were installed, has the noise in your Alleygated area:	Increased <input type="checkbox"/> Stayed the same <input type="checkbox"/> Decreased <input type="checkbox"/>
3. Since the gates were installed, has the relationship with your neighbours:	Improved <input type="checkbox"/> Stayed the same <input type="checkbox"/> Got worse <input type="checkbox"/>
4. Have any noticeable changes taken place since the installation of the gates? What are these changes?	

The Gates and fencing

1. Are the gates kept locked enough to be considered effective?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Have you any comments about the gates since their installation?	
3. Alleygating is classed as a ‘temporary restriction’. If crime and ASB in a gated area reduces, there may be no need for the gates any further. Safer Leeds would like to know if you would like the Alleygating:	To stay in place for a further 12 months <input type="checkbox"/> To be removed completely <input type="checkbox"/>

Appendix 2 – Table of Considerations

Example of table of ‘considerations’ to be submitted with brief report to Chief Officer of Highways

Location of gates	Date of Installation	Date of review period	What affects have the gates had on crime during the current review period?	What affects have the gates had on ASB incidences during the current review period?	Are gates still required? Feedback from residents / partner agencies	Outcome of review and decision recommended (to include comments)
Back Bellbrooke Grove, Harehills	May 2005	May 2005 – April 2006	Crime up/down % Domestic Burglary up/down % Burglary other up/down % Vehicle crime up/down % Criminal damage up/down %	ASB incidences up/down % (comments to be included as necessary)	No. of residents consulted () No. of respondents in favour of gates () No. of respondents against gates () No. of Partner agencies consulted () Any objections? (comments)	

This page is intentionally left blank

REPORT TO THE CHIEF HIGHWAYS OFFICER

DATE: 13TH MAY 2008

Subject: Design & Cost Report

Scheme Title: GATING ORDER – WHITE LAITHE GARTH, WHINMOOR
Capital Scheme Number:

Electoral Wards Affected:

CROSSGATES AND WHINMOOR

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

EXECUTIVE SUMMARY

The Director of Environment and Neighbourhoods is promoting the installation of gates across a footpath in the Whinmoor area of the Crossgates and Whinmoor Ward to temporarily close the highway due to high levels of crime. The proposal has the support of the community and all relevant bodies. This report seeks the approval of The Chief Highways Officer to initiate the legal process for the highway closure.

1.0 PURPOSE OF THIS REPORT

1.1 The purpose of this report is to seek authority to temporarily close an adopted highway. This highway is a narrow footpath linking the cul-de-sac end of White Laithe Garth to playing fields behind Fieldhead Carr Primary School. This footpath is in the Crossgates and Whinmoor Ward (see Appendix 1 & 2).

2.0 BACKGROUND INFORMATION

2.1 Section 129A to 129G of the Highways Act allows for the making of a gating order to temporarily close a highway in response to high levels of anti-social behavior and crime. The legal provision came into effect on 01 April 2006. The adopted status of the highway is unchanged by the order.

2.2 This path has been the focus for anti-social behavior (ASB) and crime for a number of years. The area is a quiet residential area with a stable population, many of whom are older adults. There are approximately 661 households with 1603 residents in the relevant Super Output Area. The crime domain at 9728 is ranked in the worst 30 percent in England. Page 17

- 2.3 Residents have voiced their concerns and anger over the rise in crime and ASB to West Yorkshire Police, Elected Members and council officers. A number of residents have been victims of crime and criminal damage where offenders have used the path as a place to commit crime and anti-social behaviour and to make good their escape from the Police. As the path is at the end of a cul-de-sac, it jeopardizes the security of residents living there. According to the British Crime Survey 1998, "Households in cul-de-sacs are much less victimized by burglary than those [in] other road types." However, the Home Office document 'Safer Places – The Planning System and Crime prevention 2004 (p87/88)' counteracts this statement when it states "...the risk to residents in a cul-de-sac is half that of houses on main roads. However, this is not the case if a cul-de-sac is linked with an additional footpath segregated from the road network (known as a leaking cul-de-sac). Such links are very damaging to defensible space..."
- 2.4 The vast majority of problems occurring in this path are ASB related and impacts most on the two properties either side of this path. It has been of particular detriment to an elderly couple who reside in one of the two properties. They have, and continue to suffer from daily incidents, including harassment, noise, criminal damage, verbal threats, attempted burglary and theft of property. Incidents had got to such a point that the couple were asked to give evidence in order to support the need for Anti-Social Behaviour Orders on several known ASB offenders in the local area. Ironically, despite providing this evidence which led to ten youths receiving full ASBOs, some of these ASBOs have since been breached. Many of these incidents are linked to the presence of the path and the opportunity it gives to offenders.
- 2.5 Leeds City Council's Environment and Neighbourhoods Department – Community Safety, and Area Management – received requests from residents demanding action to address the issues. Meetings with individuals have taken place to ascertain the extent of public feeling regarding gating the footpath to restrict access. The majority of those who responded to the initial consultation process were in favour of gating the highway.
- 2.6 This footpath runs between 20 and 22 White Laithe Garth and is located at the end of this cul-de-sac. The path does not have a street lamp, although the path is reasonably well lit by the main road lighting. The path is relatively well maintained and in good condition, although it is important to note that the resident at 22 has had to carry out several clean-ups of the path due to the problems occurring there, i.e. urinating and defecating by congregations of youths, beer cans and bottles left there, etc.
- 2.7 This is a narrow path that is fairly well hidden from the main road. Although not connected, it forms one part of a two-part stretch of footpath, the other part being that which connects White Laithe Garth to White Laithe Croft. Both sections of path have been the focus for much of the reported youth congregation and the problems associated with this.
- 2.8 There have been many reports by local residents of youth congregation on the path and this has led to the occurrence of several incidents of anti social behaviour, incorporating criminal damage, noise nuisance, under age drinking and trespass. Indeed over 20 percent of the total recorded crime for the area is situated in and around the three streets surrounding this path. Much of this involves criminal damage, motor vehicle crime, theft and burglary (see Appendix 3).
- 2.9 This path continues to attract youth congregation and the problems inherent with this. This issue, more than any other has been the main source of concern for the residents living in the White Laithe estate, and in particular for the elderly couple living directly adjacent to this path. The local Neighbourhood warden has provided

a regular source of support to the residents and has provided a written statement (see Appendix 4) to back up the evidence provided by residents. Much work has also been done with the local NPT; so much so that the NPT Inspector has visited the elderly couple to offer them reassurance and has provided a letter of support (see Appendix 5). Extra Police and PCSO patrols have been organized as a knock-on effect of these issues, but the problems continue to persist. The ASBO team has also been heavily involved in the area, managing to obtain ten ASBOs on various, known problem offenders, albeit some of these have since been breached.

- 2.10 Whilst many of the offences take place in and around the shops at the end of White Laithe Approach (some 150 yards from this path), much of the ASB that takes place at White Laithe Garth is as a direct result of offenders using this path as a means to either make good their escape, or to carry on with their ASB, away from prying eyes.
- 2.11 The effects of making the order for properties adjoining or adjacent to the footpath subject to the gating would be positive. All residents and owners of property in the area were contacted as part of the consultation and most were in agreement that gating this footpath would improve their quality of life and reduce crime and ASB.
- 2.12 A planning application to gate this footpath will be submitted in due course, depending on the outcome of any potential gating order request.

3.0 MAIN ISSUES

3.1 Design Proposals/Scheme Description

- 3.1.1 The alternative solutions considered for addressing the crime and anti-social behavior occurring within close proximity to this path have not resolved the situation and are not sustainable. It is now proposed to temporarily close this path by means of a gating order with a view to stopping the antisocial behaviour and crime which is believed to be associated with the footpath.
- 3.1.2 A single, self locking gate no higher than 2.3m with matching fencing in galvanised powder coated steel will be installed at one end of the footpath to prevent access to the path for those not living in the immediate vicinity.
- 3.1.3 The gate will be locked 24 hours a day. Both properties either side of this path can request a key if necessary so that access can be gained to the rear of their properties. These keys will be available from Neighbourhoods' and Housing's Community Safety Service. The gate lock will be numbered in accordance with the master key system devised by LCC Community Safety. Emergency and other services will be provided with keys on request. Any council departments requiring access to the path will also be able to request keys for the gate.
- 3.1.4 Community Safety will carry out future maintenance of the gate. A commuted sum has been provided for this purpose.
- 3.1.5 Leeds City Council is required to keep a Register of all Gating Orders, to be available to the public and reviewed annually to determine whether the gating measures are still required. The Alleygating Coordinator at Leeds Community Safety will carry out the annual review for these gates.

3.2 Consultations

- 3.2.1 Ward Members: Ward members have been extremely vocal in their support for alleygating (see Appendix 6) to this path at White Laithe Garth and they have no objections to the proposals.

- 3.2.2 Residents: In mid-March 2007 pre-consultation took place with local residents living adjacent or adjoining the footpath in question. 66 properties were written to and 22 replied (33%). 21 out of the 22 replies were in favour of the gating order.
- 3.2.3 Police: East Leeds Police Division has implemented various strategies to address the problems in this area through the Neighbourhood Policing Team (NPT). When complaints were first received by the police from members of the public living next to the path, local officers and PCSOs were deployed on foot patrols. As the number of incidents occurring here rose, more Police presence was provided. The local Neighbourhood Warden visited local residents on numerous occasions to take statements and to report incidences back to the NPT via the multi-agency tasking team meetings. As well as increased presence in the area, the NPT liaised closely with the ASB Unit to obtain several ASBOs on known local offenders. As an outcome of some of these orders being breached, further work continues in the area.
- Despite using various tactics such as varying patrols, utilising the skills of other agencies, the problems continue due to the path and the opportunities it presents.
- 3.2.4 Community Safety: Environment and Neighbourhoods – Community Safety section is satisfied that the crime element is sufficient to apply for a Gating Order.
- 3.2.5 Highways: Highways were not originally consulted but were asked to clarify if the path was adopted by them or not. It was felt initially that the problems were of little concern, but since the original referral and consultation, the issues have got worse and hence it is now an area of concern to Community Safety. As a consequence of gating this path off, local residents would need to use the alternative route which is a wide access point that passes between no's 8 & 10 White Laithe Garth (see attached map). This alternative route provides a more visible and shorter route through to the local amenities at White Laithe Garth i.e. shops, bus stops, etc.
- 3.2.6 Rights of Way: Parks and Countryside (Countryside and Access): They have been asked to inform if the path exists on the definitive map or not and as it stands, the path has not been claimed as it falls within the excluded area.
- 3.2.7 Utilities: Utility and other service providers were contacted in March 2007 regarding the proposed gating scheme. No objections were received.
- 3.2.8 Emergencies Services: The Fire, Health and Police Authorities were contacted in March 2007 regarding the proposed gating scheme. No objections were received.
- 3.2.9 Prescribed Organisations, Local Footpath User Groups and Local Access Forum: Once again, consultation was not carried out with these groups due to the reasons stated above (see 3.2.5).

3.3 Gating Order Publicity

- 3.3.1 Home Office Guidance regarding publicity relating to the making of Gating Orders will be followed.

3.4 Implications for Highways Users

- 3.4.1 The implications for highways users is that there will be a loss of amenity so non-resident users will have to take an alternative route that will incur an extremely short detour, referred to in 3.2.5 above. It is unlikely that those who had used the footpath as a short cut will resort to having to use vehicles if the amenity is lost.

3.5 Programme

- 3.5.1 It is anticipated that subject to approval these proposals will be implemented in June 2008.

4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE

- 4.1 The proposals contained in this report comply with Section 17 of the Crime and Disorder Act 1998 and subsequently to its revision in 2006 and help to contribute to the safety and well being of the people in the community.

5.0 HEALTH IMPACT

- 5.1 It is not anticipated that there would be an adverse impact on the health of the users if the amenity was lost as the proposed alternative route will add very little to journey times and the alternative is a safe pedestrian route. This meets Leeds Travelwise policy of discouraging private car use and promoting walking to school.

6.0 LEGAL AND RESOURCE IMPLICATIONS

- 6.1 Leeds Community Safety will fund 50% of the costs with match funding to be requested from East Leeds Area Committee for installation and maintenance of the gates and fencing, all legal and administration costs and provision of keys.
- 6.2 Funding does not cover support for a Public Inquiry. This will only be required if there are overwhelming objections to the Gating Orders and in such unlikely circumstances, the continued promotion of the scheme will be reviewed.

7.0 CONCLUSIONS

- 7.1 Despite a range of initiatives being implemented in the problem area, the issues still persist when there is not a uniformed presence in the area. It is unsustainable to deploy council or police officers to this area on a permanent basis. It is clear that a physical barrier would prevent anti-social or criminal elements that do not live in the vicinity, from entering the footpath.

8.0 RECOMMENDATIONS

- 8.1 The Chief Highway Officer is requested to:
- i) approve the gating of the footpath leading from the footpath at the side of playing fields behind Fieldhead Carr Primary School through to the cul-de-sac end of White Laithe Garth between properties numbered 20 and 22 White Laithe Garth in accordance with the attached drawing in accordance with Section 129A of the highways Act 1980; and
 - ii) request Assistant Chief Executive (Corporate Governance) to advertise the notices of intention to make Gating Orders for the footpath leading from the footpath at the side of playing fields behind Fieldhead Carr Primary School through to the cul-de-sac end of White Laithe Garth in accordance with the attached drawing and, in the event that no objections are received, for the Order to be made and brought into operation.



