LEEDS LOCAL ACCESS FORUM

Meeting to be held in Leeds Civic Hall on Tuesday, 16th September, 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

Councillor C Fox - LCC

Agenda compiled by: Governance Services Civic Hall LEEDS LS1 1UR Laura Pilgrim 247 4359

AGENDA

1 Apologies for Absence

To receive apologies for absence (if any).

2 Declarations of Interest

As required by Regulation 6(8) of the Local Access Forums (England) Regulations 2007 Members of the Forum are required to declare any direct or indirect interests. A direct or indirect interest might reasonably be regarded as one which might affect a Member's well being, financial position, or business (direct) or that of a relative or friend (indirect) to a greater extent than that of other council tax payers, ratepayers or other inhabitants of the area.

3 Chair's Opening Remarks

To consider the Chair's opening remarks.

4 Election of Vice-Chair

To receive nominations for the election of the Vice-Chair of the Leeds Local Access Forum 2008/09.

5 Minutes of the Last Meeting

1 - 6

To approve the minutes of the last meeting of the Leeds Local Access Forum held on 15th July 2008.

6 Matters Arising

To discuss any matters arising from the last meeting.

7 Gating Orders

7 - 50

To consider Gating Orders for the following areas:

- Brooklands Court / Easedale Mount, Seacroft
- Somerville Green / The Oval, Killingbeck
- Oakham Way, Osmondthorpe

8 Draft Annual Report 2007/08

To consider the Draft Annual Report of the Leeds Local Access Forum for 2007/08.

9 Rights of Way and Open Access Update

To receive an update from Officers on developments in Rights of Way and Open Access nationally and in the Leeds Area

10	Right to Apply for Public Path Orders - Conclusion Following Consultation on a Proposed Approach to Implementation	51 - 54
	Consultation on a Proposed Approach to implementation	

To consider a paper by DEFRA on the conclusion of the consultation on the Right to Apply for Public Footpath Orders.

11 Rights of Way Forum

To consider what parts of the Rights of Way Forum could be included in the work of the Local Access Forum

12 Membership Update

To receive an update on membership issues.

13 **Regional LAF** 55 - 56

To nominate two representatives of the Forum and one officer to attend a Regional Local Access Forum and to suggest items of discussion for that meeting.

14 Forward Work Programme

57 - 58

To suggest items for future meetings of the Local Access Forum and to note the Forward Work Programme.

15 Date and Time of the Next Meeting

The next meeting of the Leeds Local Access Forum will be Tuesday 11th November 2008.



Leeds Local Access Forum

Tuesday, 15th July, 2008

PRESENT: Dr. M. Willison in the Chair

Mrs. D. Maude, Metcalf, Wood and C Fox

IN ATTENDANCE:

 Roger Brookes – Public Rights of Way Development Officer

Paul Bowers – Legal Services

 Bob Buckenham – Assistant Countryside and Access Manager

• Brent Brady - Alleygating Coordinator

• Laura Pilgrim – Governance Services

1 Apologies for Absence

Apologies for absence were received from Councillor J Dunn and Mrs. D. Lawson.

2 Election of Chair and Vice- Chair of the Forum

Dr. M. Willison was elected as Chair of the Leeds Local Access Forum for the period covering July 2008 to July 2009. The Forum resolved to adjourn the election of a Vice-Chair to the next meeting of the Forum when it was hoped that Mrs. Lawson, the current Vice-Chair and any new Members would attend.

RESOLVED: Dr. M. Willison in the Chair.

3 Chair's Opening Remarks

The Chair welcomed all parties to the meeting.

4 Declarations of Interest

No declarations of interest declared by Members of the Forum. Due to the fact that Members represented either Owners and Occupiers of Land or Users of Public Rights of way further clarification was sought on whether that interest should be declared at the beginning of each meeting. The Secretary agreed to provide further guidance for Members. It was also suggested that a register of Members' Interests be maintained along with a form for Members to complete when they declared an interest.

RESOLVED:

- a. That further guidance be produced on declarations of interest
- b. That a Register of Members Interests be maintained and a pro forma for registering declarations of interest also be kept.

Draft minutes to be approved at the meeting to be held on Tuesday, 16th September, 2008

5 Minutes of the Last Meeting

6

RESOLVED: That the minutes of the last meeting of the Leeds Local Access Forum held on 13th May 2008 be approved as a correct record.

7 Matters Arising

In relation to minute 82 Mr. Bowers informed the Forum that Mr. Kerrigan, owner of a property in Nancroft Mount, was in attendance. Mr. Bowers reminded Members that as a consultative body the Forum had considered a report at the previous meeting which proposed a Gating Order for Nancroft Mount in Armley. Mr. Kerrigan made a brief representation that he felt that he had been kept in the dark by Leeds City Council Officers in relation to the process for Gating Orders and other pieces of information. Mr. Bowers provided Mr. Kerrigan with an explanation of the remaining process for the approval of a Gating Order and informed that Forum that the Highways Board considered the application, including all representations on the matter, on the 20th June 2008. The Board approved the Gating Order and requested that Legal Services advertise the notices of intention to make the Gating Order. There would be a period in which representations could be made. All representation would be considered before the final decision is taken on whether or not the proposed Gating Order should be made. Notice had been served on Mr. Kerrigan and he was yet to make a representation on the matter.

As the nature of Mr. Kerrigan's complaint was outside the remit of the Local Access Forum the Chair proposed that Mr. Kerrigan expressed his concerns in writing to the appropriate officer.

In relation to minute 87 Officers advised the Forum that whilst they were not against the idea of the re-establishment of the Rights of Way Forum (ROWF) staff resources at this point in time would not be able to service such a meeting. Officers informed Members that whilst the ROWF was not in existence much of the work it carried out was still conducted by officers in their day to day work. Important issues, such as Parlington, were also brought to the attention of the Forum. Members of the Forum reiterated that they felt that the ROWF was a useful tool for users of rights of way and owners and occupiers and that many Forum Members would be happy to serve on both Forums. The Secretary advised Members that the number of meetings may have to increase to accommodate the work of the ROWF. It was proposed that officers compared the terms of reference of the ROWF to the Guidance for Local Access Forums in England to see if any of the work could be absorbed by the Local Access Forum either as part of the Forum's work or as a Sub-Group of the Forum. Officers also agreed to return to the issue of the ROWF should staffing and resource issues improve.

With regard to minute 86 all correspondence had been sent to the relevant parties.

RESOLVED: That a report be brought back to the next meeting of the Forum on the Rights of Way Forum.

8 Gating Orders

The Chair agreed to change the order of business to consider agenda item 8 – Gating Orders before any other items. The Forum considered a report of the Director of City Services and the Director of Development on a proposed Gating Order for Back Nowell Mount/Back Nowell Place, Burmantofts, Leeds. The Alleygating Coordinator reminded Members that they had previously been consulted on Gating Order in relation to the two nearby streets Back Nowell Crescent and Back Nowell Terrace. In relation to the application before the Forum there had previously been two strong objections to the schemes from local residents however these had now been resolved.

The Neighbourhood Policing Team in the area were aware of high levels of criminal damage, anti-social behaviour, burglary and the crime domain was 1,645 which was ranked in the worst 6% in England.

The following issues were addressed:

- Back Nowell Place had suffered greatly from not having gates installed when other gates were place on the two nearby back street. Back Nowell Mount had not suffered so much as it was a smaller street and there were more private homes. It was hoped that the installation of the gates would resolve many of the problems experienced by local residents.
- Everyone who required access to the alleys, e.g. residents of the street, would be given keys.
- The gates had been working well in the area and there had only been a small problem with access when the refuse vehicles changed size. The gates were relatively well maintained and locked.
- The comments of the Forum would be fed into the next stage of the Gating Order process as indicated in paragraph 3.2.9.
- The Ramblers' Association had been consulted on two applications for Gating Orders and their comments would be incorporated into the reports which would be submitted to the Forum.
- There had been no objections raised in relation to the Gating Order before Members.
- Officer reported that they had received a large number of requests for gating ginnels from local ward Councillors which led Officers to believe that more information needed to be passed to Councillors in relation to the Gating Order process. The Forum agreed to write a letter to the Area Management Boards to explain the process of obtaining a Gating Order.

RESOLVED:

- a. That the Gating Order for Back Nowell Mount/Back Nowell Place be supported.
- b. That a letter be written to all Area Management Boards in relation to the Gating Order Process.

9 England Access Forum

The Forum received the minutes of the first meetings of the England Access Forum (EAF) held on 15th May 2008. The minutes were noted and Members requested a copy of the EAF constitution. Members also requested to continue to receive regular updates from those in the region who attend the EAF.

RESOLVED: That the minutes be noted.

10 Rights of Way Improvement Plan Update

The Public Rights of Way Development Officer advised the Forum that the Draft Rights of Way Improvement Plan (ROWIP) had been approved by Leeds City Council's Executive Board. Following this it was decided that the document should be made more presentable and so was amended to include more diagrams and graphs etc. A copy of the amended version was circulated for Members. The document was in the process of being printed and the document would also be made available on CD. It was anticipated that the document would be ready for circulation by the end of the week and that the 12 week consultation period would start the week beginning the 21st July 2008. The Consultation would be advertised on the internet, would have a press release and would be included on the Council's consultation page. Copies of the Draft ROWIP would be circulated to Members when it became available. Members noted that after the consultation period had been completed the results would be reported back to the Forum before being sent to the Executive Board for final approval. It was hoped that the results of the consultation could be accommodated at one of the planned meetings of the Forum but noted that an additional meeting may have to be called.