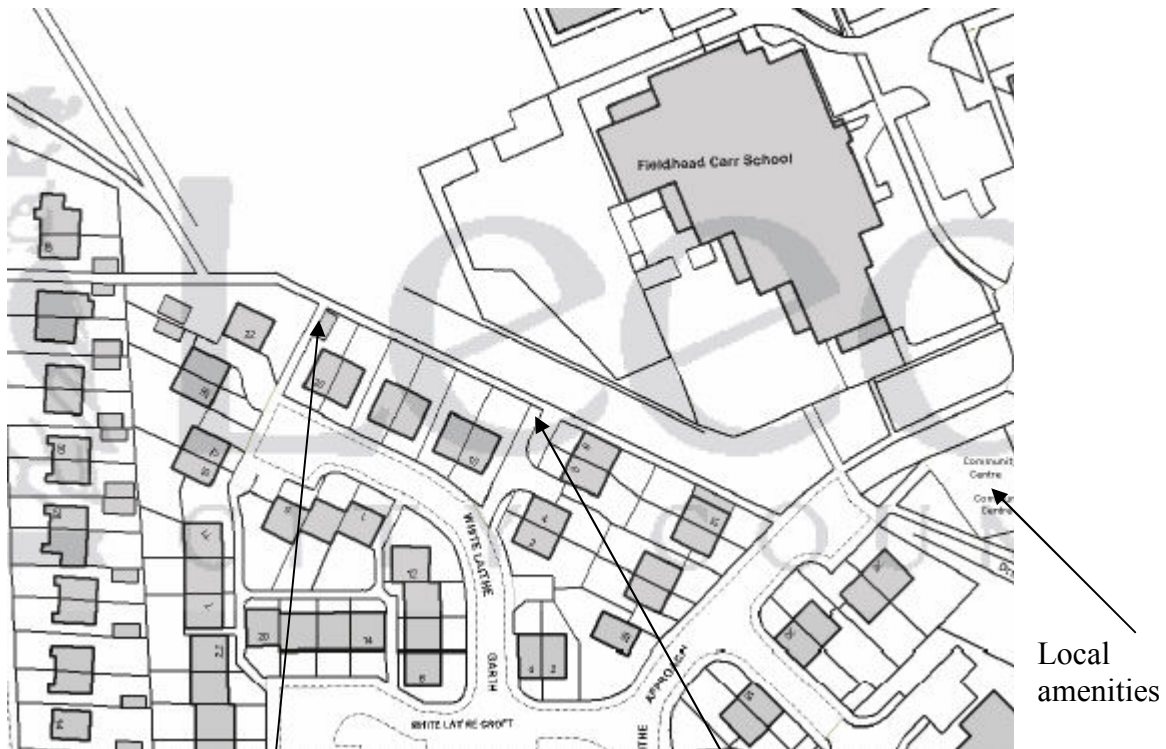
Page 29

*This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Leeds City Council 10/01987 2007

This page is intentionally left blank

Appendix 2 – Location of Proposed Alleygate

White Laithe Garth, Whinmoor



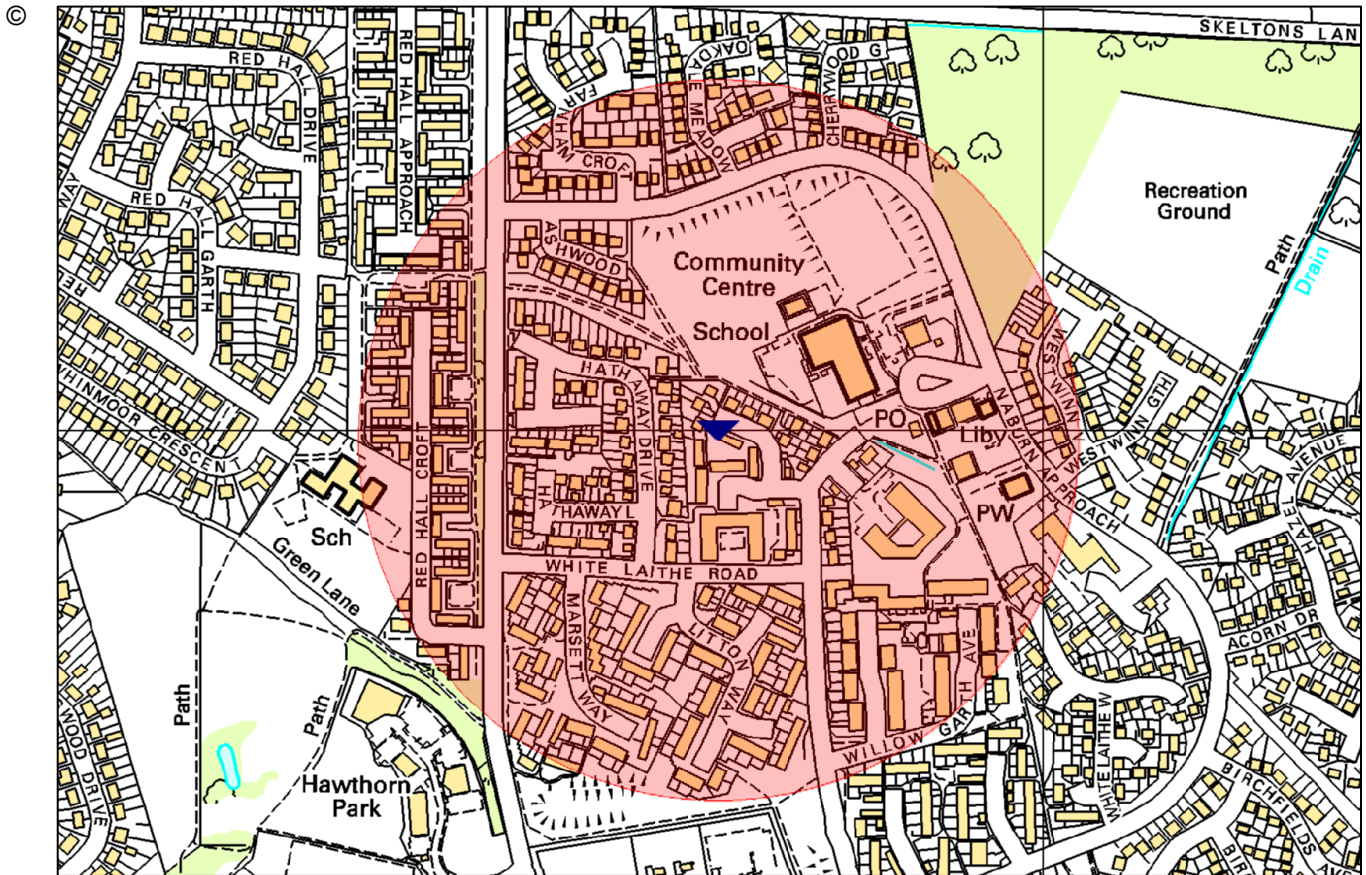
problem footpath between 20 & 22
White Laithe Garth

Suggested alternative route
Between 8 & 10 White Laithe Garth

Local
amenities

This page is intentionally left blank

PROBLEM PROFILE
Whitelaithe Garth, Whinmoor
(And Surrounding Area)
Crime and ASB (01/03/07-29/02/08)



Crown Copyright. All rights reserved 100022119 2007

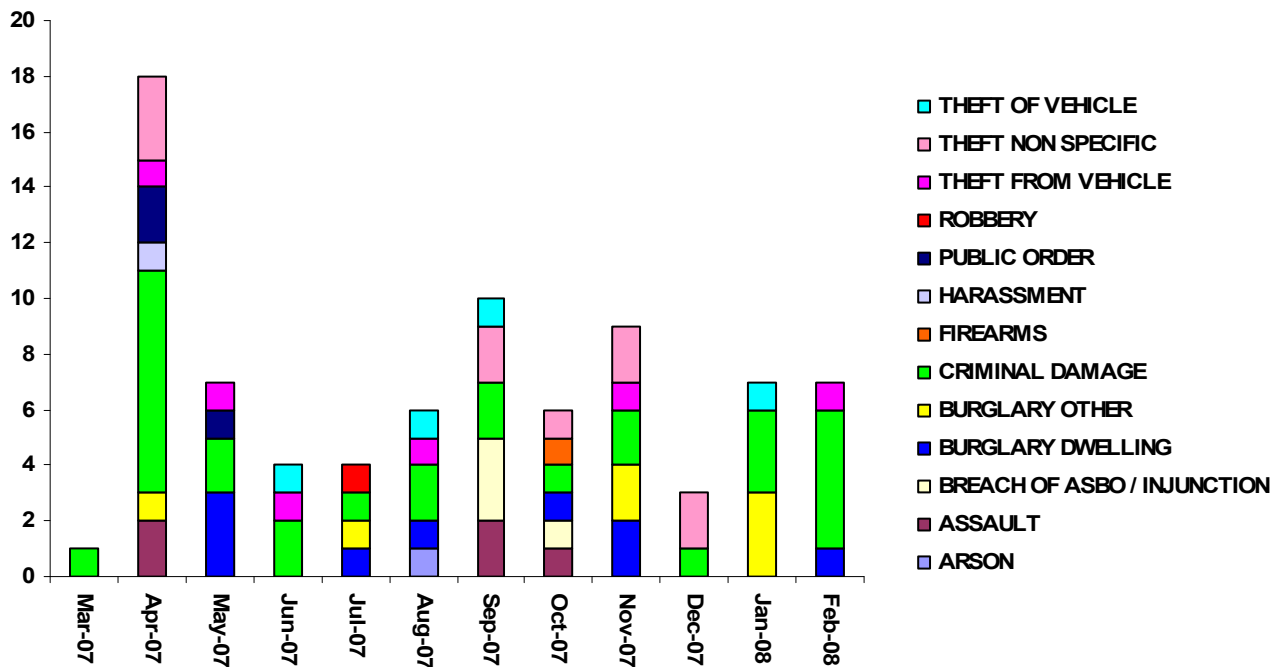
This report will review the last 12 months crime and ASB in the above mapped area (Whitelaithe Garth and the area within a 300 metre radius). The below tables outline the breakdown of crime (data from Corvus) and ASB/Safety Welfare incidents (data from INCA) in this area during this period.

Occurrence Type	Total
ARSON	1
ASSAULT	5
BREACH OF ASBO / INJUNCTION	4
BURGLARY DWELLING	9
BURGLARY OTHER	7
CRIMINAL DAMAGE - BUILDING NON DWELLING	3
CRIMINAL DAMAGE - DWELLING	8
CRIMINAL DAMAGE - MOTOR VEHICLE	14
CRIMINAL DAMAGE - NON SPECIFIC	4
FIREARMS	1
HARASSMENT	1
PUBLIC ORDER	3
ROBBERY	1
THEFT FROM VEHICLE	7
THEFT NON SPECIFIC	11
THEFT OF VEHICLE	4
Grand Total	83

Incident	Total
ASB - Drunkenness	3
ASB - Loutish Behaviour	59
ASB - Mal Comms	3
ASB - Neighbour Disp	5
ASB - Noise	4
ASB - Nuisance M-cycle	8
ASB - RNB - Fireworks	1
ASB - Trespass	1
ASB - Veh Related Nuis	1
Safety Welfare - Aban 999	4
Safety Welfare - Aband Call to Pol	1
Safety Welfare - Call, Good Intent	1
Safety Welfare - Civil Dispute	2
Safety Welfare - Concern	43
Safety Welfare - Concern-Animal	1
Safety Welfare - Domestic Related	7
Safety Welfare - Mental Health	1
Safety Welfare - Misp - Med Risk	8
Safety Welfare - Sudden Death	1
Safety Welfare - Susp Circs	15
Safety Welfare - Susp Circs - Veh	1
Safety Welfare - Unauth Absence	3
Grand Total	173

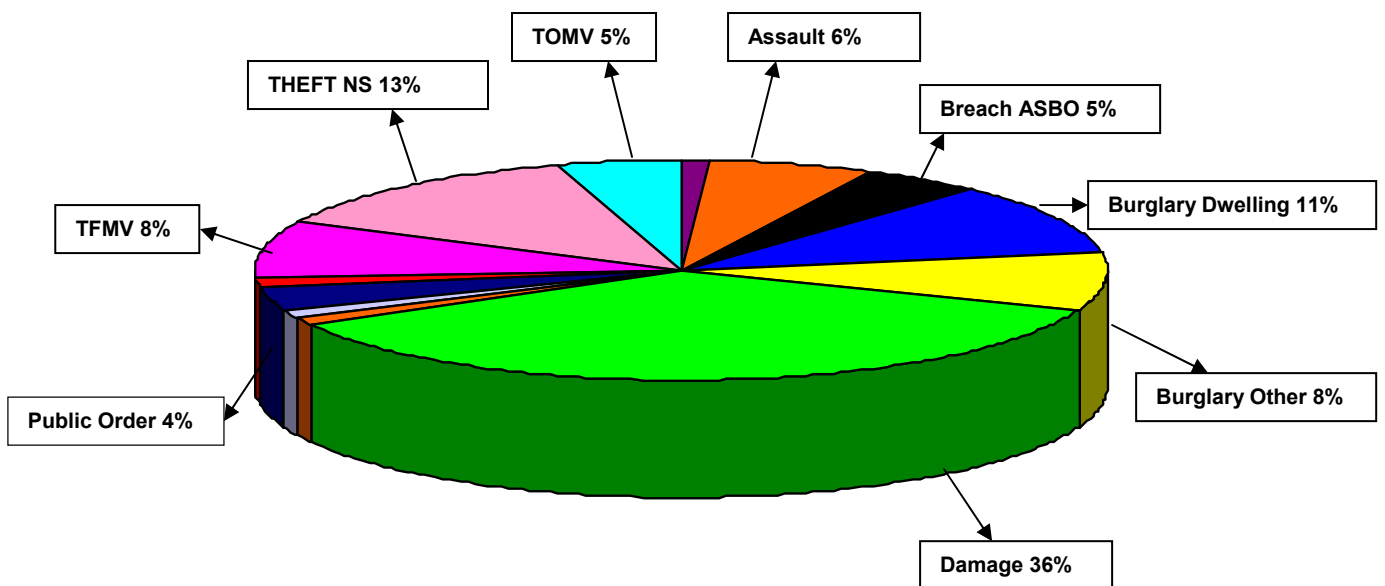
Appendix 3 – Crime and ASB analysis

Crimes by month (Mar 07 – Feb 08)



As is clear from the chart above, Crime in the Whitelaithe area was at the highest in April 2007. This was mainly due to Criminal Damage offences. September and November also showed higher than average amounts of crime in this area. Crime was at the lowest in the months of February 2007, March 2007 and December 2007.

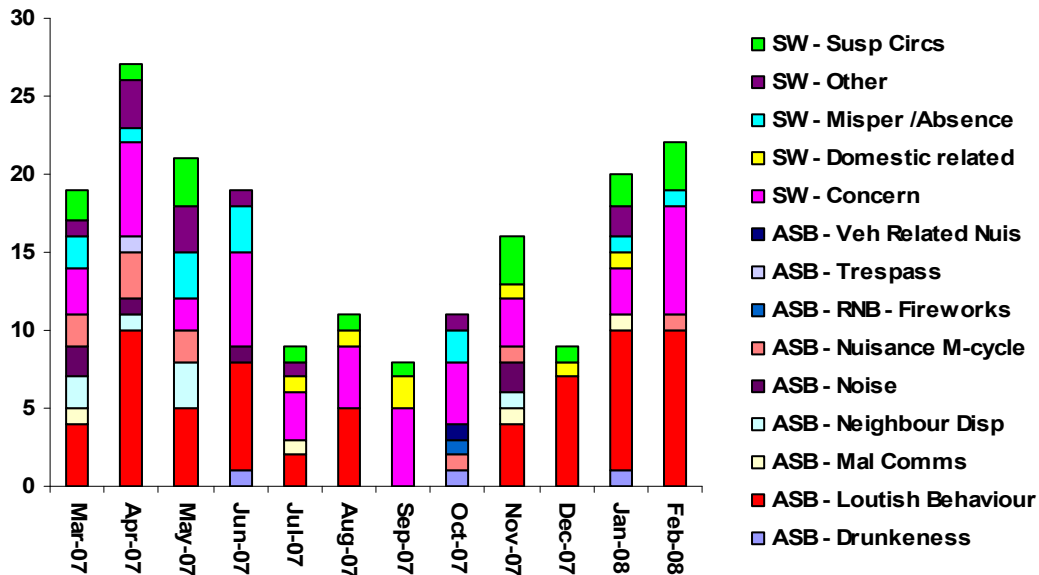
Type of Crime (Mar 07-Feb 08)



As is evident from the above pie chart, a majority of crime offences in this specified area are Criminal Damage offences. Criminal Damage accounts for over a third of Crime in the area. Burglary offences and Theft offences are also relatively high in the area.