The Forum noted the progress of the Draft Plan and hoped that there would not be any further delay in completing the approval of the document. Members were concerned that the consultation period fell over the summer period when many people may have missed the launch of the consultation as they were on holiday. Officers were satisfied that the consultation period was sufficiently long enough to enable all those who wanted to respond to do so.

RESOLVED: That the update be noted and that the results of the consultation be reported back to the Forum.

11 Open Access

In relation to Reva Reservoir, the Rights of Way Access Manager provided the Forum with photos of the work completed on paths in that area. A Creation Agreement was yet to be created with Yorkshire Water but this was anticipated to be a formality. The work had been completed in conjunction with the BTCV NVQ Training scheme which meant that the labour was free. Other costs amounted to approximately £1,000. The Officer had also attended the Rombalds Moor Forum recently.

RESOLVED: That the update be noted.

Draft minutes to be approved at the meeting to be held on Tuesday, 16th September, 2008

12 Forum Matters

The Secretary to the Forum provided Members with an update on some outstanding administrative matters. Some Members had requested information about how to claim expenses. The Secretary advised that the Local Access Forum (England) Regulations 2007 allowed for Members to claim certain expenses. The issues had been raised with the appropriate Officer and Members would be provided with an update at the next meeting.

In relation to Membership it was hoped that an advert would be placed in a local newspaper over the summer period to recruit new Members. A press release would also be made on the Council's Website with a link to the Local Access Forum's website. Letters would also be written to specific bodies and organisation seeking nominations for membership.

Once new Members were in place it was proposed that some training for all Forum Members took place with the possibility of inviting Natural England to the training also. An update on all Forum matters would be brought to the next meeting of the Forum.

RESOLVED: That the update be noted.

13 Consultation Response - Leeds City Council Natural Resources and Waste Development Plan

The Members of the Forum received details of the response made by the Chair on behalf of The Forum the Leeds City Council Natural Resources and Waste Development Plan. The consultation period fell in between the last two meetings of the Forum.

RESOLVED: That the consultation response be noted.

14 Access Newsletter

The latest Access Newsletter from DEFRA was noted.

RESOLVED: That the Newsletter be noted.

15 Forward Work Programme

The following items were identified for future meetings of the Forum:

- Annual Report
- Enforcement of Public Rights of Way
- Rights of Way Forum
- Rights of Way Improvement Plan Update
- Details of Important Diversion Orders
- Large Scale Development (eg minerals) with impacts on rights of way
- Local Development Framework Consultations
- British Canoe Union Presentation
- Environment Agency Flood Defence Work Within Leeds

Draft minutes to be approved at the meeting to be held on Tuesday, 16th September, 2008

- Site Visits to St. Aidan's Restoration Site and to a Gated Area
- Invite British Waterways and Natural England to speak

16 Date and Time of Next Meeting

RESOLVED: That the next meeting of the Leeds Local Access Forum would be on Tuesday 16th September 2008.



Agenda Item 7

Originator: BRENT BRADY

Tel: 0113 3950815

REPORT TO THE CHIEF HIGHWAYS OFFICER

DATE: 2008		
Subject: Design & Cost Report		
Scheme Title: GATING ORDER – SEACROFT Capital Scheme Number:	BROOKLANDS COURT / EASDALE MOUNT,	
Electoral Wards Affected:	Specific Implications For:	
KILLINGBECK AND SEACROFT	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 Brooklands area of the Killingbeck and Seacroft 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 leading from Brooklands Court through to Easdale Mount, Seacroft (see appendix 1). This footpath is in the Killingbeck and Seacroft Ward.

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 01 April 2006. The adopted status of the highway is unchanged by the order.

- This path leading from Brooklands Court through to Easdale Mount has been the focus for anti-social behavior (ASB) and crime for a number of years, becoming increasingly worse in recent years. The area is a relatively quiet residential area with a very stable population. There are approximately 664 households with 1501 residents in this Super Output Area (Leeds 040D). The crime domain at 1050 is ranked in the worst 5 percent in England (out of a total of 32,482 LSOA).
- 2.3 Residents have voiced their concerns and anger over the rise in crime and particularly ASB to West Yorkshire Police, Elected Members and council officers. Many of the residents have reported incidents of crime and ASB where offenders have used the path as a place to congregate and commit crime and anti-social behaviour and to make good their escape from the Police. The majority of incidences have been reported by older adults resident in the sheltered housing complex in Brooklands Court, many of whom have had to suffer abuse and nuisance from congregating youths, or who have witnessed ASB and crime by offenders.
- 2.4 Local ward members have received many concerns from residents demanding action to address the issues for many years. Some 18 months ago, an officer was assigned to investigate the possibility of complete closure of the path through an extinguishment order. As the path falls into an area designated by the Secretary of state as a high crime site, it was felt that extinguishment would be the best way forward. Unfortunately, as an outcome of consultation carried out at that time, it was felt that extinguishment would be met with much objection and would not be viable.
- As the problems have persisted and indeed increased, the area has been re-visited for a possible gating order, but the time it has taken to get to this point has left many residents feeling disgruntled and concerned at the lack of action. Since the further reports of ASB and crime, 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 were spoken to on site or who have contacted the council by other means, such as email, letter or phone, were in favour of gating the highways. A preliminary consultation was carried out with local residents living in and around the site and the majority of respondents were in favour of gating.

A further door to door consultation took place to gain additional feedback and again, the majority of respondents were in favour. That said, it is important to note that there were a number of objections from residents living on the Easdale Mount end of the footpath. There were concerns from objectors about the added distance to local amenities for residents in Easdale Mount and also in their opinion, there had been very little problem coming from the path in the past. Overall, from 136 properties consulted, there were 55 respondents; 43 in favour and 12 objecting. Non-respondents were out at the time of the door to door consultation or did not have an opinion to the gating.

2.6 This adopted footpath runs between 21 and 23 Easdale Mount and runs beyond the private carpark which forms part of the land housing the sheltered housing complex at Brooklands Court. The footpath ends with barriers restricting use of illegal motor cycles as it enters into the cul-de-sac that is Brooklands Court. An additional initiative to prevent youth congregation at this site is for the removal of the boundary wall that demarcates the path from the private car park. It is hoped by doing this, that problem groups of youths will have knowhere to sit and cause a nuisance. It is hoped that this work will be carried out in conjuction with the erection of the proposed gates.

The footpath is served by one street lamp which is operational. The path is relatively well maintained and in good condition although there are signs of graffiti and criminal damage to property in the footpath area.

- 2.7 The footpath is relatively narrow and has a dog leg which means that offenders at one end of the path cannot be seen from the other end. As much of the problems are coming from youths congregating at the Brooklands Court end of the footpath, it would explain why some objecting residents in Easdale Mount feel there are no problems in the footpath, as they do not see the youths congregating.
- 2.8 The congregation of youths by the footpath has led to the occurrence of several incidents of anti social behaviour, incorporating criminal damage, nuisance, under age drinking and vandalism. The path has also facilitated the persitent use of motor bikes up and down the footpath. Many of the residents living in the sheltered housing complex have spoken to ward members about their increased fear of crime along with their experiences of actual threats and intimidation from congregations of youths in the past.
- 2.9 Much of the recorded crime for the area is focused in and around the streets served by the footpath. Incidents include burglary dwelling, assault, damage to dwelling, vehicle crime. ASB in the area for the period 01/05/07 to 30/04/08 has increased by 9% on the previous year and includes complaints of loutish behaviour, intimidation and general nuisance. There is a general feeling from residents that the path is used as a means for offenders to access and egress these streets. By restricting access to this path, it would ensure that the attractiveness of being able to use it for quick escape, and/or congregation would be removed. Restriction of this path would also make Policing of this estate much easier as offenders would have to use the main roads (Easdale Road and Brooklands Avenue) as an alternative means of escape. These roads are in view of the public and provide little opportunity for escaping attention.
- 2.10 This path has been the subject of much ASB for the last couple of years and as mentioned already, has witnessed a rise in ASB AND crime over the last 12 months. Police patrols have taken place in the area to try and reduce the problems occurring there. Neighbourhood Wardens and Police Community Support Officers (PCSO's) have been deployed in the area to provide back up cover when police patrols are not possible.
- 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 the majority of respondents were in agreement that gating this footpath would improve their quality of life and reduce crime and ASB.
- 2.12 The concerns of the residents are supported by the crime statistics (see appendix 2 'Problem Profile Seacroft Ginnels'). Over the last 12 months during the period 1st May 2007 and 30th April 2008, total crime for the vicinity was 52 offences (up 10% on the previous year). ASB incidents for this period were 9% up on the previous year with there being 34 reported ASB incidents in the area.
- 2.13 Certainly the number of recorded criminal damage incidents in the area supports the resident feedback information which identifies that many residents in the locality have suffered from incidents of criminal damage and vehicle damage.
- 2.14 A planning application to gate this footpath will be submitted September 2008.

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 the 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 Self locking gates no higher than 2.3m with matching fencing in galvanised powder coated steel will be installed at both ends of the footpath to prevent access to the path for those not living in the immediate vicinity.
- 3.1.3 The gates will be locked 24 hours a day. Residents living in Brooklands Court and Easdale Mount shall be able to request a key for the gates. These keys will be available from Environment and Neighbourhoods' Community Safety unit. 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 at this location and they have no objections to the proposals.
- 3.2.2 Residents: In June 2008, pre-consultation took place with local residents living adjacent or adjoining the two footpaths in question. A further door to door consultation took place August 2008 (see results above).
- 3.2.3 Police: NE Leeds Police Division has implemented various strategies to address the problems in this area through the Neighbourhood Policing Team (NPT) and support proposals to gate this footpath up. This will help Police apprehend offenders who have used the footpath as a means of escape in the past.
- 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: Development Department have been consulted and have no objections to the proposals. 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. Alternative routes exist along Brooklands Avenue and Easdale Road (see Appendix 1). In theory the only residents that this detour affects are those living on either Kentmere avenue or Brooklands Lane. Residents living in Brooklands Court and Easdale Mount can request a key so that their access is not restricted. Brooklands Avenue and Easdale Road are sensible and reasonable alternative routes as they only add approximately two min Plaget of the journey.

- 3.2.6 Rights of Way: City Development Directorate Department has been consulted and have no objections to the proposals.
- 3.2.7 Utilities: Utility and other service providers were contacted in June 2008 regarding the proposed gating scheme. No objections were received.
- 3.2.8 Emergencies Services: The Fire, Health and Police Authorities were contacted in June 2008 regarding the proposed gating scheme. No objections were received.
- 3.2.9 Prescribed Organisations, Local Footpath User Groups and Local Access Forum: Consultation will take place with these organizations August / September 2008.

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 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 November 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 help to contribute to the safety and well being of the people in the community.

5.0 HEALTH IMPACT

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 to be secured from Inner East Leeds Area Committee for installation and maintenance of the gates and fencing, all legal and administration costs and provision of keys.
- 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.

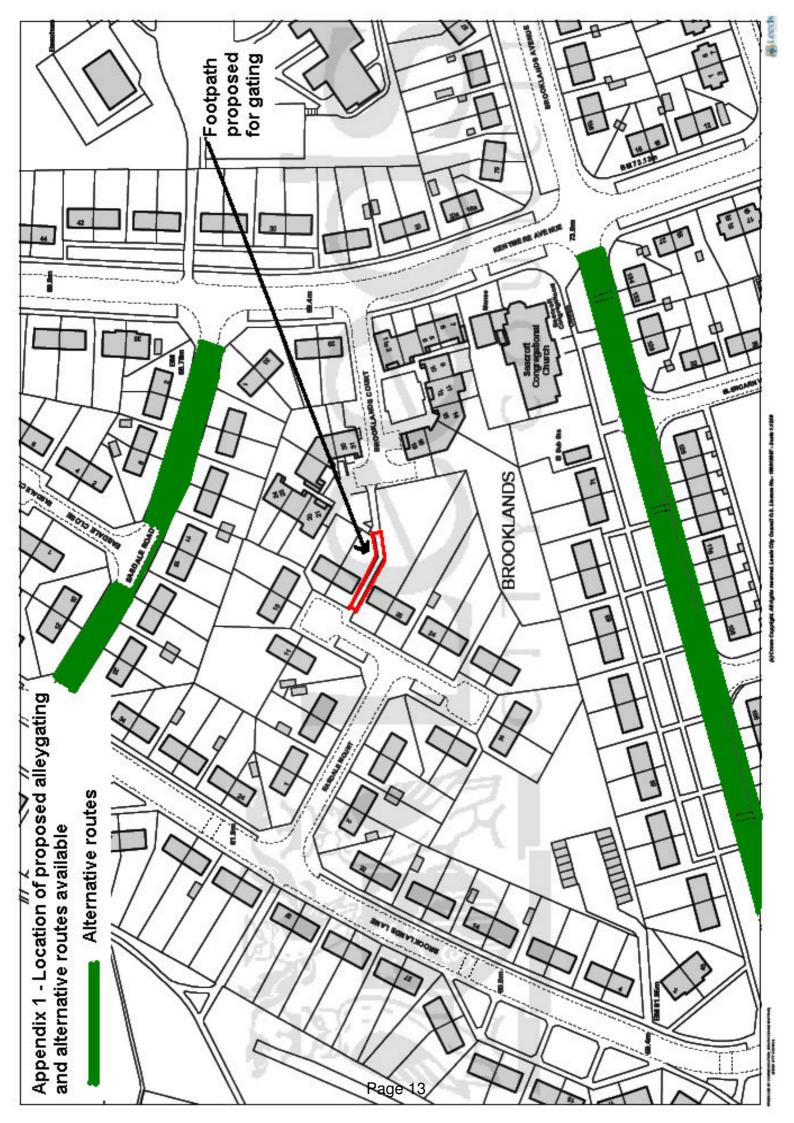
7.0 CONCLUSIONS

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:
 - approve the gating of the footpath leading from Brooklands Court to Easdale 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 notice of intention to make a Gating Order for the footpath leading from Brooklands Court to Easdale 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.

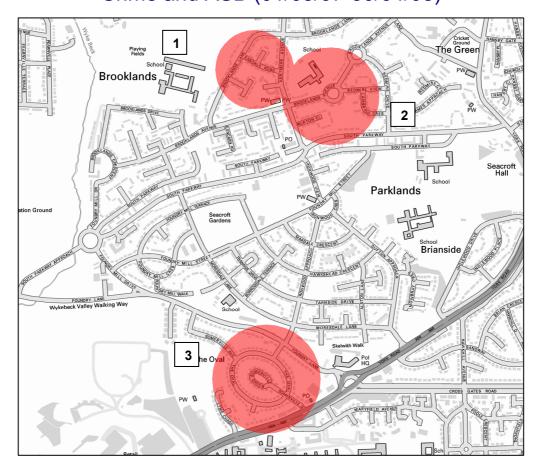


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PROBLEM PROFILE

Seacroft Ginnels
(And immediate vicinity)
Crime and ASB (01/05/07-30/04/08)



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This report will review the last 12 months crime and ASB in the vicinity surrounding the 3 ginnel areas as highlighted in the above map.

- Ginnel 1 Brooklands/Easdales (Crime and ASB surrounding Easdale Road, Brooklands Lane, Brooklands
 Court and Easdale Mount)
- **Ginnel 2** *Lambrigg/Redmires* (Crime and ASB surrounding Murton Close, Lambrigg Crescent, Brooklands Avenue, Redmire View and Redmire Drive)
- Ginnel 3 Somerville's (Crime and ASB surrounding Somerville Green, Somerville Avenue & the Oval.)

These 3 areas will be addressed and reviewed in 3 separate sections. Data will be taken from the following Police systems from between 1/5/07 - 30/4/08: Corvus, Niche, Ibis, and INCA. Crime, ASB and Intelligence will be reviewed.



GINNEL 1 EASDALES/BROOKLANDS Crime & ASB (1/5/07 – 30/4/08)

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See appendix for crime key

The below tables outline the breakdown of crime (data from Corvus) and ASB (data from INCA) in the streets surrounding/adjacent to this ginnel during the last 12 months.

Incident	Total
ASB - Loutish Behaviour	21
ASB - Mal Comms	4
ASB - Nuisance M-cycle	3
ASB - Drunkeness	2
ASB - Neighbour Disp	2
ASB - Noise	1
ASB - Veh Related Nuis	1
Grand Total	34

CRIME	TOTAL
ASSAULT	12
DAMAGE - MOTOR VEHICLE	9
THEFT NON SPECIFIC	7
ARSON	4
BURGLARY DWELLING	3
DAMAGE - DWELLING	3
BREACH ASBO / INJUNCTION	2
BURGLARY OTHER	2
DAMAGE - NON SPECIFIC	2
THEFT FROM DWELLING	2
THEFT FROM PERSON	2
AFFRAY	1
THEFT FROM VEHICLE	1
THEFT OF VEHICLE	1
THREATS TO KILL	1
TOTAL	52

There have been 34 ASB incidents and 52 Crimes in this identified area over the past year. This shows a 10% increase on crime and a 9% increase on ASB in this area when compared to the previous year (1/5/06-30/4/07 = 30 ASB incidents & 47 Crimes)

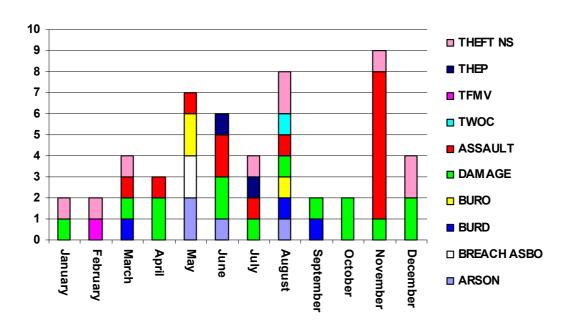
As with the previous year, 'loutish behaviour' is the predominant ASB type in the area – calls refer to groups of youths causing nuisance and intimidating residents and passers by in the area.

Assaults and Damage offences (incl Arson and all damages – 18 offences) have been the key crime types in this area. 70% of assaults and ALL Arson offences have been associated with the Children's Home at 9 Easdale Close.

Damage offences in the area consisted largely of the following; windows smashed on vehicles & houses, fences broken, and phone boxes/ electricity boxes damaged.