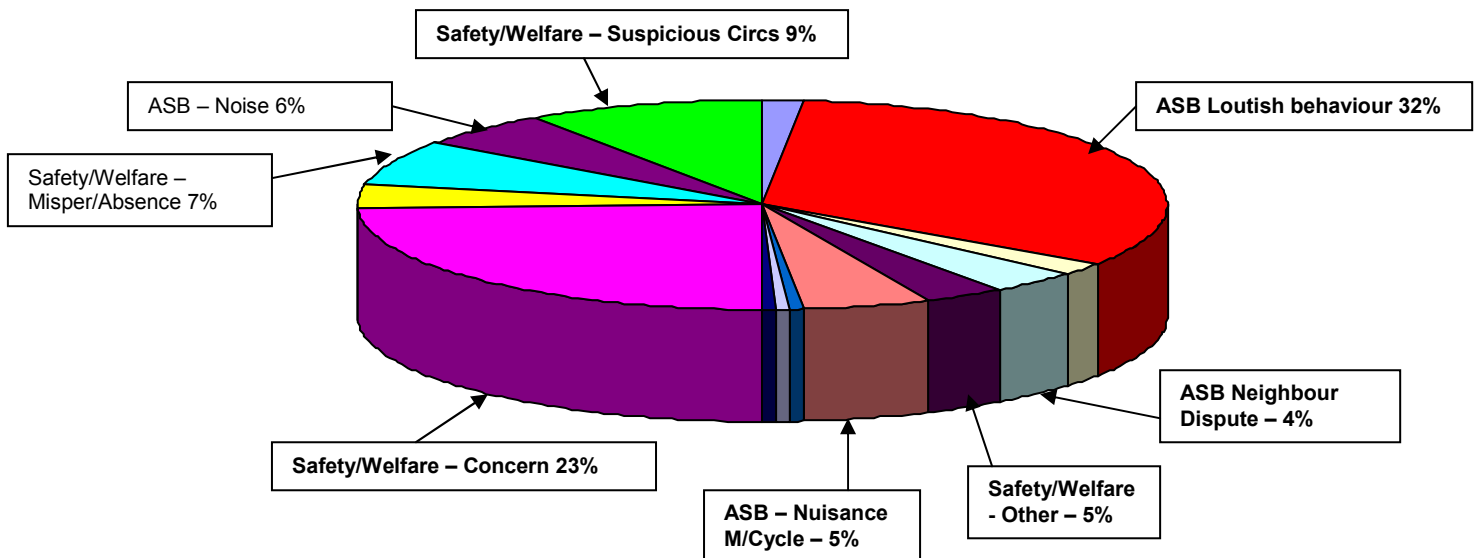
Appendix 3 – Crime and ASB analysis

Incidents by month - ASB and Safety/Welfare (Mar 07 – Feb 08)



ASB Incidents showed to be higher in this area between March-June 2007 and January – February 2008. September showed to have the least incidents. Reports of ASB Loutish Behaviour dominated the calls in this area.

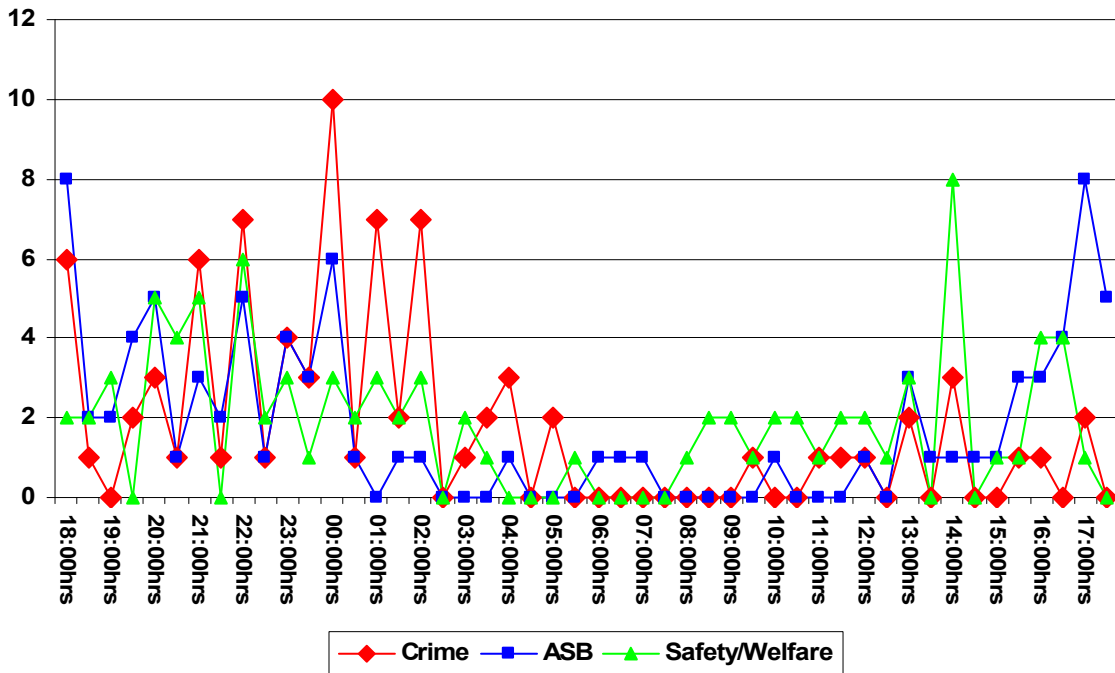
Type of Incident – ASB and Safety/Welfare (Mar 07 – Feb 08)



As is evident from the pie chart above, ASB Loutish Behaviour dominated incident calls in this area. Nuisance Motorcycles and reports of noise were also highly reported types of ASB in the area. In terms of non-ASB related calls, Safety/Welfare Concern and suspicious circumstances calls were also frequently reported in the area.

Appendix 3 – Crime and ASB analysis

Crime and Incidents – Peak Time Analysis



The graph above highlights the peak time analysis for Crime, ASB and Safety/Welfare incidents in the area surrounding Whitelaithe Garth. The identified peak times are as follows:

Crime: 21:00 x 02:00hrs

ASB: 20:00 x 00:00hrs and 15:00 x 18:00hrs

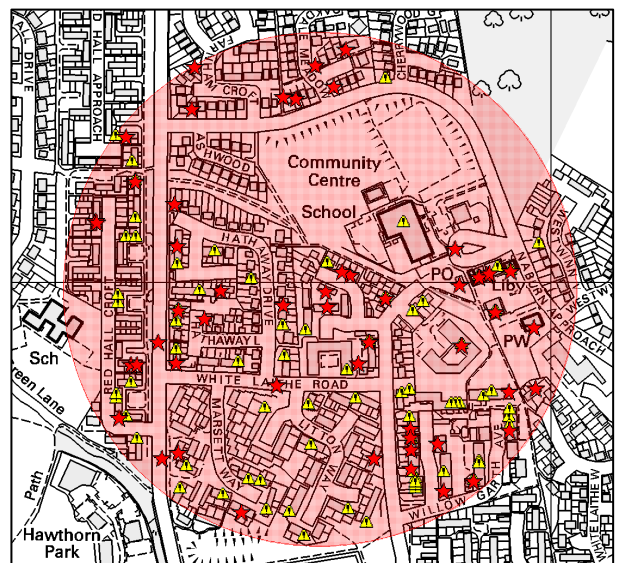
Safety/Welfare: 20:00 x 22:00hrs and 14:00 x 17:00hrs

Crimes and ASB by Street

Street Name	ASB/Incidents	Crime	Total
White Laithe Approach	32	13	45
Coal Road	31	14	45
Willow Garth Close	27	12	39
Naburn Approach	12	8	20
Willow Garth Avenue	11	3	14
White Laithe Court	12	0	12
Hathaway Drive	9	2	11
Marsett Way	9	1	10
Sherburn Road North	9	1	10
Red Hall Chase	0	10	10
White Laithe Garth	1	4	5
Hathaway Walk	4	0	4
Litton Way	4	0	4
Whin Wood Grange	2	1	3
Oakdale Garth	0	3	3
White Laithe Road	0	3	3
Birkwith Close	2	0	2
Cherrywood Gardens	2	0	2
White Laithe Road	2	0	2
White Laithe Croft	1	1	2
Farnham Croft	0	2	2
Hathaway Walk	0	2	2
Oakdale Meadow	0	2	2
Middle Moor	1	0	1
Westwinn View	1	0	1
White Laithe Gardens	0	1	1
Total	172	83	255

The table to the left highlights the breakdown of Crimes and ASB by street. The following problems/premises have been highlighted
 The shops on White Laithe Approach (Especially 'Nisa Store and Verona Pizza Shop') have been subject to a significant amount of reports of ASB-Loutish behaviour. Various calls report groups of youths hanging around, drinking, shouting and swearing whilst intimidating staff, customers and passers by.
 Calls at Coal Road generally refer to reports of Nuisance Motorcycles in the area and regular unauthorised absences/misper reports from 2 foster care addresses.
 The map to the right shows the distribution of crime and ASB in this selected area.

- ★ Crime
- ▲ Incidents



Crown Copyright. All rights reserved 10022119 2007

Appendix 3 – Crime and ASB analysis

Crimes/Incidents on Whitelaithe Garth, Whinmoor

There have been 4 crimes (Burglary, TFMV and 2 x Theft offences) and one report of ASB-Loutish behaviour on Whitelaithe Garth itself during this period.

Overall Conclusions

- The area surrounding Whitelaithe Garth, Whinmoor has been subject to a notable amount of crime and ASB over the last 12 month period (Feb 07-Feb 08).
- Reports of Criminal Damage and ASB Loutish behaviour show to have dominated calls in the area.
- Generally reports have entailed groups of youths hanging around, shouting, swearing and intimidating others
- The area surrounding the shops on Whitelaithe Approach has encountered a significant amount of problems with youths, loutish behaviour and ASB.
- The overall peak time for both crime and ASB incidents has tended to be in the evening time
- Reports of ASB in the area have shown to notably increase over the past 2 months (Jan and Feb 2008). Crime in the area has however remained relatively static over the past 6 months.

Kate Thraves
Analyst, NEL DIU
11/03/08

This page is intentionally left blank

Appendix 4 – Neighbourhood Warden Support



20 White Laithe Garth

Mike Weaver
Neighbourhood Warden
Whinmoor and Scholes
Tel 07891279200

I have breached several of the youths with full ASBOs around the Whinmoor estate, these and the other local youths hang around the ginnel and footpath at the rear and side of Mr and Mrs Smiths house. The nuisance problems are still ongoing with youths and girls drinking, playing loud music, swearing (having sex) and using the ginnel as a toilet. The Smiths regularly swill the ginnel and you can smell disinfectant as you walk by, another major issue is motor cycles using the ginnel and footpath as a short cut and speed along regardless of who is walking along the path.

If I am working when the Smiths ring me to report incidents I always attend as soon as practicable, unfortunately as soon as the youths see me they run off in the opposite direction. A new batch of youths are on the scene as yet I don't know their names or where they come from. When I do manage to speak them I try to reason with them explaining the concerns of local residents especially the elderly who are intimidated and fearful of going past them even in daylight.

Tuesdays and Thursday nights are training nights for the local rugby club who use Fieldhead school playing fields for training on, Groups of girls hang around watching the boys train and a popular spot is the rear of the Smiths house.

I frequently speak to the residents around the White Laites and all are in favour the ginnel being gated.

Regards Mike Weaver.

This page is intentionally left blank

Appendix 5 – NPT Inspector letter of support

North East Leeds Division
Garforth Police Station
Lidgett Lane
Garforth
Leeds
LS25 1LJ

North East Leeds Division

In the Public Service, Helping to Build a Safe, Just & Tolerant Society

Tel: (0113) 2322092
Fax:

Your ref:
Our ref:CJR/4170

Mr Brent Brady
Safer Leeds
Leeming House
Vicar Lane
Leeds

Dear Mr Brady

Re: Support of Closure of Ginnel on White Laithe Garth, Leeds 14

In response to the recent problems concerning Crime and in particular, Anti-Social Behaviour (ASB) relating to the Ginnel at the side of a residential property on White Laithe Garth, I report as follows:

It has taken a while but I am now in a position to update you regarding this matter. After numerous visits to the complainants and the area in question I have now come to the conclusion that we are in a position to support the closure of this Ginnel.

To support this I have prepared a problem profile of the Crime and ASB in the area which conforms there has indeed been a notable amount of reports and incidents.

Not only have residents had to suffer incidents of Criminal Damage and Loutish behaviour, we have evidence of large groups of youths who regularly hang loiter in the area, shouting, swearing and intimidating residents.

The area around the White Laithe has also encountered a significant amount of these types of problems.

The profile indicates that late evenings has been the peak time for incidents and during the months of January and February we saw a notable increase in Crime and ASB.

In the short term we have provided high visibility patrols to prevent these incidents but it is impossible to continuously Police the area.

The closure of this facility would not only make the quality of life better for the residents but would also reduce the number of crimes and anti-social behaviour calls that we have to attend in the area.

Chief Superintendent Gerry Broadbent
Superintendent Simon Atkin
Chief Inspectors Chris Rowley (Crime)/Neil Lineham, Samantha Millar, Rod Wark (Operations)
Business Manager Catherine Mawson

Yours sincerely

Inspector Craig Robinson
East Outer Neighbourhood Policing Team
Garforth Police Station
Lidgett Lane
Garforth
Leeds
LS25 1LJ

01132 322092



Councillor Suzi Armitage
Cross Gates & Whinmoor Ward

Civic Hall
Leeds
LS1 1UR

Contact
Civic Tel 0113 247 4047
Civic Fax 0113 247 4046
Home Tel 0113 273 2197
suzi.armitage@leeds.gov.uk
Your ref
Our ref SA/NP
Date 8th April 2008

Ms Beverley Yearwood
East Leeds Area Management Team
Unit 1 Acorn Business Park
Killingbeck Drive
LS14 6UF

Dear Beverley

Re: Mr & Mrs Smith, 20 White Laithe Garth, LS14 2EJ.

I have been dealing with the above elderly couple for over 4 years regarding them suffering from anti social behaviour problems with local youths in the area. At the side of Mr & Mrs Smith's house is a small ginnel about 25 metres long, the pathway runs through to White Laithe Garth, Court and Croft from the playing fields of Field Head Carr Primary School, and the couple are suffering anti social behaviour from youths using the ginnel.

Mr & Mrs Smith have had to put up with damage to their property and anti social behaviour for a number of years, some of the issues are listed below;

- Smashing of their greenhouse windows
- Garden furniture stolen
- Garage doors set on fire
- Wall security camera stolen
- Garden hut broken into and various items stolen
- Wall at the side of their house pulled down
- Beer cans and other rubbish thrown into their garden.

Mr Smith has to pressure spray the ginnel every week because the youths use it as a toilet and he has to clean all the rubbish away that the youths leave. They have also had to put up with youths drinking, smoking, drugs etc. This issue has made Mr & Mrs Smith quite ill over the years and they should not have to put up with this. All of the above incidents have been reported to the Police, PCSO's, Youth Service and the Warden many times.

I wrote to Mike Beswick who was then East Leeds Crow Project Officer, stating what had happened over the years to the above couple and that this ginnel should be closed off. He investigated my complaint and sent out letters to all residents living in the above area's regarding a proposal to fit alley-gates at each end of the footpath between number 20/22 White Laithe Garth.

Appendix 6 – Local ward member support

I am lead to believe we had a good response to his consultation letter, which was done in March 2006. He also inform me that I would have to get a letter of support from the Police, which I obtained from Sgt Richard Sullivan. They were in favour of closing this ginnel off because it was a route used by local youths to escape the Police.

There are a large number of elderly residents that live in this area and the youths were also causing problems for them. Mr & Mrs Smith are still having to tolerate youths congregating in the ginnel and causing problems.

Therefore, you have my full support to close or alley-gate this ginnel that is causing so much stress to this couple.

Yours sincerely

A handwritten signature in black ink that reads "Suzi Armitage". The signature is written in a cursive style with a large initial 'S' and a long, sweeping underline.