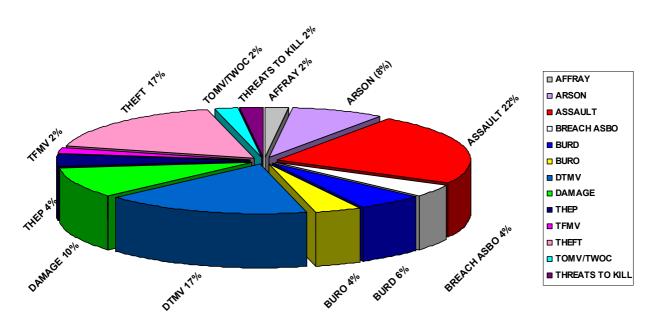
Appendix 2 - crime statistics

Crimes by month (May 07 - April 08)



As is clear from the chart above, Crime in this area was at the highest in November. This was mainly due to Assaults. May, June and August also showed higher than average amounts of crime in this area. Crime was at the lowest in January-February and September-October.

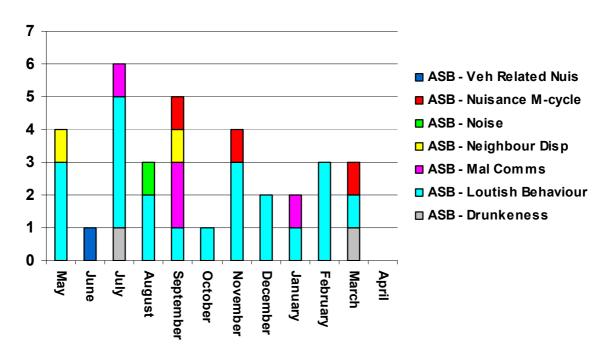
Type of Crime (May 07- April 08)



As is evident from the above pie chart, a majority of crime offences in this specified area are Criminal Damage offences, Assaults and Thefts.

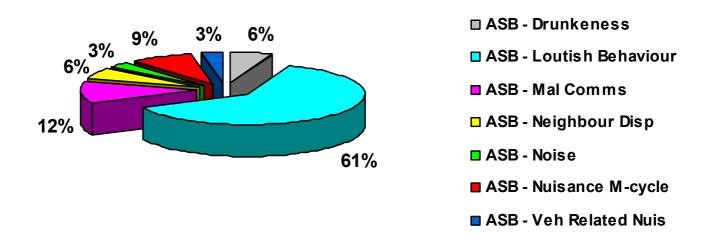
Appendix 2 - crime statistics

Incidents by month - ASB (May 07 - April 08)



ASB Incidents showed to be higher in this area during May, July, September and November. June and October showed to have the least incidents. Reports of ASB Loutish Behaviour dominated the calls in this area.

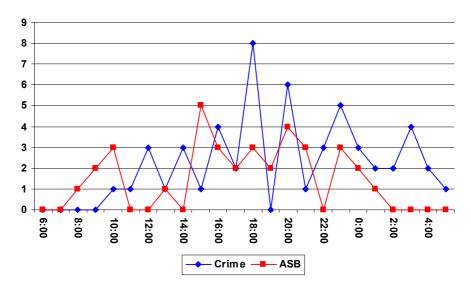
Type of Incident - ASB (Mar 07 - Feb 08)



As is evident from the pie chart above, ASB Loutish Behaviour dominated incident calls in this area. Malicious Communications and reports of nuisance motorcycles were also highly reported types of ASB in the area.

Appendix 2 - crime statistics

Crime and Incidents – Peak Time Analysis



The graph above highlights the peak time analysis for Crime & ASB incidents in this area. The peak times are as follows:

Crime: 16:00 x 23:00hrs

ASB: 15:00 x 23:00hrs (Greater incidence Friday – Sunday)

CRIME TOTAL ASB Street Name Easdale Close 14 9 23 0 Kentmere Avenue Brooklands Lane 9 9 18 3 9 12 Easdale Mount Brooklands Court 6 5 11 Easdale Road ō 2 **Grand Total** 53 34 87

Crimes and ASB by Street

The table to the left highlights the breakdown of Crimes and ASB by street.

- **Easdale Close** 9 ASB incidents at the Children's Home (ASB Loutish Behaviour problems with residents). 12 out of the 14 Crimes on Easdale Close relate to the Children's Home (Arson, Damage offences, Arson). TFMV and Burglary offence at other addresses on the street.
- Kentmere Avenue- No ASB. Crimes consisted of Damage, Vehicle Crime and Assaults
- Brooklands Lane- ASB entailed reports of Loutish Behaviour,
 Drunkenness and Nuisance Motorcycles many residents reporting
 groups of lads hanging around the ginnel and causing a general nuisance.
 Crimes on this street were: Damage, Burglaries and Assaults.
- **Easdale Mount** ASB on this street entailed reports of Loutish behaviour complaints of youths messing about on motorbikes, youths drunk, throwing things and urinating in the street. Crime on this street consisted of a Burglary, TWOC and Theft offence.
- **Brooklands Court** Crime consisted of mainly domestic assaults and criminal damages. All ASB reports entail complaints of loutish behaviour youths causing nuisance, throwing things at houses, vehicles (and a cat!)
- Easdale Road- Malicious communications and report of a fight. No Crimes.

Conclusions

- Crime and ASB have both shown to increase in this specified area when compared to the previous year
- Reports of Criminal Damage and Assaults show to have dominated crimes in the area. Reports of Loutish Behaviour dominated ASB in the area
- Generally ASB reports have entailed groups of youths hanging around, shouting, swearing, throwing things and generally intimidating others
- The Children's Home have encountered a significant amount of crime and ASB problems
- The Ginnel has been highlighted by callers as a problem area for ASB
- The overall peak time for both crime and ASB incidents has tended to be in the evening time
- Peak Times for both Crime and ASB in the area tend to be between late afternoon and late evening time. ASB shows to be higher towards the end of the week/weekend.

Appendix 2 – crime statistics



Agenda Item:

Originator: BRENT BRADY

Tel: 0113 3950815

REPORT TO THE CHIEF HIGHWAYS OFFICER

DATE: 2008

Subject: Design & Cost Report		
Scheme Title: GATING ORDER – SOMERVILLE GREEN / THE OVAL, KILLINGBECK Capital Scheme Number:		
Elector	ral Wards Affected:	Specific Implications For:

Electoral Wards Affected:	Specific Implications For:
KILLINGBECK AND SEACROFT	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 footpaths in The Oval area of the Killingbeck and Seacroft Ward to temporarily close the highways 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 highways closure.

1.0 PURPOSE OF THIS REPORT

1.1 The purpose of this report is to seek authority to temporarily close two adopted highways. These highways are narrow footpaths. One adjoins 30/32 Somerville Green with 23/25 The Oval. The other highway adjoins 35/46 Somerville Green to 47/49 The Oval, Killingbeck (see appendix 1). These footpaths are in the Killingbeck and Seacroft Ward.

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 01 April 2006. The adopted status of the highway is unchanged by the order.

- These paths leading from Somerville Green to The Oval have been the focus for anti-social behavior (ASB) and crime for a number of years, becoming increasingly worse in recent years. The area is a quiet residential area with a very stable population. There are approximately 630 households with 1503 residents in this Super Output Area (Leeds 061B). The crime domain at 3093 is ranked in the worst 10 percent in England (out of a total of 32,482 LSOA).
- 2.3 Residents have voiced their concerns and anger over the rise in crime and particularly ASB to West Yorkshire Police, Elected Members and council officers. Many of the residents have reported incidents of crime and ASB where offenders have used the paths as a place to congregate and commit crime and anti-social behaviour and to make good their escape from the Police.
- As the problems have persisted and indeed increased, the area has been proposed for a possible gating order, but the time it has taken to get to this point has left many residents feeling disgruntled and concerned at the lack of action. Since the further reports of ASB and crime, 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 were spoken to on site or who have contacted the council by other means, such as email, letter or phone, were in favour of gating the highways. A preliminary consultation was carried out with local residents living in and around the site and the majority of respondents were in favour of gating.

A further door to door consultation took place to gain additional feedback and again, the majority of respondents were in favour. That said, it is important to note that there were a number of objections from residents. Overall, from 212 properties consulted, there were 90 respondents; 76 in favour and 14 objecting. Non-respondents were out at the time of the door to door consultation or did not have an opinion to the gating.

- 2.5 <u>30/32 Somerville Green to 23/25 The Oval</u> This footpath is the wider, shorter, and most visible of the two. From The Oval end, it narrows inwards to the Somerville Green end, where there are motor bike access restrictor barriers erected. The path is well maintained and served by one operational streetlight.
- 2.6 <u>35/46 Somerville Green to 47/49 The Oval</u> This footpath is a narrow, winding footpath with sections in it which make visibility difficult. It is well covered by high walls and fences, and at The Oval end, there are thick privet hedges that make suitable hiding places for would-be offenders. There is a visible graffiti issue occurring in this footpath, predominantly on the high walls and on the sides of the private fences. There is also evidence of criminal damage occurring in this footpath. The path is served by a streetlight and at the Somerville Green end, there is a motor bike access restrictor barrier erected.
- 2.7 Much of the problems occurring in these paths are coming from youths congregating in and around them. The congregation of youths by the footpaths have led to the occurrence of several incidents of anti social behaviour, incorporating criminal damage, nuisance, under age drinking and vandalism. The paths has also facilitated the persistent use of motor bikes up and down them. Many of the residents have spoken to ward members about their experiences of crime and ASB along with an increased fear of crime as well as witnessing actual threats and intimidation from congregations of youths in the past.
- Much of the recorded crime for the area is focused in and around the streets served by the footpaths. Over the past 12 months, crime in the area has increased by a considerable amount from the previous 12 month period. Between 1st May 2007

and 30th April 2008, crime in the area had increased by 64 %. Incidents include burglary dwelling, burglary other (outer buildings i.e. sheds), damage to dwelling, vehicle crime, and other crimes. ASB in the area for the period 01/05/07 to 30/04/08 has increased by 8% on the previous year and includes predominantly complaints of loutish behaviour. There is a feeling from residents that the paths are used as a means for offenders to access and egress these streets. By restricting access to these paths, it would ensure that the attractiveness of being able to use them for quick escape, and/or congregation would be removed. Restriction of these paths would also make Policing of this estate much easier as offenders would have to use the main roads (The Oval) as an alternative means of escape. This road is in view of the public and provides little opportunity for escaping attention. Indeed, should an offender attempt to commit crime in Somerville Green and make god their escape through one of these footpaths, the gating of them would force the offender to have to go back out of Somerville Green to escape, as this is a cul-de-sac. This would help the Policing of the area to improve significantly.

- 2.9 These paths have been the subject of much ASB for the last couple of years and as mentioned already, have witnessed a rise in ASB AND crime over the last 12 months. Police patrols have taken place in the area to try and reduce the problems occurring there. Neighbourhood Wardens and Police Community Support Officers (PCSO's) have been deployed in the area to provide back up cover when police patrols are not possible.
- 2.10 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 the majority of respondents were in agreement that gating these footpaths would improve their quality of life and reduce crime and ASB.
- 2.11 The concerns of the residents are supported by the crime statistics (see appendix 2 'Problem Profile Seacroft Ginnels'). Over the last 12 months during the period 1st May 2007 and 30th April 2008, total crime for the vicinity was 53 offences (up 64% on the previous year). ASB incidents for this period were 8% up on the previous year with there being 9 reported ASB incidents in the area.
- 2.12 Certainly the number of recorded criminal damage incidents in the area supports the resident feedback information which identifies that many residents in the locality have suffered from incidents of criminal damage and vehicle damage.
- 2.13 A planning application to gate this footpath will be submitted September 2008.

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 these paths have not resolved the situation and are not sustainable. It is now proposed to temporarily close the paths by means of a gating order with a view to stopping the antisocial behaviour and crime which is believed to be associated with them.
- 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 the footpaths to prevent access to them for those not living in the immediate vicinity.
- 3.1.3 The gates will be locked 24 hours a day. Residents living in The Oval and Somerville Green shall be able to request a key for the gates. These keys will be available from Environment and Neighbourhoods' Community Safety unit. 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 at this location and they have no objections to the proposals.
- 3.2.2 Residents: In June 2008, pre-consultation took place with local residents living adjacent or adjoining the two footpaths in question. A further door to door consultation took place August 2008 (see results above).
- 3.2.3 Police: NE Leeds Police Division has implemented various strategies to address the problems in this area through the Neighbourhood Policing Team (NPT) and support proposals to gate these footpaths up. This will help Police apprehend offenders who have used the footpaths as a means of escape in the past.
- 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: Development Department have been consulted and have no objections to the proposals. 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. Alternative routes exist along The Oval (see Appendix 1). In theory the only residents that this detour affects are those living on either The Oval or Somerville Avenue. Residents living in The Oval and Somerville Green can request a key so that their access is not restricted. The Oval is a sensible and reasonable alternative route as only adds approximately one/two minutes to the journey.
- 3.2.6 Rights of Way: City Development Directorate Department has been consulted and have no objections to the proposals.
- 3.2.7 Utilities: Utility and other service providers were contacted in June 2008 regarding the proposed gating scheme. No objections were received.
- 3.2.8 Emergencies Services: The Fire, Health and Police Authorities were contacted in June 2008 regarding the proposed gating scheme. No objections were received.
- 3.2.9 Prescribed Organisations, Local Footpath User Groups and Local Access Forum: Consultation will take place with these organizations August / September 2008.

3.3 Gating Order Publicity

3.3.1 Home Office Guidance regarding publicity relating to the making of Gating Order will be followed. Page 24

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 short detours, referred to in 3.2.5 above. It is unlikely that those who had used the footpaths 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 November 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 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 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

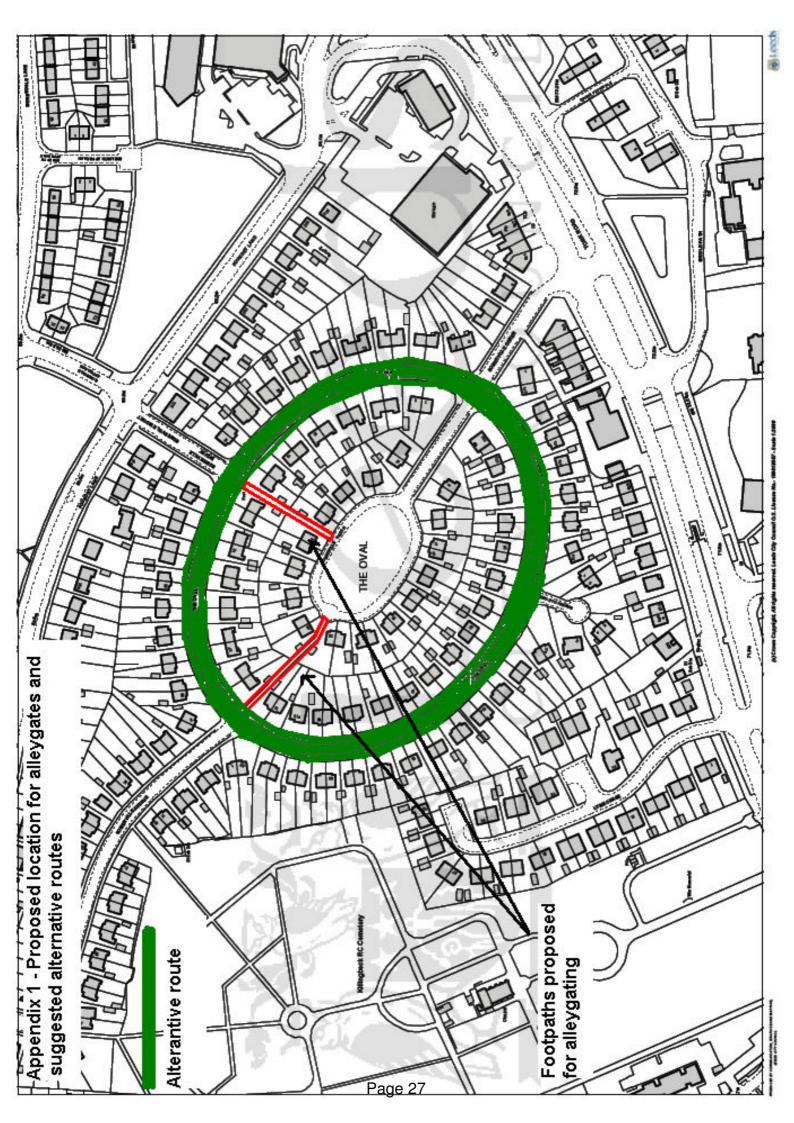
- 6.1 Leeds Community Safety will fund 50% of the costs with match funding to be secured from Inner East Leeds Area Committee for installation and maintenance of the gates and fencing, all legal and administration costs and provision of keys.
- Funding does not cover support for a Public Inquiry. This 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 footpaths.

8.0 RECOMMENDATIONS

- 8.1 The Chief Highway Officer is requested to:
 - approve the gating of the footpaths leading from The Oval to Somerville Green 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 notice of intention to make a Gating Order for the footpaths leading from The Oval to Somerville Green 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.

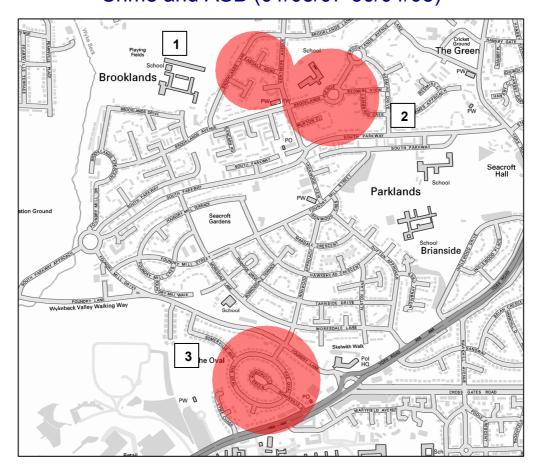


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PROBLEM PROFILE

Seacroft Ginnels
(And immediate vicinity)
Crime and ASB (01/05/07-30/04/08)



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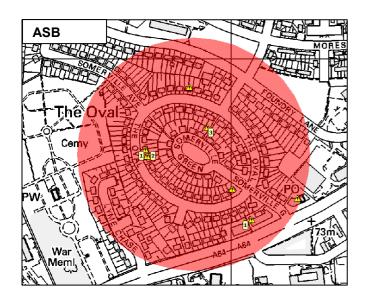
This report will review the last 12 months crime and ASB in the vicinity surrounding the 3 ginnel areas as highlighted in the above map.

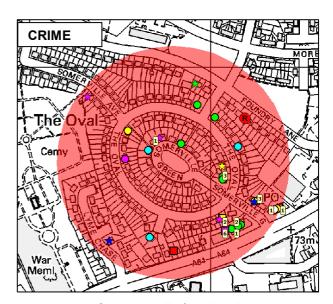
- Ginnel 1 Brooklands/Easdales (Crime and ASB surrounding Easdale Road, Brooklands Lane, Brooklands
 Court and Easdale Mount)
- **Ginnel 2** *Lambrigg/Redmires* (Crime and ASB surrounding Murton Close, Lambrigg Crescent, Brooklands Avenue, Redmire View and Redmire Drive)
- Ginnel 3 Somerville's (Crime and ASB surrounding Somerville Green, Somerville Avenue & the Oval.)