Councillor Suzi Armitage

REPORT TO THE CHIEF HIGHWAYS OFFICER

DATE: 13TH MAY 2008

Subject: Design & Cost Report

Scheme Title: GATING ORDER – NANCROFT MOUNT, ARMLEY
Capital Scheme Number:

Electoral Wards Affected:

ARMLEY

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

EXECUTIVE SUMMARY

The Director of Environment and Neighbourhoods is promoting the installation of gates across a footpath in the Nancrofts area of the Armley Ward to temporarily close the highway due to high levels of crime. The proposal has the support of the community and all relevant bodies. This report seeks the approval of The Chief Highways Officer to initiate the legal process for the highway closure.

1.0 PURPOSE OF THIS REPORT

1.1 The purpose of this report is to seek authority to temporarily close a private, unadopted highway. This highway is a narrow footpath with three entry points linking Nancroft Mount to Brooklyn Place and Back Model Terrace respectively. This footpath is in the Armley Ward (see Appendix 1).

2.0 BACKGROUND INFORMATION

2.1 Section 129A to 129G of the Highways Act allows for the making of a gating order to temporarily close a highway in response to high levels of anti-social behavior and crime. The legal provision came into effect on 01 April 2006. The adopted status of the highway is unchanged by the order.

2.2 Although not an adopted highway, this path has been open to the public for over 20 years, allowing them to pass and re-pass over it. Where this is the case, Rights of Passage can be established and it can be assumed that highway status exists over the land. It is for this reason that a gating order is deemed necessary.

- 2.3 With regards to this path, gating has already taken place. The status of the path and ownership of it were considered and it was deemed unnecessary to pursue a gating order. Planning permission has been granted and work commenced in January. 2008. The Work was completed at the end of March 2008.
- 2.4 Irrespective of this, legal advice was gained and it was recommended that a Gating Order be applied for. This is due to the existence of a 'grey area' whereby it is unclear, often due to lack of evidence, whether highway status exists on the said land or not. It was recommended that where this is the case, it is better to take a safe stance. It should therefore be assumed that where the land has been open to the public to pass and re-pass over it for a certain length of time, access rights exist as well as highway status. This therefore explains the potential need for a gating order.
- 2.5 This path leading from Brooklyn Place to Back Model Terrace, interlinked with Nancroft Mount has been the focus for anti-social behavior (ASB) and crime for a number of years. The area is a quiet residential area with a stable population, many of whom are older adults. There are approximately 767 households with 1720 residents in the relevant Super Output Area. The crime domain at 317 is ranked in the worst 1 percent in England.
- 2.6 Residents have voiced their concerns and anger over the rise in crime and ASB to West Yorkshire Police, Elected Members and council officers. Many of the residents have been victims of crime and criminal damage where offenders have used the path as a place to commit crime and anti-social behaviour and to make good their escape from the Police. Residents living adjacent to the middle of the path have suffered particularly badly as groups of youths often congregate here committing acts of ASB in the process. Reported incidents include nuisance motor cycle use, loutish behaviour and street drinking.
- 2.7 Leeds City Council's Environment and Neighbourhoods Department – Community Safety, and Area Management – received requests from residents demanding action to address the issues. Meetings with individuals have taken place to ascertain the extent of public feeling regarding gating the footpaths to restrict access. The majority of those who were spoken to on site or who have contacted the attended local Councillor surgeries were in favour of gating the highway. A preliminary consultation was carried out with local residents living in and around the Nancrofts / Brooklyns and the results were overwhelmingly in favour of gating.
- 2.8 This footpath runs from the rear of 38 Nancroft Mount through to the side of 34 Brooklyn Place. The middle section of the path runs between 26 and 28 Nancroft Mount. The path is served by only one street lamp which is operational. The path is relatively well maintained and in good condition.
- 2.9 This is a narrow path that is well hidden from the main road. Other than the three entry points to the path, there is also a connecting path leading off it that comes to a dead end and serves the rear of five properties. This path has been the focus for much of the reported youth congregation and the problems associated with this.
- 2.10 There have been many reports by local residents of youth congregation on the paths and this has led to the occurrence of several incidents of anti social behaviour, incorporating criminal damage, nuisance, under age drinking and vandalism. Indeed ten percent of the total recorded crime for the area is situated in and around the three streets surrounding this path. Much of this involves criminal damage, motor vehicle crime, theft and burglary (see Appendix 2).
- 2.11 This path has gradually become a suitable 'meeting place' for youth congregation and has become the site for much trouble over the last 18 months, and increased

Police patrols have taken place in the area to try and reduce the problems occurring there. The local neighbourhood warden has been heavily involved with dealing with the issues, taking statements from local residents in the area. The local NPT has assigned Police Community Support Officers (PCSO's) to the area on a more regular basis to provide back up cover when police patrols are not possible. Crime Reduction leaflets have been delivered to properties in the area and advice from Wardens and the PCSO's has been given to residents who have experienced problems.

- 2.12 Over the last 2 years, complainants have been visited by various agencies, including West Yorkshire Police and Leeds City Council (LCC), in order to obtain information about offenders. What is evident is that although the same groups of youths seem to use the path on a regular occurrence, they are coming from streets further afield than those surrounding this path. This makes it problematic when attempting to identify who these youths are. As well congregating in the path area, they are also often seen using the footpath in question as their means of escape from the surrounding estate and indeed the NPT have stated that this path provides a suitable escape for offenders committing crime within the local vicinity.
- 2.13 As complaints and offences have increased in the area, one of the local residents has installed a portable, overt CCTV camera to their property so that they can film some of the activity taking place in the path area. One incident of attempted theft of motor bike, as well as suspicious activity around various sheds was caught on camera and passed to the Police. Although no property was stolen, the motorbike was damaged in the process and this activity led to an increase of fear amongst local residents.
- 2.14 The effects of making the order for properties adjoining or adjacent to the footpaths subject to the gating would be positive. All residents and owners of property in the area were contacted as part of the consultation and most were in agreement that gating this footpath would improve their quality of life and reduce crime and ASB.
- 2.15 A planning application to gate this footpath was submitted on 3rd May 2007 with permission granted on 28th June 2007 (planning application number: P/07/02907/LA).

3.0 MAIN ISSUES

3.1 Design Proposals/Scheme Description

- 3.1.1 The alternative solutions considered for addressing the crime and anti-social behavior occurring within close proximity to this path have not resolved the situation and are not sustainable. It is now proposed to temporarily close these paths by means of a gating order with a view to stopping the antisocial behaviour and crime which is believed to be associated with the footpaths.
- 3.1.2 Self locking gates no higher than 2.3m with matching fencing in galvanised powder coated steel will be installed at both ends of both footpaths to prevent access to the paths for those not living in the immediate vicinity.
- 3.1.3 The gates will be locked 24 hours a day. All residents whose properties back onto this path will be offered a key if they so wish so that access can be gained to the rear of their properties. These keys will be available from Neighbourhoods' and Housing's Community Safety Service. The gate locks will be numbered in accordance with the master key system devised by LCC Community Safety. Emergency and other services will be provided with keys on request. Any council departments requiring access to the paths will also be able to request keys for the gates.

- 3.1.4 Community Safety will carry out future maintenance of the gates. A commuted sum has been provided for this purpose.
- 3.1.5 Leeds City Council is required to keep a Register of all Gating Orders, to be available to the public and reviewed annually to determine whether the gating measures are still required. The Alleygating Coordinator at Leeds Community Safety will carry out the annual review for these gates.

3.2 **Consultations**

- 3.2.1 **Ward Members:** Ward members have been extremely vocal in their support for alleygating to the Nancrofts and they have no objections to the proposals.
- 3.2.2 **Residents:** In February 2007 pre-consultation took place with local residents living adjacent or adjoining the footpath in question.
- 3.2.3 **Police:** West Leeds Police Division has implemented various strategies to address the problems in this area through the Neighbourhood Policing Team (NPT). When complaints were first received by the police from members of the public living next to the path, local officers and PCSOs were deployed both on foot and on bike patrols. As the number of incidents occurring here rose, more Police presence was provided. The local Neighbourhood Warden visited local residents on numerous occasions to take statements and to report incidences back to the NPT via the multi-agency tasking team meetings.

Despite using various tactics such as varying patrols, utilizing the skills of other agencies, and irrespective of the fact that a Neighbourhood Watch of sorts existed in the area, the problems continued due to the path.

- 3.2.4 **Community Safety:** Environment and Neighbourhoods – Community Safety section is satisfied that the crime element is sufficient to apply for a Gating Order.
- 3.2.5 **Highways:** Highways were not originally consulted as it was not deemed necessary to apply for a Gating Order in the first instance. Since taking legal advice, this view has now changed. Highways users will need to take alternative routes which will incur short detours however this inconvenience has to be placed in context of the community safety situation. An alternative route exists between Brooklyn Place and Back Model Terrace via Nancroft Mount. This route is deemed much safer as it means pedestrians can be seen along the main vehicular route, rather than being hidden at the rear of properties. This is both beneficial for the residents living there and for pedestrians alike. This alternative route would not take any longer to travel and adds only a few yards to the overall journey.
- 3.2.6 **Rights of Way:** Parks and Countryside (Countryside and Access) have not been consulted due to reason stated above. They have been asked to inform if the path exists on the definitive map or not and as it stands, the path has not been claimed as falls within the excluded area.
- 3.2.7 **Utilities:** Utility and other service providers were contacted in March 2007 regarding the proposed gating scheme. No objections were received.

- 3.2.8 Emergencies Services: The Fire, Health and Police Authorities were contacted in March 2007 regarding the proposed gating scheme. No objections were received.
- 3.2.9 Prescribed Organisations, Local Footpath User Groups and Local Access Forum: Once again, consultation was not carried out with these groups due to the reasons stated above (see 3.2.5)

3.3 Gating Order Publicity

- 3.3.1 Home Office Guidance regarding publicity relating to the making of Gating Order will be followed.

3.4 Implications for Highways Users

- 3.4.1 The implications for highways users is that there will be a loss of amenity so non-resident users will have to take alternative routes that will incur extremely short detours, referred to in 3.2.5 above. It is unlikely that those who had used the footpath as a short cut will resort to having to use vehicles if the amenity is lost.

3.5 Programme

- 3.5.1 It is anticipated that subject to approval these proposals will be implemented in June 2008.

4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE

- 4.1 The proposals contained in this report comply with Section 17 of the Crime and Disorder Act 1998 and subsequently to its revision in 2006 and help to contribute to the safety and well being of the people in the community.

5.0 HEALTH IMPACT

- 5.1 It is not anticipated that there would be an adverse impact on the health of the users if the amenity was lost as the proposed alternative routes will add very little to journey times and the alternatives are safe pedestrian routes. This meets Leeds Travelwise policy of discouraging private car use and promoting walking to school.

6.0 LEGAL AND RESOURCE IMPLICATIONS

- 6.1 Leeds Community Safety will fund 50% of the costs with match funding secured from West Leeds Area Committee for installation and maintenance of the gates and fencing, all legal and administration costs and provision of keys.
- 6.2 Funding does not cover support for a Public Inquiry. This will only be required if there are overwhelming objections to the Gating Orders and in such unlikely circumstances, the continued promotion of the scheme will be reviewed.

7.0 CONCLUSIONS

- 7.1 Despite a range of initiatives being implemented in the problem area, the issues still persist when there is not a uniformed presence in the area. It is unsustainable to deploy council or police officers to this area on a permanent basis. It is clear that a physical barrier would prevent anti-social or criminal elements that do not live in the vicinity, from entering the footpath.

8.0 RECOMMENDATIONS

8.1 The Chief Highway Officer is requested to:

- i) approve the gating of the footpath leading firstly from Brooklyn Place through to Back Model Terrace and incorporating the middle opening at Nancroft Mount in accordance with the attached drawing in accordance with Section 129A of the highways Act 1980; and
- ii) request Assistant Chief Executive (Corporate Governance) to advertise the notices of intention to make Gating Orders for the footpath leading from Brooklyn Place to Back Model Terrace and incorporating Nancroft Mount in accordance with the attached drawing and, in the event that no objections are received, for the Orders to be made and brought into operation.



Scale : 1/1250

PRODUCED BY THE DEVELOPMENT DEPARTMENT, LEEDS CITY COUNCIL

This map is based upon the Ordnance Survey's Digital Data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567

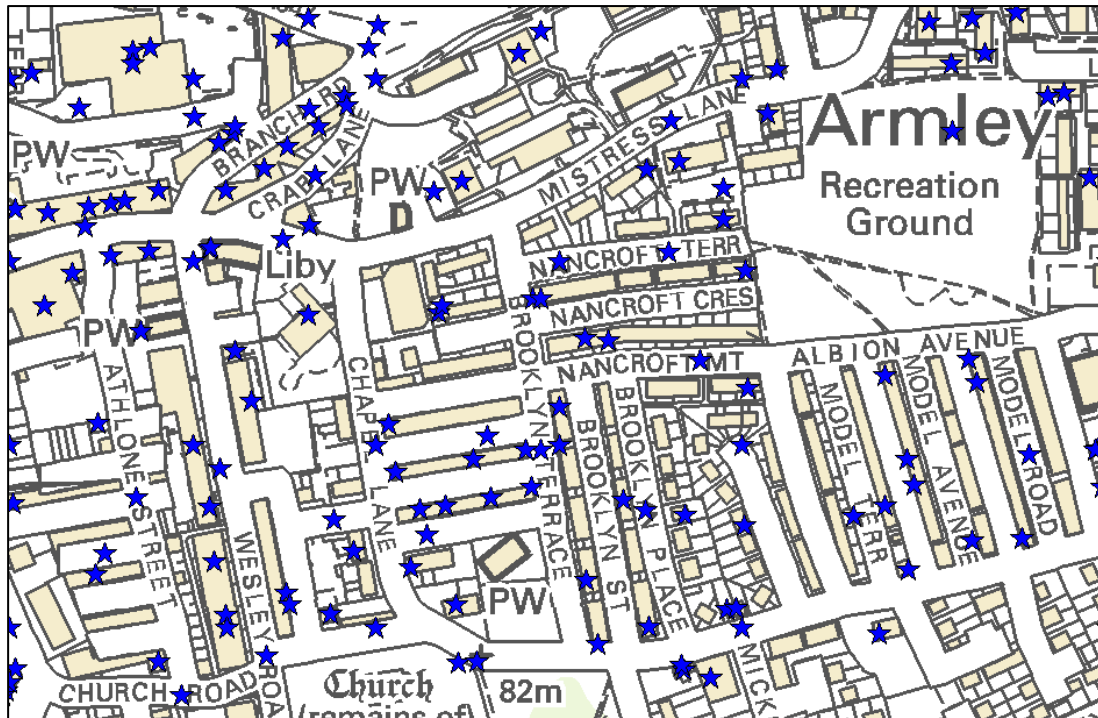


This page is intentionally left blank

Appendix 2 – Crime Analysis

Crime and Incidents in around the Nancrofts in Armley Over the Last 12 Months (between 10/03/07 – 09/03/08)

The map below shows the locations of all crime committed in the area around the Nancrofts over the last 12 months.



© Crown Copyright. All rights reserved. West Yorkshire Police License No. PA 01055C 2007

Nancroft Mount

There were **9** crimes committed on this street over the last 12 months.