These 3 areas will be addressed and reviewed in 3 separate sections. Data will be taken from the following Police systems from between 1/5/07 – 30/4/08: Corvus, Niche, Ibis, and INCA. Crime, ASB and Intelligence will be reviewed.



SOMERVILLES/THE OVAL Crime & ASB (1/5/07 – 30/4/08)





See appendix for crime key

The below tables outline the breakdown of crime (data from Corvus) and ASB (data from INCA) in the streets surrounding/adjacent to this ginnel during the last 12 months.

Incident	Total
ASB - Loutish Behaviour	7
ASB,Neighbour Disp	1
ASB,Nuisance M-cycle	1
Grand Total	9

CRIME TYPE	TOTAL
ARSON	1
ASSAULT	1
BURGLARY DWELLING	3
BURGLARY OTHER	3
DAMAGE -NON DWELLING	4
DAMAGE - DWELLING	3
DAMAGE - MOTOR VEHICLE	2
DAMAGE - NON SPECIFIC	5
FIREARMS	1
HANDLE STOLEN GOODS	1
HARASSMENT	1
INTERFERENCE WITH M/V	1
MAKE OFF WITHOUT PAYMENT	14
PUBLIC ORDER	2
ROBBERY	1
SEXUAL	1
THEFT FROM VEHICLE	3
THEFT NON SPECIFIC	3
THEFT OF VEHICLE	2
THEFT SHOP	1
GRAND TOTAL	53

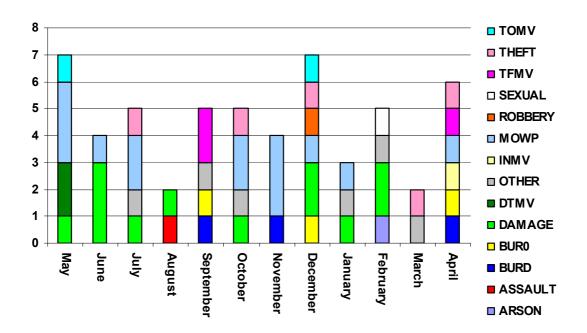
There have been 9 ASB incidents and 53 Crimes in this identified area over the past year. This shows a significant 64% increase on crime and a lesser 8% increase on ASB in this area when compared to the previous year (1/5/06-30/4/07 = 19 Crime & 8 ASB incidents s)

As with the previous year, 'loutish behaviour' is the predominant ASB type in the area – calls refer to groups of youths causing nuisance and intimidating residents and passers by in the area.

Damage offences, Make off Without Payment offences and Burglaries have been the key crime types in this area. Damage offences in the area consisted of mainly windows being smashed and vehicles being damaged. All MOWP offences have been from the Somerville Service Station. All Burglary Other offences were burglaries to Sheds.

Appendix 2 - Crime Statistics

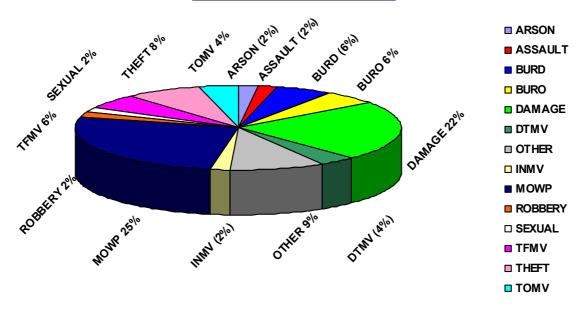




As is clear from the chart above, Crime in this area was at the highest in May and December. This was mainly due to Damages and MOWP's. April, July, September and October also showed higher amounts of crime in this area.

Crime was at the lowest in August and March

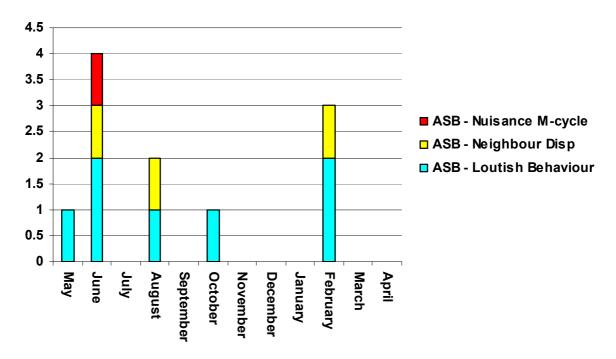
Type of Crime (May 07- April 08)



As is evident from the above pie chart, a majority of crime offences in this specified area have been Criminal Damage and MOWP offences

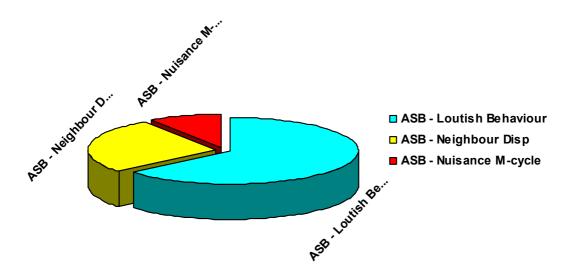
Appendix 2 - Crime Statistics





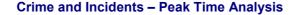
ASB Incidents showed to be higher in this area during June and February. July, September, November-January & March-April all had no incidents. Reports of ASB Loutish Behaviour dominated the calls in this area.

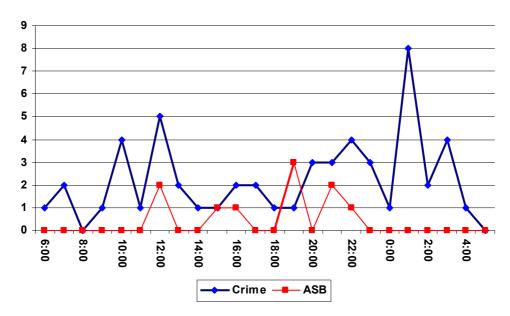
Type of Incident - ASB (Mar 07 - Feb 08)



As is evident from the pie chart above, ASB Loutish Behaviour dominated incident calls in this area. Reports of Neighbour Disputes and Nuisance Motorcycles were also highly reported incident types in the area.

Appendix 2 - Crime Statistics





The graph above highlights the peak time analysis for Crime & ASB incidents in this area. The peak times are as follows:

Crime: 10:00 x 13:00hrs and 22:00 x 03:00hrs **ASB:** 11:00 x 14:00hrs and 19:00 x 21:00hrs

Street Name	Crime	ASB
Foundry Lane	2	0
Lyme Chase	1	0
Somerville Avenue	1	0
Somerville Green	6	0
Somerville View	1	0
The Oval	12	- 7
York Road	30	2
Grand Total	53	9

Crimes and ASB by Street

- Foundry Lane- 2 Crimes DTMV and Robbery (knife Point Car Jacking)
- Lyme Chase- 1 Crime TWOC (from driveway)
- Somerville Ave- 1 Crime TFMV (Smash Window)
- Somerville Green 6 Crimes 2 x Burglary (Dwelling & Shed), 2 x Damages (Vehicle and Dwelling), TOMV, TFMV
- Somerville View 1 Crime Burglary Dwelling
- The Oval 12 Crimes 5 x Damages (windows and fencing), Arson, TFMV, INMV, Burglary x 2 (Dwelling and Shed), Theft, Public Order. 7 ASB incidents – Mainly Loutish behaviour, reporting youths congregating and drinking in and around the street.
- York Road 30 Crimes 14 x MOWP from Somerfield Petrol Station. Other offences include: Assaults, Thefts, Public Order and Damages.

Conclusions

- Crime and ASB have both shown an increase compared to the previous year. Crime has shown a more significant increase.
- Reports of Criminal Damages show to have dominated crimes in the area (if we exclude the MOWP offences from the petrol station). Reports of Loutish Behaviour have dominated ASB incidents in the area
- Generally ASB reports have entailed groups of youths congregating, drinking, throwing things and generally intimidating residents in the area
- Peak Times have been varied for both crime and ASB. There are peaks highlighted both throughout the day and in the evening time.

Kate Thraves Analyst, NEL DIU

15/5/08



Agenda Item:

Originator: BRENT BRADY

Tel: 0113 3950815

REPORT TO THE DIRECTOR OF CITY SERVICES AND THE DIRECTOR OF DEVELOPMENT

Date: 2008

Date: 2008				
Subject: Design & Cost Report				
Scheme Title: GATING ORDER - OAKHAM WAY, OSMONDTHORPE, LEEDS				
Capital Scheme Number				
Electoral Wards Affected:	Specific Implications For:			
	Equality and Diversity			
BURMANTOFTS AND RICHMOND HILL	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 the thoroughfare in the Oakham estate; part of the Burmantofts and Richmond Hill Ward to temporarily close the highway due to high levels of crime and anti-social behaviour. 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

The purpose of this report is to seek authority to temporarily close the thoroughfare. The thoroughfare runs from Osmondthorpe Lane to Oakham Way and adjoins properties 152 Osmondthorpe Lane and 31 Oakham Way (see appendix 1). This thoroughfare is situated in the Burmantofts and Richmond Hill Ward.

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 to high levels of anti-social behaviour and crime. The legal provision came into effect on 1 April 2006. The adopted status of the highway is unchanged by the order.