Occurrence Type	Offences
THEFT FROM VEHICLE	3
ASSAULT	1
BURGLARY DWELLING	1
CRIMINAL DAMAGE - DWELLING	1
CRIMINAL DAMAGE - PROPERTY	1
DAMAGE TO MOTOR VEHICLE	1
INTERFERENCE WITH A MOTOR VEHICLE	1
Total	9

The vehicle crime offences involved: force vehicle window, smash vehicle window, damage steering column of vehicle, force vehicle door lock, break window in the boot of the vehicle. In the burglary dwelling offences entry was gained via an insecure window. The two damage offences involved a stone being thrown at the living room window and an offence where youths were congregating in the passageway and pulled at the fence causing it to fall down.

The assault was racially aggravated. Between 20:30 & 20:40 the complainant is walking up a residential street towards his mosque when a group of around 10 youths, both male and females begin to shout racial and religious abuse at him. The suspect then crosses the road and begins to punch, kick and hit the complainant who tries to get away without success. The assault continues for around 20 minutes culminating in the complainant being struck over the head with a large stick before the suspect runs off in an unknown and unseen direction.

Appendix 2 – Crime Analysis

Brooklyn Place

There were **4** offences committed on this street over the last 12 months.

Occurrence Type	Offences
THEFT - FROM MOTOR VEHICLE	1
THEFT OF VEHICLE	1
ASSAULT	1
BURGLARY OTHER	1
Total	4

The vehicle offences involved a red BMW 318 being lifted onto some bricks and the front and rear wheels removed and the theft of a Peugeot 206. The padlock from a detached garage door was forced in the burglary other offence but no property was stolen (there was nothing of value in the garage as the property was empty after an arson attack and the garage was full of items to be put in the skip).

The assault was domestic related – the suspect and the victim are mother and daughter. Whilst at the home address they have a heated argument about Christmas presents which results in the mother allegedly assaulting the daughter with a hammer causing a small 1cm cut to the crown of her head. The victim calls the police but does not speak. The suspect remains at address and arrested.

Brooklyn Avenue

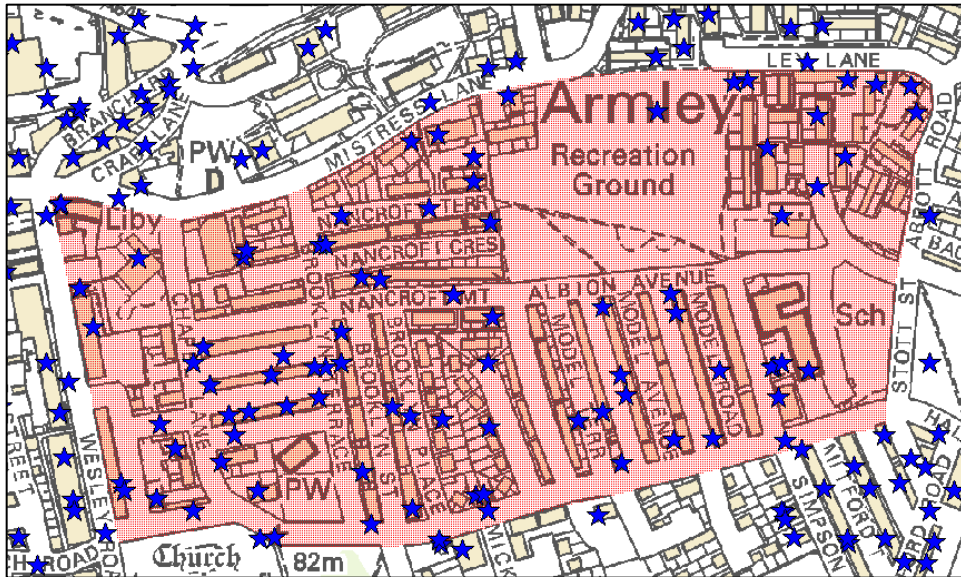
There was **1** offence committed on this street over the last 12 months. It was a burglary other crime where suspect/s stole pedal cycles from the complainant's garage.

Back Model Terrace – There were no crimes on this street over the last 12 months.

Appendix 2 – Crime Analysis

Offences in the Area

The table below shows the crime figures for the streets surrounding those identified above. It includes offences contained within the red shaded area.



© Crown Copyright. All rights reserved. West Yorkshire Police License No. PA 01055C 2007

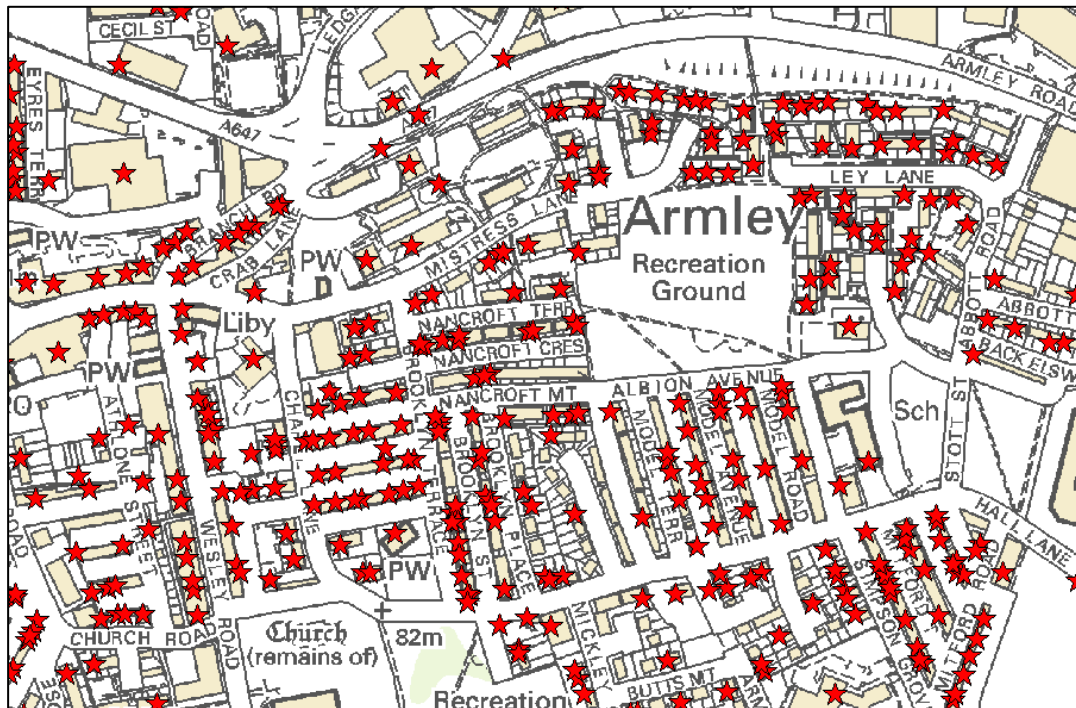
Street Name	Offences
HALL LANE	14
MISTRESS LANE	13
BROOKLYN TERRACE	11
CHAPEL LANE	10
NANCROFT MOUNT	9
PARLIAMENT PLACE	9
LEY LANE	7
NANCROFT CRESCENT	7
WESLEY ROAD	6
BRENTWOOD GROVE	5
LAUREL TERRACE	5
MODEL AVENUE	5
NANCROFT TERRACE	5
BROOKLYN PLACE	4
MODEL ROAD	4
LAUREL FOLD	3
STOCKS HILL	3
BRENTWOOD TERRACE	2
BROOKLYN STREET	2
LAUREL GROVE	2
MODEL TERRACE	2
PARLIAMENT ROAD	2
ABBOTT ROAD	1
BROOKLYN AVENUE	1
CHURCH ROAD	1
FIELDING GATE MEWS	1
UNKNOWN STREET	1
Total	135

Appendix 2 – Crime Analysis

Incidents

Data Period 10/03/07 – 09/03/08

The map below shows the locations of all incidents reported in the area around the Nancrofts over the last 12 months.



© Crown Copyright. All rights reserved. West Yorkshire Police License No. PA 01055C 2007

Nancroft Mount

There have been 27 incidents reported on Nancroft Mount over the last 12 months.

Location	Crimes	Incidents	No. of Incidents
Nancroft Mount, Armley	Crime - Theft of from Veh		3
	Crime - Criminal Damage		2
	Crime - Burglary		1
		ASB - Nuisance M-cycle	6
		Duplicate Log	5
		ASB - Loutish Behaviour	4
		Safety Welfare - Susp Circs	2
		ASB - Street Drinking	1
		Safety Welfare - Concern	1
		Safety Welfare - Dom - Non Crime	1
	X - Unspecified	1	
	Total		27

The calls reporting vehicle crime relate to a smashed window (radio taken), attempt theft of a scooter and attempt theft from motor vehicle where suspect/s opened the glove box and ash tray.

The criminal damage calls were reporting a group of youths who threw a brick at the car and ran off and one incident when the caller's window was smashed.

The burglary occurred overnight and entry was gained through the window.

Appendix 2 – Crime Analysis

All of the nuisance motorcycles calls report youths racing around with no helmets on their bikes. Callers state that this is a regular problem.

3 of the duplicate log calls were reporting nuisance motorbikes racing up and down the road, not wearing helmets and endangering pedestrians. The remaining 2 calls relate to a fight in the street.

The safety welfare calls were reporting a prowler peering in the window, a man in the street shouting for help and two domestic related incidents.

The ASB – street drinking call was reporting a group of 10 youths hanging around the locus drinking alcohol.

The ASB loutish behaviour calls were reporting kids kicking wing mirrors off cars and when a neighbour went to confront them one pulled a knife, a report of 5 youths all drinking who look underage, 15-20 youths being very noisy, drinking and being a general nuisance and one call where a male was thrown out of the premises.

The unspecified incident was a caller reporting that they had found 2 set top boxes.

Brooklyn Place

There have been 18 incidents reported on Brooklyn Place over the last 12 months.

Location	Crimes	Incidents	No. of Incidents
Brooklyn Place,	Crime - Violence		3
Armley	Crime - Burglary		1
	Crime - Criminal Damage		1
	Crime - Theft of from Veh		1
		ASB - Loutish Behaviour	3
		Safety Welfare - Concern	3
		X - Unspecified	3
		Duplicate Log	1
		Safety Welfare - Civil Dispute	1
		Safety Welfare - Mental Health	1
Total			18

The violent crime calls relate to the caller reporting that a male has just kicked her 6 year old son, a distressed female requesting the police and a domestic incident.

The criminal damage offence relates to a house fire – malicious ignition by a firework to the roof. The burglary call is a report of a teenager stood by an open security gate of an empty house and the theft of vehicle log relates to two vehicles which were stolen.

The loutish behaviour calls are reporting 5 kids trying to break into an empty house, kids drinking in the ginnel (caller states that this is a regular problem and that they are underage) and a call reporting that their garage has been broken into, the wing mirror broken off their car and their wall graffitied.

The unspecified calls relate to a report of 4/5 9 year old lads in drink, being abusive and climbing scaffolding, a caller who was being followed and a broken padlock on the caller's garage door.

The duplicate log is a call from a distressed female, crying.

Safety Welfare Calls – the caller states that someone is smashing the house windows, a call regarding a dispute over a tenancy, a domestic incident, a call from the ambulance service and a call reporting that her cornflakes and some money are missing.

Appendix 2 – Crime Analysis

Brooklyn Avenue

There were 2 incidents reported on this street:

*Crime – Burglary, complainant's garage was broken into overnight.

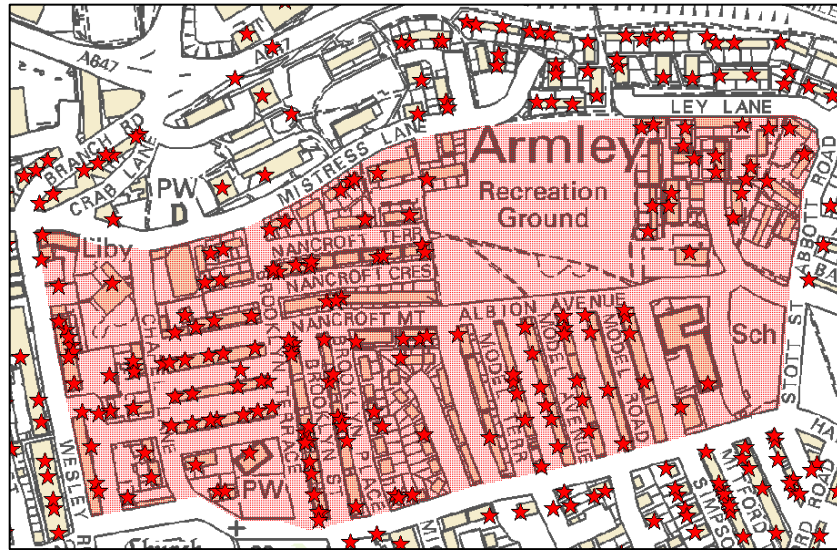
*ASB - Loutish Behaviour, the callers coal house was entered overnight, their fence was damaged over the weekend. There was no damage but suspect/s had thrown a lot of stuff about. The caller heard a noise at midnight but did not think was theirs.

Back Model Terrace – There were no incidents reported on this street over the last 12 months.

Appendix 2 – Crime Analysis

Incidents reported in the area

The table below shows the number of incidents reported for the streets surrounding those identified above. It includes offences contained within the red shaded area.



© Crown Copyright. All rights reserved. West Yorkshire Police License No. PA 01055C 2007

Street Name	No. of Incidents
Model Avenue	50
Chapel Lane	28
Wesley Road	28
Nancroft Mount	27
Parliament Place	24
Hall Lane	21
Ley Lane	19
Brooklyn Place	18
Brooklyn Terrace	17
Mistress Lane	17
Nancroft Terrace	17
Brooklyn Street	16
Laurel Terrace	13
Model Road	13
Model Terrace	12
Nancroft Crescent	12
Brentwood Grove	11
Hopton Mews	11
Abbott Road	9
Laurel Grove	9
Laurel Fold	7
Brentwood Terrace	5
Strawberry Lane	5
School Mews	4
Laurel Place	3
Brooklyn Avenue	2
Church Road	2

Streets continued:

Hopton Court	2
Stocks Hill	2
Brookland Terrace	1
Fieldings Gate Mews	1
Parliament Road	1

This page is intentionally left blank

Report of Director of Neighbourhoods and Housing

To Director of City Services and the Director of Development

Date:

Subject: Gating Order – Aysgarth Estate, East End Park

Electoral Wards Affected:

Burmantofts and Richmond Hill

Specific Implications For:

Equality and Diversity	<input type="checkbox"/>
Community Cohesion	<input checked="" type="checkbox"/>
Narrowing the Gap	<input type="checkbox"/>

Eligible for Call In

Executive Summary

East North East homes Leeds are promoting the installation of gates and fences within the Aysgarth estate in East End Park to temporarily close the highway due to high levels of crime. The proposal has the support of the community and all the relevant bodies. This report seeks the approval of the Director of City Services to initiate the legal process for highways closure.

1.0 Purpose of this Report

- 1.1 The purpose of this report is to seek authority to temporarily close various alleyways through Gating Orders as defined by the Clean Neighborhoods and Environment Act 2005 and Highways Act 1980, Section 129A. This area is within the Burmantofts and Richmond Hill Ward.
- 1.2 Self locking gates and fencing in galvanized powder coated steel, with matching fencing will be installed to restrict these paths being used as an egress route for perpetrators of crime. Access to these gates will be restricted to adjacent tenants with keys, utility companies and emergency services.

2.0 Background Information

- 2.1 Section 129A to 129G of the Highways Act allows for the making of a gating order to temporary close a highway in response to high levels of anti-social behavior and crime. The legal provision came into effect on 1st April 2006.