- 2.2 This thoroughfare has been the focus for anti-social behaviour (ASB) and crime for a number of years and continues to suffer greatly. The Oakham Way estate is a relatively new one, built approximately 5 years ago and consists of privately-owned terraced housing located in a cul-de-sac designed development. At the other side of Osmondthorpe Lane is a busy, heavily-built up council-owned estate consisting of semi-detached and terraced housing. There are approximately 612 households with 1,420 residents in the Leeds 070D Lower Layer Super Output Area (LSOA)¹. The crime domain at 4,272 is ranked in the worst 14 percent in England.
- 2.3 Local residents have voiced their concerns and anger over the rise in crime and ASB to West Yorkshire Police (WYP), Elected Members and council officers from various departments. Many of the residents have, and continue to be victims of crime and criminal damage where offenders have used the thoroughfare to access and egress properties, as well as to commit criminal damage and vehicle crime.
- 2.4 Leeds City Council's Environment and Neighbourhoods Department Community Safety, ASBU, and Area Management received emails and phone calls from residents demanding action to address the issues. Local Ward Councillors have also expressed their concern with the issues occurring in the area. Meetings with various individuals have also taken place to ascertain the extent of the problems in the area. Indeed such is the high feeling of dismay running amongst many of the residents that a public meeting was held to discuss proposals for alleygating and to look at other initiatives to reduce the problems occurring there.
- As a result of the ongoing problems, it has been decided that gating up the thoroughfare would be the best option for reducing crime and ASB on the estate. If successful, it is proposed that there would be gates at each end of the thoroughfare; one at the Osmondthorpe Lane end and one next to 31 Oakham Way, which leads into the Oakham estate.
- 2.6 The Oakham estate is easily accessible from two access points; the thoroughfare referred to and at the other end from Tyas Grove. The thoroughfare provides pedestrian access for residents living on the Oakham estate through to key amenities on Osmondthorpe Lane (bus stop, shops, Doctor's surgery, library, etc). As well as residents from the Oakham estate, residents living at the far end of the estate on Tyas Grove and Nixon Avenue also use the thoroughfare as a short cut to and from the amenities mentioned on Osmondthorpe Lane.

By gating up the thoroughfare, there would be less chance for undesirables to access the Oakham estate from the Osmondthorpe Lane end. There would still be access from the Tyas Grove end, but as the majority of recorded crime and ASB revolves around the thoroughfare area, it is necessary to gate this site up to reduce these issues.

- 2.7 There is a varied array of criminal offences occurring in this area (see appendix 2) but the most common crimes to occur are damage to dwellings, burglary to dwellings, vehicle crime and ASB. Such is the level of crime and ASB in the estate that this has led many buyers of property to sell up and move away. There are currently a number of properties up for sale and occupiers site the problems experienced because of the thoroughfare as the main reason for this. In fact, such is the problem of criminal damage to the doors of gas meter cabinets, the gas companies are refusing to replace or repair them anymore.
- 2.8 As mentioned above, the estate has suffered from much vehicle crime, both theft of and from motor vehicles, along with damage to motor vehicles. This has led to a Police operation taking place in the estate called 'Capture Car' a strategically

¹ Data obtained from 2001 census '2005 wards' for Paga Geds 070D

placed, unmarked Police vehicle kitted out with various crime reduction devices in order to trap and apprehend vehicle crime offenders. This has had some success in deterring offenders but vehicle crime continues at present.

- 2.9 Opposite the thoroughfare at the Osmondthorpe Lane end is the Osmondthorpe estate; a historically known crime and ASB hotspot. The thoroughfare allows access for criminal offenders and problem youths living on the Osmondthorpe estate through to the Oakham estate and then out onto East End Park, therefore making it easy for offenders to make good there escape from apprehension.
- 2.10 Whilst the thoroughfare is still well used by locals to get to local amenities, its very design and position means that it continues to jeopardize the security of the Oakham estate. The cul-de-sac design of the Oakham estate lends itself well to security, but the creation of the thoroughfare, whilst well conceived initially, has meant that there is a 'leakage' into the estate which allows for the access of undesirables. Indeed, recent research identifies through-routes and footpaths as providing opportunities for offenders to attach themselves and become familiar with an open area or estate (see appendix 3 'An Evaluation of Secured By Design Housing within West Yorkshire', Armitage.R, (2000), pg1 'Access/Eggress').
- 2.11 The ASBU Enforcement officer for the area has had regular contact with residents to try to identify those causing problems in the area.
- 2.12 Inner East Leeds Neighbourhood Wardens regularly patrol the area and they support the need for alleygating to the area.
- 2.13 West Yorkshire Police' Burmantofts and Richmond Hill Neighbourhood Police Team (NPT) has worked tirelessly in the area to alleviate some of the problems. This includes the use of Police Community Support Officers (PCSO's) to patrol the area, although unfortunately, reported problems appear to occur when a uniformed presence is unavailable, and providing such presence on a constant basis is unsustainable.
- 2.14 The effects of making the order for properties adjoining or adjacent to the highways subject to the gating would be positive. All residents and owners of properties in the referred area were contacted as part of the consultation and the majority were in agreement that gating the back roads would improve their quality of life and reduce crime and ASB. By erecting gates and matching fencing to this through route, it is hoped it will help to prevent the problems that are currently occurring in the Oakham estate.
- 2.15 The concerns of the residents are supported by the crime figures. There continues to be a high level of crime and ASB in the area, and there are increasing concerns that occupiers will be forced to sell their properties, should the thoroughfare not be alleygated.
- 2.16 A planning application to gate the thoroughfare will be submitted in September 2008.

3.0 Main Issues

3.1 **Design Proposals / Scheme Description**

3.1.1 A lot of hard work continues to take place in the area to eradicate the problems.

Despite this, the area continues to be blighted by crime and ASB. It is now proposed to temporarily close the highway by means of a gating order with a view to stopping the ASB and crime which is believed to be associated with this thoroughfare.

Page 37

- 3.1.2 Self locking gates no higher than 2.3m with matching fencing in galvanized powder coated steel will be installed at both ends of the thoroughfare to prevent access to the Oakham estate for those not living in the immediate vicinity.
- 3.1.3 The gates will be locked 24 hours a day. Residents living in the Oakham estate will be provided with a key by Environment and Neighbourhoods' Community Safety Service. This will be on a request only basis and residents wishing to obtain a key will need to write to, or telephone the Alleygating coordinator to obtain a key.
- 3.1.4 It is proposed that residents living at the far side of the Oakham estate on Tyas Grove and Nixon Avenue will also be able to request a key. Several residents living on these two streets contacted the Alleygating coordinator to discuss the effect that alleygating the thoroughfare would have on them with regards access to local amenities on Osmondthorpe Lane and therefore the need to use a longer, alternative route. It will be necessary, should this proposal be supported, that these addresses are included on the Gating Order, along with the Oakham estate, with reference to the obtaining of keys.
- 3.1.5 The gate locks will be numbered in accordance with the system devised by LCC Community safety. Emergency and other services will be provided with keys on request. City Services Street Cleansing and WYP will also be provided with keys.
- 3.1.6 Community Safety will carry out future maintenance of the gates. A commuted sum has been provided for this purpose.
- 3.1.7 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. Leeds Community Safety will carry out the annual review for these gates. The register will be kept on the Highways register as maintained by Highways Services.

3.2 Consultations

- 3.2.1 Ward Members: All Ward members have been actively involved in promoting this gating order. Leeds Community Safety will provide 50% of the funding for the project out its Safer Stronger Communities Fund (SSCF) Capital budget. The remainder of the funding will be obtained through the Inner East Leeds Area Committee capital budget.
- 3.2.2 Residents: On 26th June 2008 all residents in the adjoining and adjacent area were sent postal consultation packs to ascertain their views about the possibility of alleygating the area. Packs were also sent to shopkeepers in the referred area along with the manager of a youth training base, situated next to the thoroughfare. Residents living in gable-end properties were visited separately to discuss gate design and location, and to gather permissions from them for any works to their property to go ahead.

There was also a residents meeting held on 24th July 2008 to discuss the proposals and to identify ways that alleygate keys could be requested, particularly by residents living on Tyas Grove and Nixon Avenue. A vote to assess support for alleygating was taken, with all 26 attendees voting in favour of the proposals.

3.2.3 Police: NE Leeds Police Division has been aware of the problems at the Oakham estate and has implemented various strategies to address the problems in the area through the Burmantofts and Richmond Hill NPT. These problems have existed for some time and the area is always raised as an issue at the multi-agency partnership meetings held on a six-weekly basis and passible all the work going on in the area,

problems still exist and the area is consistently a crime hotspot for the Burmantofts and Richmond Hill NPT. Various problem individuals have been identified through stop checks and the ASB officer for the area has worked on a number of nominals known to operate in the area, even though obtaining evidence from local residents proves difficult. Despite various tactics being used, the area continues to suffer from ongoing problems. The NPT have been informed about the proposed gating scheme and have been made aware that we will now be seeking permission to gate the thoroughfare. They have committed to monitor any problems occurring in the Oakham estate in the meantime.

- 3.2.4 Community Safety: Neighbourhoods and Housing Community Safety section is satisfied that the crime element is sufficient to apply for a gating order.
- 3.2.5 Highways: Development Department has been consulted and has no objections to the proposals. Highways users will need to take alternative routes which will incur lengthy detours; however this inconvenience has to be placed in context of the community safety situation. Alternative routes exist along Ings Road and Richardson Road with both leading to Osmondthorpe Lane (see Appendix 4). These are safer, more visible alternative routes but they do create problems for local residents to and from local amenities on Osmondthorpe Lane.