The Aysgarth's are a development of terraced housing and low rise flat accommodation built in the late 1970s. Originally there was an open plan aspect between the blocks, however, over time these have been fenced off creating a series of semi enclosed spaces and alleyways. These form attractive congregating points for people not wishing to be viewed by CCTV cameras that overlook both ends of Ascot Terrace. A further effect of these alley ways is to allow a means of escaping from Police pursuit; Aysgarth Walk for example, has five separate points of egress. It is the combined effect of the semi enclosed space and the ease of escape that makes the area so attractive to groups of youths.

3.0 Main Issues

- 3.1 The behaviour of these groups are causing residents to live in fear; people are scared to go out after 3pm as this is when disturbances start, often until the early hours. The Police also feel that the area is used as an escape for perpetrators who have been causing disturbances in the Temple View and Glensdale areas nearby.
- 3.2 There is a high fear of crime amongst residents in the area. This is evident from the concerns expressed at an open morning East North East homes held to discuss the plans with the residents and through the 'Fear of Crime' survey that was distributed to all residents with the consultation pack. Residents have been subject to burglaries, abusive language, criminal damage and various forms of anti social behaviour (ASB).
- 3.3 The effects of losing the alley ways would have a positive impact on the estate. All residents in the areas were contacted as part of the consultation and there was a high level of agreement that gating the ginnel footpaths will improve their quality of life and reduce crime and ASB. In areas where this type of gating has been erected there has been a dramatic increase in feelings of safety which has had a knock on effect of increasing informal surveillance from residents and deterring criminals away.
- 3.4 The physical appearance of the area is also detrimental to the resident's feeling pride in the estate. There is a great deal of litter and graffiti on the estate, garden fencing is broken and plants destroyed. Consequently residents tend not to take any pride or ownership in the area which reduces the appeal of the properties when advertised.
- 3.5 The closing off and fencing of alley ways and communal spaces will create small areas of communal land where residents can be encouraged to take ownership of and improve. Options such as local environmental courses could be introduced and some pride could be restored for both residents and potential residents of the area. It would also make enforcement easier for both East North East homes and Environmental Health, as only residents would be able to access the areas.

4.0 Crime

- 4.1 There have been a total of 182 crimes from January 2006 to April 2008 which represents a notable amount of crime when taken into account the small area size of the estate.

Incident Data 01/01/07- present (16/4/08)

STREET	ASB - 999 HOAX	ASB - DRUNKENNESS	ASB - LOUTISH BEHAVIOUR	ASB - MAL COMS	ASB - NEIGHBOUR DISP	ASB - NOISE	ASB - NUISANCE M-CYCLE	ASB - STREET DRINKING	ASB - VEH RELATED NUISANCE	FOUND STOLEN MV	SAFETY WELFARE - ABAN 999	SAFETY WELFARE - ABAN CALL	SAFETY WELFARE - CIVIL DISPUTE	SAFETY WELFARE - COLLAPSE III INJURY	SAFETY WELFARE - CONCERN	SAFETY WELFARE - CONCERN-ANIMAL	SAFETY WELFARE - CRIMINAL DAMAGE	SAFETY WELFARE - DOM - NON CRIME	SAFETY WELFARE - DOM RELATED	SAFETY WELFARE - INSECURE PREM	SAFETY WELFARE - MENTAL HEALTH	SAFETY WELFARE - SUSP CIRCS	SAFETY WELFARE - SUSP CIRCS - DRUGS	SAFETY WELFARE - SUSP CIRCS - VEH	TOTAL
ASCOT TERRACE	1	3	26	2	1	1	2	1	2	1	0	1	1	0	13	0	1	2	1	0	1	9	2	1	72
AYSGARTH CLOSE	0	2	9	1	0	1	0	0	0	1	0	0	0	0	4	0	0	11	1	0	0	1	0	0	31
AYSGARTH DRIVE	0	0	3	0	0	0	0	0	0	1	0	0	0	0	1	0	0	2	0	1	0	5	0	1	14
AYSGARTH MOUNT	0	0	1	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2	0	0	5
AYSGARTH WALK	0	0	5	1	2	0	3	0	1	0	1	0	0	0	15	1	0	2	0	1	0	4	0	0	36
GRAND TOTAL	1	6	45	4	3	2	6	1	3	3	1	1	1	1	35	1	1	18	2	2	1	21	2	2	163

Table 2 – Crime 1/1/06 – present (16/4/08)

STREET	ARSON	ASSAULT	BREACH OF ASBO / INJUNCTION	BURGLARY DWELLING	BURGLARY OTHER	CRIMINAL DAMAGE	DAMAGE - MOTOR VEHICLE	DRUGS	FIREARMS	HARASSMENT	POSSESS OFFENSIVE WEAPON	PUBLIC ORDER	ROBBERY	THEFT-NS	THEFT FROM PERSON	THEFT FROM VEHICLE	THEFT NON SPECIFIC	THEFT OF VEHICLE	TOTAL
ASCOT TERRACE	1	8	1	7	0	21	3	6	0	4	1	9	4	4	0	3	1	0	73
AYSGARTH CLOSE	1	2	0	2	0	11	0	7	0	4	0	0	0	1	0	3	0	1	32
AYSGARTH DRIVE	1	0	0	3	0	1	4	3	1	0	0	0	1	1	0	1	1	1	18
AYSGARTH PLACE	0	0	0	1	0	5	1	0	0	0	0	0	0	0	0	0	0	2	9
AYSGARTH WALK	3	4	1	1	1	15	3	0	0	3	0	3	1	3	1	2	2	1	44
TOTAL	6	15	2	15	2	55	12	16	1	8	1	12	6	10	1	11	4	5	182

- 4.2 As the Incident table shows, the majority of the recorded incidents can be attributed to Anti Social Behaviour. The Supporting statement from the local ASB Officer states that the most prevalent crimes in the area are criminal damage, drugs, assault and burglary dwelling (appendix 1). Drug paraphernalia can be found in many areas across the estate, discarded along dark footpaths or thrown into residents gardens.
- 4.3 The Alternative Solutions considered for addressing anti-social behaviour on the Aysgarth estate have not resolved the situation and it is now proposed to temporarily close the footpaths by means of a gating order.

The area has been targeted by various Community Safety initiatives involving numerous agencies:

- The area benefits from PCSOs and Neighbourhood Wardens
- Alley ways were identified on Aysgarth Walk where joy riders were accessing public footpaths, bollards have been installed as prevention.
- CCTV cameras have been installed in the area in a bid to reduce crime and the fear

of crime.

- Smart Water initiatives
 - Operation Champion deployed 21/3/07 - 23/3/07
- Results
13 arrests
64 pieces of intelligence gathered
56 stop forms- people stopped and spoken to
2 vehicles seized
2 vehicle defect notices
Producers for documents
Drug intervention referrals
15 fine default warrants executed with value of £3380.34
11 Joint Anti Social Behaviour Unit. Housing/Police Visits to perpetrators of ASB
ASB letters issued- Operation Brathurst -1 Day of action 17th January 08
Multi agency initiative, high visibility reassurance in Aysgarths following drug arrests/warrants in area , cleaned up also carried out
- The North East Drugs Team carried out numerous operations on the Aysgarth estate between October 2007 and January 2008.
29 people were arrested for drugs trafficking
7 charged with Class A drug offences
1 resident's property was raided and was charged with possession of a fire arm
Sergeant Dawson from the North East Leeds Drugs Team believes it is imperative that gates are installed to help tackle this problem.

4.4 **Summary of finding:** *There has been a notable number of recorded crime and incidents in an around the Aysgarth estate between January 2006 and April 2008. These incidents are largely associated with anti-social behaviour and groups of youths congregating in the area.*

5.0 Design Proposals / Scheme Description

- 5.1 Self locking gates no higher than 2metres high with matching fencing in galvanized powder coated steel will be installed to restrict access to the alleyways for those residents not living in the immediate vicinity.
- 5.2 The gates appearance is an important consideration. The final choice should not compromise effectiveness but must be aesthetically pleasing and suited to the area (appendix 2).
- 5.3 The gate should not have any centrally located horizontal bars or anything that could give a foothold. It should not be solid and it must give a clear line of sight down the footpath. The design will be relatively decorative and the gates will be designed to match. The gates will be auto locking and keys will be distributed to residents by East North East homes and in future managed and distribute additional keys by Neighbourhood and Housing Community Safety Service.
- 5.4 The gate locks will be numbered in accordance with the system devised by Leeds City Council Community Safety department. Emergency and other services will be provided with keys on request. City Services Street Cleaning and WYP will also be provided with keys.
- 5.5 Keys to the gates should only be provided to the residents of 2-66 Ascot Terrace, 63-81 Pontefract Lane, Aysgarth Close, Aysgarth Walk and Aysgarth Place.
- 5.6 East North East homes will carry out future maintenance of the gates through the responsive repair budget.

6.0 Consultation

6.1 Ward Members: All ward members have shown their full support for the proposals. Ward members attended a walkabout with East North East homes staff to discuss the proposals and attended a resident consultation drop in session on Saturday 8th March 2008.

6.2 Residents: On 3rd March 2008 all residents in the adjoining and adjacent area were sent postal consultation packs to ascertain their views about the possibility of alleygating in the area. East North East homes also held a drop-in session at the local community base on Glensdale Terrace, which gave tenants the opportunity to drop off forms and speak to staff about the plans and concerns.

A total of 44 residents who live on the Aysgarth estate (including Pontefract Lane and Ascot Terrace) responded to the consultation

6.3 95% of respondents agreed with the proposals
5% of respondents did not agree with the proposals
75% of respondents think the scheme was very important for the area
15% of respondents think the scheme is important for the area

6.4 Below are some of the comments from local residents which were recorded during consultations:

- I would highly recommend this project for safety and crime
- The gates can't come soon enough for us. I think it will stop a lot of the drug dealing in the alleyways, it will also help keep the crime down
- About time-we have suffered long enough
- It will help cut down the youths being able to congregate

6.5 85% of respondents have felt fearful of becoming a victim of crime. We asked residents how many times they had felt fearful, some of the comments we received are below:

- Most Nights
- Every other week
- Dare not go out on a night unless in a car
- All time
- Twenty to thirty times a year

6.6 East North East homes also consulted with the residents living in the properties within close proximity to the Aysgarth estate.

13 of the residents responded from Temple View Terrace, Temple View Place, Temple View Road and Aysgarth Drive.

40% of the respondents stated they use the Aysgarth estate to access Pontefract Lane

60% of respondents use alternative routes to access Pontefract Lane

100% of respondents were in favour of the scheme

6.7 Below are some comments from the residents living outside the Aysgarth estate:

- You should add cameras too in the car park looking down the ginnels
- No comment because our house is not affected by the proposed fencing and gating
- It will help cut down the youths being able to congregate

- I would prefer the scheme to go ahead
- It's a good suggestion

- 6.8 Community Safety: Neighbourhoods and Housing – Community Safety section is satisfied that the crime element is sufficient to apply for a Gating Order.
- 6.9 Highways: Development Department and City Services have both been consulted and have no objections to the proposals.
- 6.10 Rights of Way: Learning and Leisure Department has been consulted and stated the Aysgarth estate is within an excluded area for Public Rights of Way and have no objections to the proposals..
- 6.11 Utilities: Utility and other service providers were contacted regarding the proposed gating scheme. No objections were received.
- 6.12 Police – Matthew Davidson, Inspector for Burmantofts and Richmond Hill Neighbourhood Policing Team is in full support of the scheme.
- 6.13 West Yorkshire Fire Service – Nigel Craven have no objections to the scheme and stated that similar schemes carried out in other areas have reduced the number of rubbish fires
- 6.14 The Ramblers Association have no objection to the proposals

7.0 Gating Order Publicity

Home Office Guidance regarding publicity relating to the making of Gating Order will be followed.

8.0 Implications for Highways Users

The implications for highways users is that there will be a loss of amenity so non-resident users will have to take alternative routes that will incur a short detour. However, this inconvenience has to be placed in context of the community safety situation. Alternative routes exist along Pontefract Lane, Ascot Terrace and Aysgarth Drive.

9.0 Programme

- 9.1 It is anticipated that subject to approval, these proposals will be implemented and installed within 6 weeks

- 10.0 Photographs and maps:** Please see appendix 3 for photographs and appendix 4 for the map of the Aysgarth estate.

11.0 Implications for Council Policy and Governance

- 11.1 The proposals contained in this report comply with Section 17 of the Crime and Disorder Act 1998 and help to contribute to the safety and well being of the people in the community.

- 11.2 Notice of intention to make orders will be advertised on the Council website.

- 11.3 Leeds city Council is required to keep a register of all Gating Orders, to be

available to the public and renewed annually. The annual review could result in a gate being removed. East North East homes fencing team will remove the gates and make good the land, should this be necessary.

12.0 Health Impact

- 12.1 It is not anticipated that there would be an adverse impact on the health of the users if the amenity was lost as the proposed alternative routes will add very little to journey times and the alternatives are safe pedestrian routes.

13.0 Legal and Resource Implications

- 13.1 Funding for the scheme has been secure from East Leeds Area Management Team £12500 (50%) and East North East homes £12,500 (50%) for installation of the gates and fencing, all legal and administration costs and provision of keys. East North East homes will maintain the gates under the Repairs and Maintenance Budget.
- 13.2 Funding does not cover support for a Public Inquiry. This will only be required if there are overwhelming objections to the Gating Orders and in such unlikely circumstances, the continued promotion of the scheme will be reviewed.

14.0 Conclusions

- 14.1 The footpaths continue to create problems for local residents, property owners and council departments and agencies that have to respond to the various issues and are now in need of action to prevent further deterioration. The gates and fencing aim to reduce criminal damage, anti social behaviour and will help to reduce the fear of crime by providing a private area for residents.

15.0 Recommendations

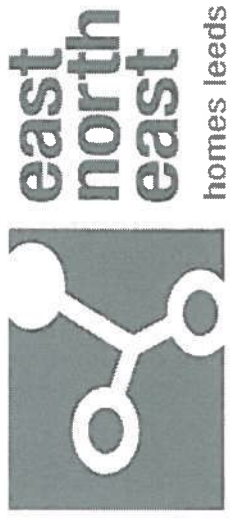
DIRECTOR OF CITY SERVICES

- 15.1 The Director is requested to:
- i) approve the gating and fencing of the various footpaths on the Aysgarth Estate in accordance with the attached drawing in accordance with Section 129A of the highways Act 1980;
 - ii) request the Director of Legal and Democratic Services to advertise the notices of intention to make Gating Orders and, in the event that no objections are received, for the Order to be made and brought into operation.

DIRECTOR OF DEVELOPMENT

- 15.2 The Director is requested to note the content of this report.

This page is intentionally left blank



Appendix 1

Statement from Anti Social Behaviour Officer

**LEEDS CITY COUNCIL
WITNESS STATEMENT OF
JOHN DUNBAR**

John Dunbar, of Leeds South East Homes, will say as follows:-

I am employed by Leeds South East Homes as an ASB Enforcement Officer. I have been in this post for 2 years. My duties include investigating and witnessing acts of anti-social behaviour, collecting and collating evidence and preparing witness statements for use in court proceedings.

Over the last four years I have worked in the Richmond Hill area of Leeds in enforcement and housing management capacity during that time the Aysgarth area of Richmond Hill has declined quite rapidly.

This is due to the layout of the estate in which perpetrators of crime can quickly abscond due to the many alleyways making it very difficult for enforcement agencies to deal with problems in the area.

Crimes and problems reported in the area are as follows: drug dealing, drug taking, burglary, car theft, joy riding, racial harassment and violent disorder.

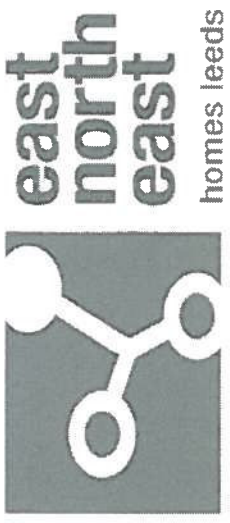
At the rear of the housing complex there is a path which runs between the estate and industrial units. This path is in constant use by drug addicts; you can see this when you walk down the path as discarded drug paraphernalia is strewn along the path and thrown into people's gardens.

The fear of crime by local residents has risen quite dramatically over the last two years because of the problems. People are terrified to come out onto the estate after dark due to the seriousness of the problems in the area.

Leeds South East Homes and Leeds City Council have installed CCTV in the area in a bid to reduce crime and the fear of crime in the area. Though this has had some effect, it has not been to the extent that had been hoped for.

The contents of this, my witness statement, are true.

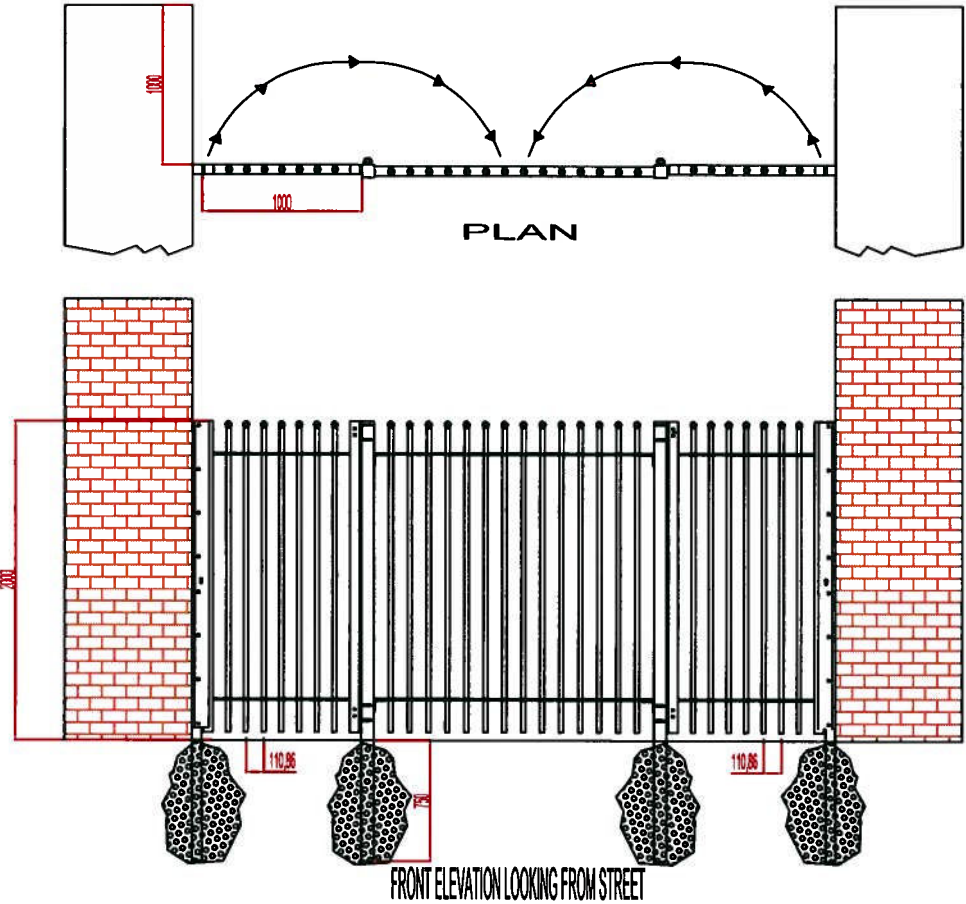


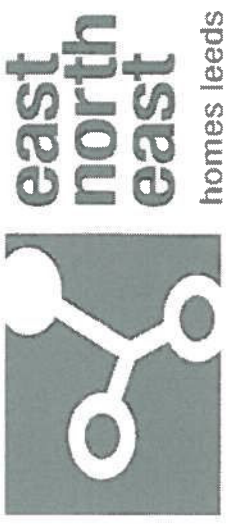


Appendix 2

Examples Of The Proposed Fencing & Gates

<p>ALTERNATIVES LIGHTHOUSE PROJECT</p> <p>ALTERNATIVES LIGHTHOUSE PROJECT</p>	
<p>GALV/PRISH POWDERCOAT BLACK</p>	
<p>Standard Capital Range Fencing and Gates</p>	
<p>ARM / ELEM</p>	<p>15/04/08</p>
<p>NTS</p>	
<p>Alternatives Lighthouse Project, Unit 11 Brookfield, Hayes Business Park, Ella Ashton Street, Hayes, Tel: 01895 831329</p>	
<p>MATERIAL</p> <p>POSTS 80X80 RHS INFILL 27Ø CHS CROSSRAILS 60X12 Flat Bar GATE STILES 60X60 RHS</p>	





Appendix 3

Photographs Of The Aysgarth Estate

Sector 1

Point 1



**east
north
east**
homes leeds



Sector 1

Point 2



**east
north
east**
homes leeds

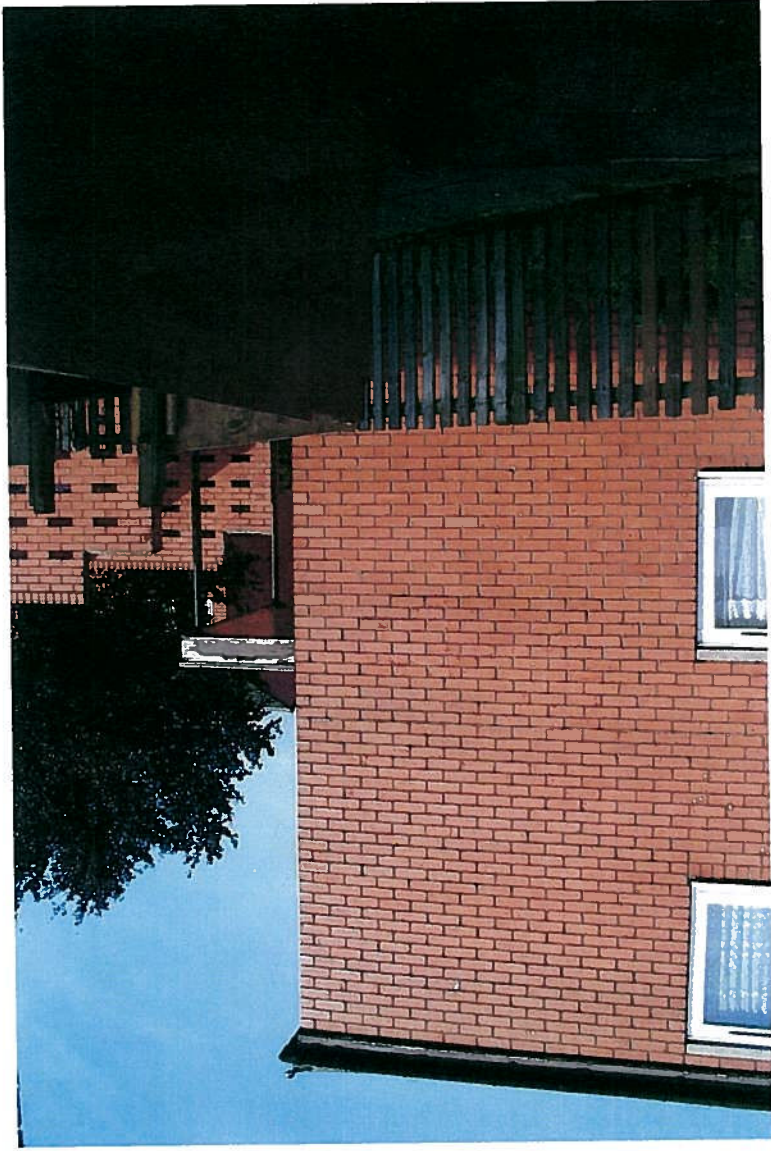
03



Sector 1 Point 3



east
north
east
homes leeds



Sector 1

Point 4



**east
north
east**
homes leads



10/11/11

Sector 1

Point 5



**east
north
east**
homes leeds

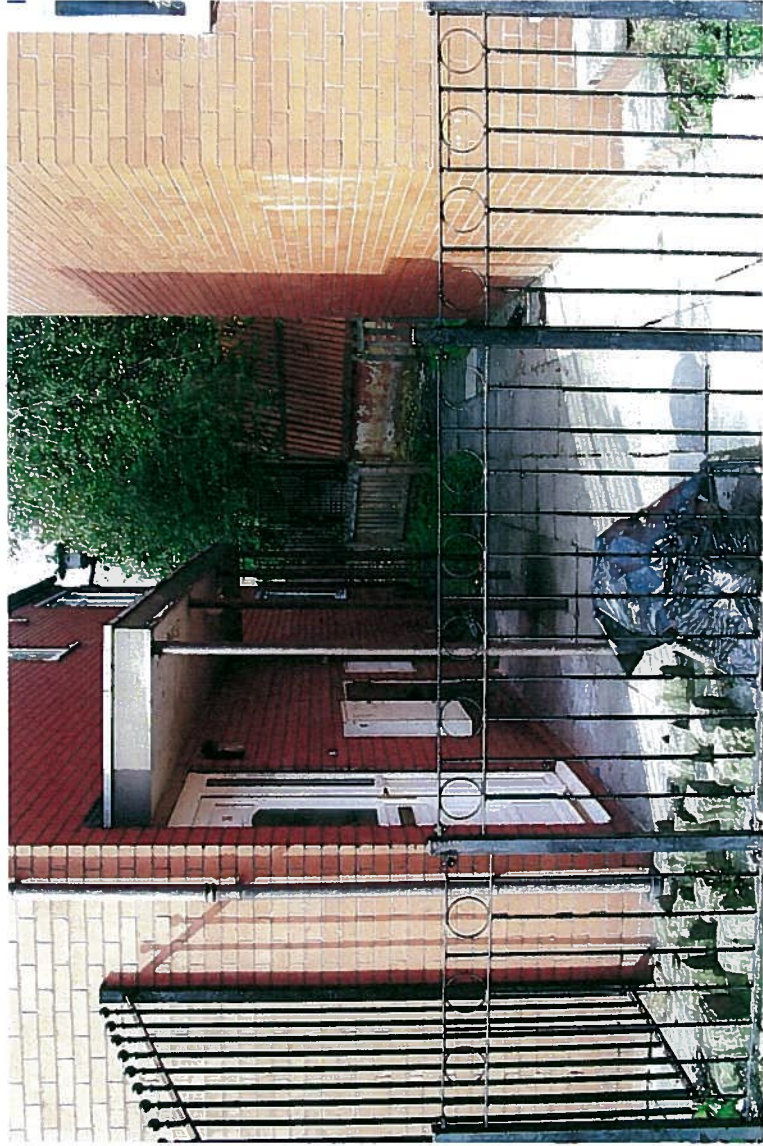


Sector 1

Point 6



**east
north
east**
homes leeds



Sector 2 Point 7



east
north
east
homes leeds



Sector 2

Point 8



**east
north
east**
homes leeds



Sector 2 Point 9



**east
north
east**
homes leeds



Sector 2

Point 10



**east
north
east**
homes leads



Sector 3

Point 11



**east
north
east**
homes leads



Sector 3 Point 12



**east
north
east**
homes leads

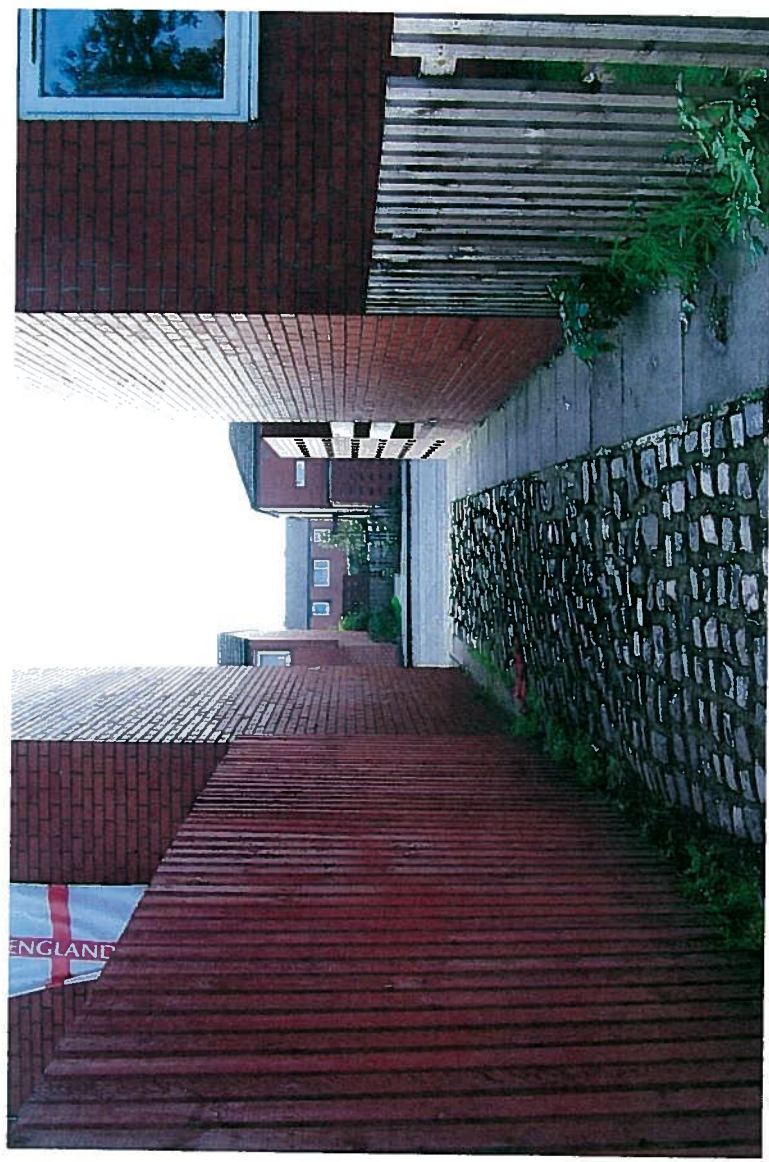


Sector 3

Point 13 & 14



east
north
east
homes leeds



Appendix 4

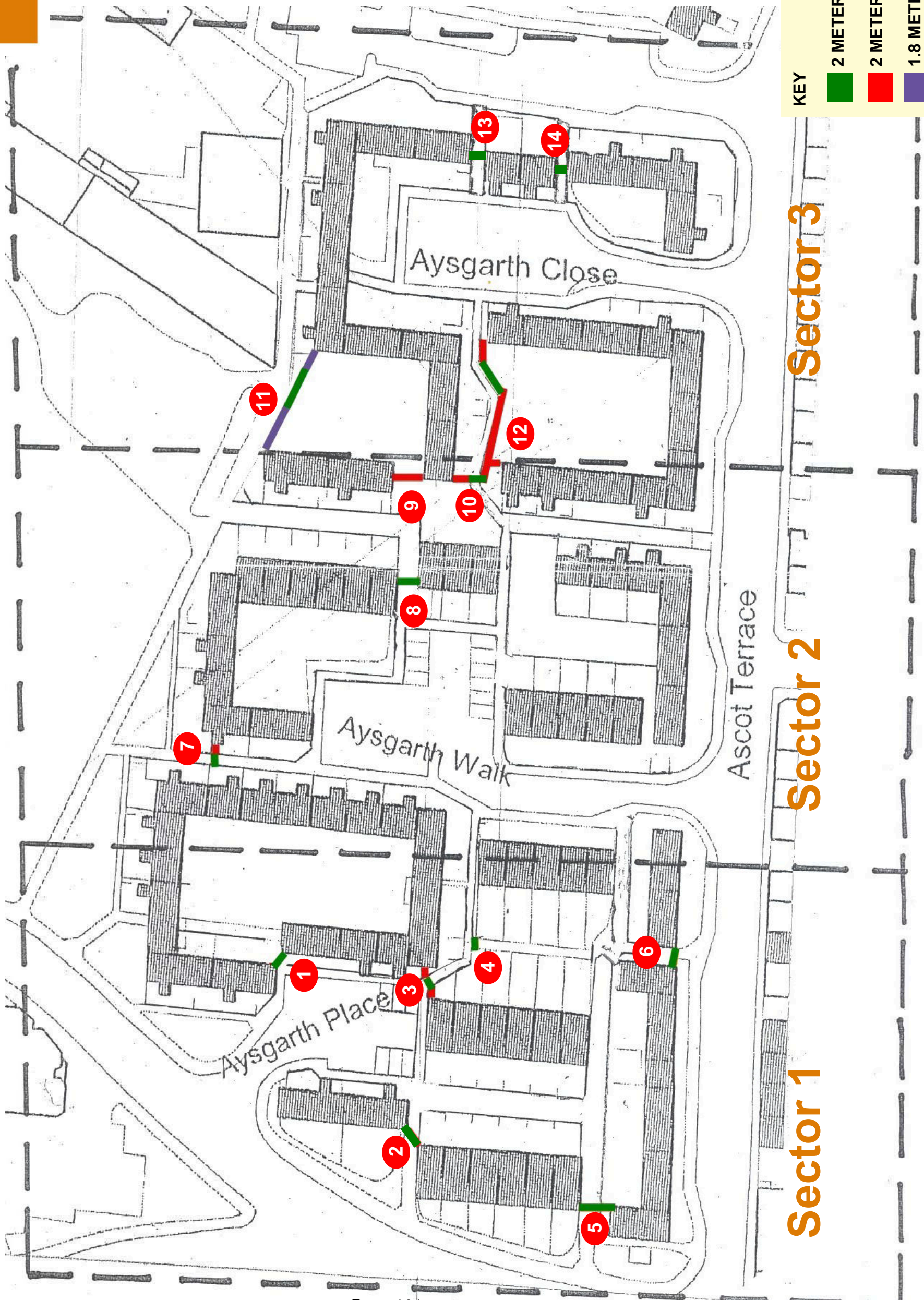
Plan of the Aysgarth Estate

This page is intentionally left blank

Aysgarth Fencing and Gating Scheme



east
north
east
homes leeds



KEY

Green line	2 METER HIGH SECURITY GATE
Red line	2 METER HIGH SECURITY FENCING
Purple line	1.8 METER HIGH BOW TOP FENCING

This page is intentionally left blank

Appendix 5

Aysgarth Proposals

This page is intentionally left blank

Sector 1 - Aysgarth Place, Ascot Terrace & Pontefract Lane

1. Security Gate

The communal grassed area to the rear of flats 1-12 on Aysgarth Place will be installed with a security gate which will create a safe area for the residents who live in the block and also allow ENEh access to maintain.

2. Security Gate and Security fencing

Security gate and fencing between 65 and 67 Pontefract Lane will restrict the footpath from becoming another access point. An entrance to Aysgarth Place can be located 50 metres north along Pontefract Lane allowing access for visitors. Residents living at 67-77 and 14-24 Aysgarth Place will also be able to access their properties via the security gate and also allow the residents of 65 and 67 Pontefract Lane access to their rear garden.

3. Security Gating and Security Fencing

Security fencing and gating will restrict access along the pathway leading to flats 10 & 12 Aysgarth Place, 11 & 15 Aysgarth Walk and the rear of 14 to 24 Aysgarth Place and 1 to 9 Aysgarth Walk.

A key will be provided to 12 - 24 Aysgarth Place and 1 – 15 Aysgarth Walk to enable access

4. Security Gating

Security gating will allow the rear of 1-9 Aysgarth Walk and 14-24 to be secured and restrict access to anyone other than the tenants and residents at those properties.

5. Security Gating

The security gate will restrict use of the pathway to anyone other than the tenants and residents living in the properties of 67-77 Pontefract Lane & 14-24 Aysgarth Place. Visitors will be able to access the front of the properties via the main entrance to Aysgarth Place (north of Pontefract Lane). A gate will also be installed at the side of 89/81 Pontefract Lane to allow ENEh to maintain the area.

6. Security Gating

The security gate between 18-22 Ascot Terrace will provide the residents of 16 -24 ownership of the footpath and restrict access to pedestrians. Pedestrians will be able to access Aysgarth Walk 40 metres north of Ascot Terrace.

Sector 2 –Aysgarth Walk/Ascot Terrace

7. Security Gate/Security Fencing

A security gate will restrict access to the footpath leading from Aysgarth Drive to Pontefract Lane, although the path can be accessed via Ascot Terrace and Aysgarth Drive or Ascot Terrace and Pontefract Lane. Security fencing will be placed at the side of the gate (wall of 42 Aysgarth Walk) and the gaps in the walls of 31 and 42 Aysgarth Walk will be filled as they could be used to climb over the gates.

8. Security Gate

The security gate will help provide a safe area for the residents on either side of the pathway. Residents of 18-32 Aysgarth Walk will be able to access the front (18 & 20 Aysgarth Walk) and rear (22-32 Aysgarth Walk) of their properties via the gate and also have access to the car park. Visitors will be able to access the front of 18-20 Aysgarth Walk via the path leading from Aysgarth Drive to Pontefract Lane.

9. Security Fencing

The security fencing between 18 & 13 Aysgarth Walk will restrict access to the communal grassed area adjacent to 20 & 18 Aysgarth Walk, and close another entrance to the footpath leading at point 8.

10. Security Fencing/Security Gating

The security fencing and gating between 46 Aysgarth Walk and 15 Aysgarth Close will restrict access to the Aysgarth Close car park. Residents living at 15-21 Aysgarth Close will still be able to access their properties via the gate. Aysgarth Close car park can also be accessed by via Ascot Terrace.

Sector 3 – Aysgarth Close

11. 1.8 metre bow top fencing/gate

Installing 1.8 metre bow top fencing will to the side of 20 Aysgarth Walk and along the communal grassed area to 31 Aysgarth Close will restrict access to both the properties and the grassed area. Along with the security fencing in area 9 this will

enclose the area and restrict another enclosed access/gathering point. A gate will allow grass cutters to maintain the area.

12. Security Fencing/Gate

Security fencing will enclose and dissuade anyone using as a gathering area. A gate to be installed which will allow grass cutters to maintain.

13 Security Gate

The security gate will restrict the area currently used as a short cut to Aysgarth Drive. Although residents of 10 to 16 Aysgarth Close will be able to access the rear of their properties through the gate

14 Security Gate

The security gate will restrict the area currently used as a short cut to Aysgarth Drive. Although residents of 10 to 16 Aysgarth Close will be able to access the rear of their properties through the gate.

This page is intentionally left blank

Discovering Lost Ways

E - bulletin , number 6, March 2008

Discovering Lost Ways review

Welcome to the last edition of the DLW e-bulletin.

The project, as originally set up, is to close following Natural England's decision to withdraw from archive research activity. This will allow us to focus on championing and re-evaluation of the relevant law and procedures. We are confident that this is the only way to deliver real and lasting progress towards a Definitive Map and Statement that is a living record of a rights of way network that meet's people's needs and expectations .

We have reached this decision as a result of the fundamental review of the Discovering Lost Ways project (DLW), initiated by Natural England in February 2007

The review has resulted in a better understanding of:

- the scale of the task and estimated costs of researching historic routes and recording them on the definitive map
- the character of the historic routes - why they are not currently recorded on the definitive map, their physical characteristics, whether they are currently used and simply not recorded, and how often they might occur
- how far the Archive Research Unit is 'fit for purpose' in facilitating research
- other resources required to transform research into routes, for example setting priorities, identification of landowners and households affected, site visits etc.
- the contribution and role (actual or potential) of different players - Parish Councils (representing local people), landowners, users, volunteer researchers, Local Access Forums, highway authorities and the Planning Inspectorate
- identification of requirements for amended or new legislation to streamline processes.

The review, which was informed by the evidence gathered from Pathfinder projects, and by the discussions and contributions made by stakeholders, concluded in February 2008 when Natural England presented its recommendation to Defra.

For anyone interested in learning more about the review outcomes these will be made available via our website (www.naturalengland.org.uk/leisure/access) over the coming months

The way forward for DLW

Our recommendation to Defra is that we intend to

- withdraw from archive research and
- refocus effort towards a re-evaluation of the relevant law and procedures.

and is based on the understanding that despite investing huge effort in developing, testing and refining a systematic archival research approach, capable of application on a national scale, the inherent problems in translating this evidence into claims which can survive current practice and procedures, and achieve sensible amendments to the definitive map, are such that the system is in effect unworkable.

Natural England does not believe this situation is acceptable. All parties want a definitive map system that secures routes which enhance the rights of way network, and want this system to be:

- achieved within a realistic timescale
- delivered at a reasonable cost
- implemented without imposing an undue burden on property owners

We have received confirmation from Defra that the Minister has approved the approach and supports Natural England's proposal to withdraw from it's programme of active research, and establish an Advisory Group to explore possible ways in which completion of the Definitive Map could be made more feasible.

In addition Defra wishes Natural England to

- share it's knowledge with stakeholders and all those wishing to conduct their own research into lost ways and NE will undertake further work in this area.
- consider how to offer small scale assistance to specific voluntary groups engaged in creative and productive methods for getting un-recorded and under-recorded rights of way shown on the definitive map and statement.

As advised by Natural England, Defra will not proceed with implementation of sections 53 to 56 of the CROW Act 200 until the proposed Advisory Group has reported it's conclusions.

We are now able to move forward in this important area of work and having taken advice from the Rights of Way Review Committee at its meeting on 18 March, we intend to establish an independently - chaired Stakeholder Working

Group (SWG) charged with seeking to develop an agreed package of measures that would in the Group's view achieve real and lasting progress in recording rights of way.

Members of the RoWRC have been invited to put forward suggestions for membership of the SWG. Numbers will be limited but there will be equal representation from land management, user and highway authority interests.

Towards the end of April we are meeting with the stakeholders who participated in the review workshops. One of the topics we wish to discuss with them is how best to feed the views of the wider stakeholder interests into the SWG process.

Feedback from Local Access Forums (LAFs) during the DLW review on their potential role in the project

In the previous e-bulletin (number 5, September 2007), we asked for the views of LAF's on the future scope and direction of the Discovering Lost Ways project, to help inform the review of the project. The response to the survey was very high, particularly in view of the short timescale, so many thanks to all of you who took part and made valuable suggestions on the way forward. A summary of the responses is outlined below :

A total of 83 replies were received from LAFs, BHS, CLA, IPROW and individual LAF members. Many LAFs who responded stated they would be willing to work with the DLW project in order to share their extensive experience in research and expertise at a local level. However several LAFs felt that they wouldn't have the capacity to actually carry out research.

Primarily, LAFs felt their role could be to:

- Share their wealth of experience
- Play an advisory role
- Act as a filter to determine routes which would be selected for detailed investigation
- Share their good local knowledge and contact with local people
- Work closer with council officers
- Monitor progress, and help with field visits
- Take part in some negotiations with landowners
- Provide a strategic role to advise on policy and process
- Receive training which could then be passed on to others

The overall view was that DLW should focus on recording routes that have some benefit and would add to, or provide better links to, communities or to the existing rights of way network in order to create a cohesive and continuous network of routes. The heritage aspect of the rights of way network was also important to many users.

It was felt that user groups and local residents, including landowners, are probably in the best position to advise on routes to be researched.

Many respondents expressed the hope that a more streamlined, fast-track, less adversarial system for getting Definitive Map Modification Orders confirmed could be established. Some felt that trade offs and cost neutral compromises could be reached with landowners without recourse to lengthy and expensive litigation.

There was considerable concern that a lack of resources will prevent rights of way making it onto the Definitive Map before 2026. Many respondents felt that the 2026 cut off date should be extended or abolished altogether. However, some felt that the 2026 cut off date should be retained, with milestone targets set for research and claim processes.

Concern was expressed at the backlog and length of time it currently takes for highway authorities to process orders. Many thought that there needs to be a radical change in legislation and in the procedure for establishing new routes/ lost ways. It was recognised that Highway Authorities also need to have the resources to do the legal work involved.

As a way forward, many suggested a central source of information / guidance which they can access when carrying out research. This could include:

- a leaflet outlining how to make a claim (promoted by LAFs)
- an interactive website
- on-line mapping

The majority of respondents wanted to see clear objectives and measurable outcomes to take the project forward, along with input from the voluntary sector/LAFs.

Future communications

Although at the start of this e-bulletin we said it would be the last, this is not strictly the case. We intend to continue to use this method to communicate with you and keep you up to date with all Natural England's access and rights of way activity.

Contact details:

Please note that Gavin Stark, formerly the DLW research manager, will now be leading on the setting up and running of the SWG and any associated activity. All enquiries should now be directed to Gavin :

Gavin. Stark@naturalengland.org.uk
(tel 01905 363 428)

Or write to:

Gavin Stark
Discovering Lost Ways
Natural England

Block B
Government Buildings
Whittington Road
Worcester
Worcestershire
WR5 2LQ

Website address : <http://www.naturalengland.org.uk/leisure/access/default.htm>

This page is intentionally left blank

EFRA (Environment, Food and Rural Affairs) Committee to consider coastal access provisions in the draft Marine Bill

An announcement was made on Thursday 24 April 2008 that the EFRA Committee has decided to undertake pre-legislative scrutiny of the coastal access provisions contained in Part 9 of the draft Marine Bill which was published on 3 April.

The Committee has issued an invitation to interested parties to submit their views in writing by **Monday 19 May 2008**. The following link provides more information about the Committee and the press release on the draft Marine Bill, which includes details of what respondents may wish to comment on and how comments should be submitted:

http://www.parliament.uk/parliamentary_committees/environment_food_and_rural_affairs.cfm

A parliamentary joint committee with representatives from both Houses is also expected to scrutinise the draft Bill. A further newsletter will be published to notify you of the joint committee's proposed timetable once this has been agreed.

For further information about the coastal access proposals in the draft Marine Bill please see <http://www.defra.gov.uk/wildlife-countryside/issues/accesscoast.htm>

if you have any queries please telephone 0117 372 8449 or email our new email address:

Coastal.access@defra.gsi.gov.uk

Details about the coastal access provisions in Part 9 of the draft Marine Bill and the Bill more generally were also included in the last Issue of the Access newsletter, No 30 of 4 April 2008.

This page is intentionally left blank