Due to the potential inconvenience caused by the gating up of this thoroughfare, and the need for residents, some of which are older adults, to take this short route through the Oakham estate for genuine reasons, it is proposed that residents living on Tyas Grove and Nixon Avenue, as well as residents in the Oakham estate, be allowed to request an alleygate key, subject to the gates being given the go ahead. This will ensure that security in the Oakham estate is improved but at the same time access for residents to local amenities is not restricted.

All residents living at the top and bottom of Nixon Avenue, and those living at the top of Tyas Grove will not be adversely affected by the gating and will not be inconvenienced by having to use the alternative routes mentioned above.

- 3.2.6 Rights of way: City Development Directorate Department has been consulted and has no objections to the proposals.
- 3.2.7 Utilities: Utility and other service providers were contacted regarding the proposed gating scheme. No objections were received.
- 3.2.8 Emergency services: The Fire, Health and Police Authorities were contacted regarding the proposed gating scheme. No objections were received.
- 3.2.9 Prescribed organisations and the Local Access Forum (LAF): The Leeds Local Access Forum will be consulted September 2008.

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 will be that there will be a loss of amenity so non-resident users will have to take alternative routes that will incur lengthy detours as referred to in 3.2.5 above. It is unlikely that those who had used the thoroughfare as a short cut will resort to having to use vehicles if the amenity is lost, as it is proposed to let relevant residents request keys as mentioned above in 3.2.5.

3.5 Programme

3.5.1 It is anticipated that subject to approval these proposals will be implemented in November / December 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 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 a proposal to distribute keys to relevant residents would ensure they continued to have access to the thoroughfare. All other residents mentioned above would be better suited to using the alternatives which 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 Funding has been secured from Leeds Community Safety and Inner 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 enquiry. 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

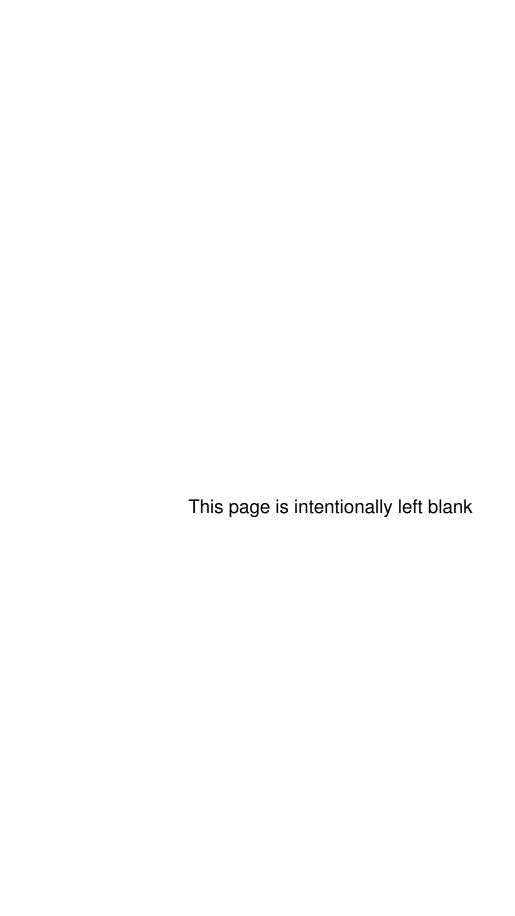
7.1 Despite much multi-agency work occurring in the problem area, the issues still persist when there is not a uniformed presence in the area. It is unsustainable to deploy council or police officers to this area on a permanent basis. It is clear that a physical barrier would prevent anti-social behaviour or criminal person or persons, who do not live in the vicinity, from entering the Oakham estate via the thoroughfare.

8.0 Recommendations

- 8.1 The Chief Highways Officer is requested to:
 - i. Approve the gating of a thoroughfare leading from Osmondthorpe Lane through to Oakham Way as shown on the attached drawing, in accordance with Section 129A of the Highways Act 1980; and
 - ii. Request the Assistant Chief Executive (Corporate Governance) to advertise the notices of intention to make gating orders and, in the event that no representations as to whether or not the proposed gating order should be made in response to the notice or are otherwise received, for the orders to be made and brought into operation.

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RESTRICTED

As with the previous year, "loutish behaviour is the predominant ASB type in the area – calls refer to groups of youths causing nuisance and intervolating residents and passers by in the area. Burglary, Damage and Vehicle Corne can be the type crime types in the area. Burglary Charge and Vehicle Corne Charge to the following, windows smashed on vehicles & houses and fences broken.

Crimes and ASB by Street

able below highlights the breakdown of Crimes and ASB by street (within the red shaded area on the map)

Street Name	ASE	5	101	The streets Osmondthorpe greatest amount of inciden
Osmondthorpe Lane	30		63	l -
Oakham Way	15		34	 Osmondthorpe L
Nixon Avenue	4		24	
Rookwood Vale	8	16		
Stowe Grove	5	13		
Richardson Road	3	14	17	
Tyas Grove	2	15	17	nuisance in the day time (
Rookwood Street	3	7	10	■ Oakham Way – 3
Rookwood Gardens	0	8		Crimes - Predominantly E
Appleton Grove	3	4	7	ASB - Principally reports of
Osmondthorpe Cottages	4	3		
Oakham Mews	1	5		

The streets Osmondthorpe Lane and Oakham Way show to have had the greatest amount of incidents during this period.

ents during this period.

Lium - 6.1 Total Incidents.

reginers and Crimnal Damage offences

reginers and Crimnal Damage offences

rots a group of youths (14-6/prs) hanging around, being

way. Marky in the self-veeling hanging around, being

self-veeling hanging around, being

11 (10 x 10.50ms)

12 (10 x 10.50ms)

13 (10 x 10.50ms)

14 (10 x 10.50ms)

15 (10 x 10.50ms)

16 (10 x 10.50ms)

16 (10 x 10.50ms)

17 (10 x 10.50ms)

18 (10 x 10.50ms)

18 (10 x 10.50ms)

19 (10 x 10.50ms)

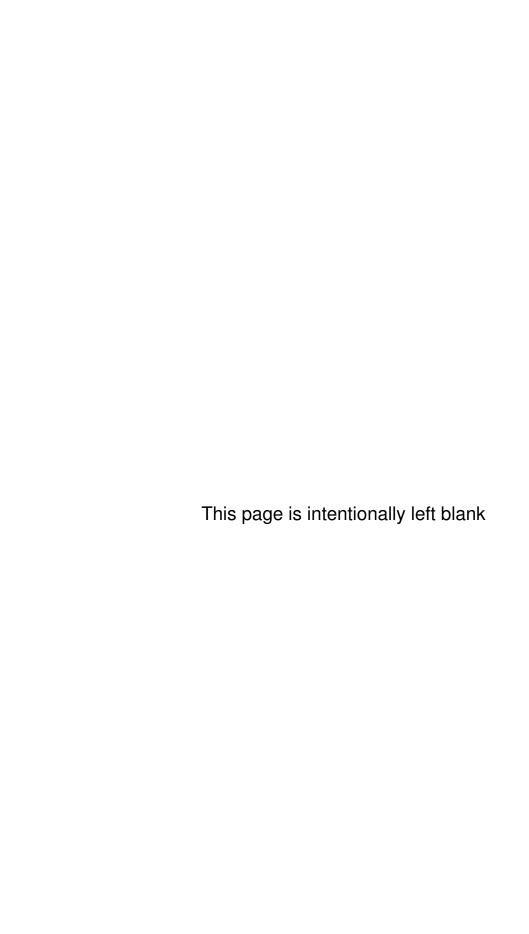
19 (10 x 10.50ms)

10 x 10 x 10.50ms)

Crime and all minimi after truempt of use yetting error.

Crime and ASB have both shown to increase in this area over the past year. ASB and groups of youths hanging around and causing infinitidating behaviour shows to be the key problem in this area. Durange crimes in the area count and many cases be linked to these groups of youths. Stones' being thrown at vehicles and foucies to one of the main damage problems in the area. Groups of youths between 13-16yrs have been seen by witnesses to be responsible for these crimes.

Kate Thraves Analyst, NEL DIU 25/6/08





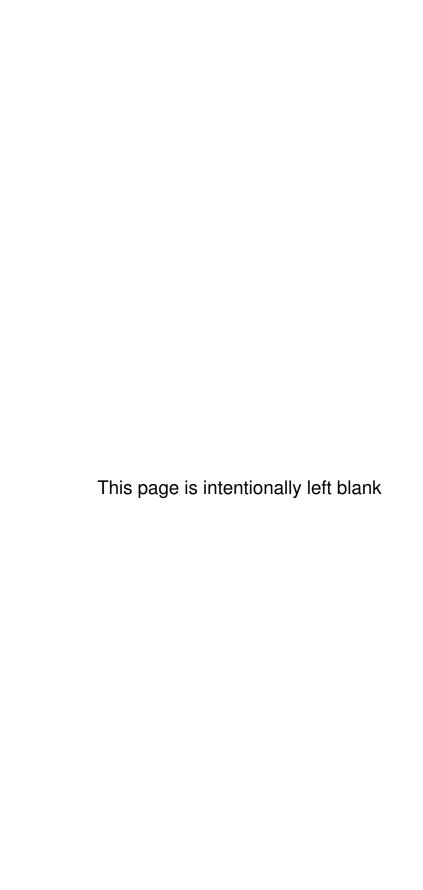
PROBLEM PROFILE
Osmondthorpe Lane Ginnel
(And immediate vicinity)
Crime and ASB (01/06/07-01/06/08)



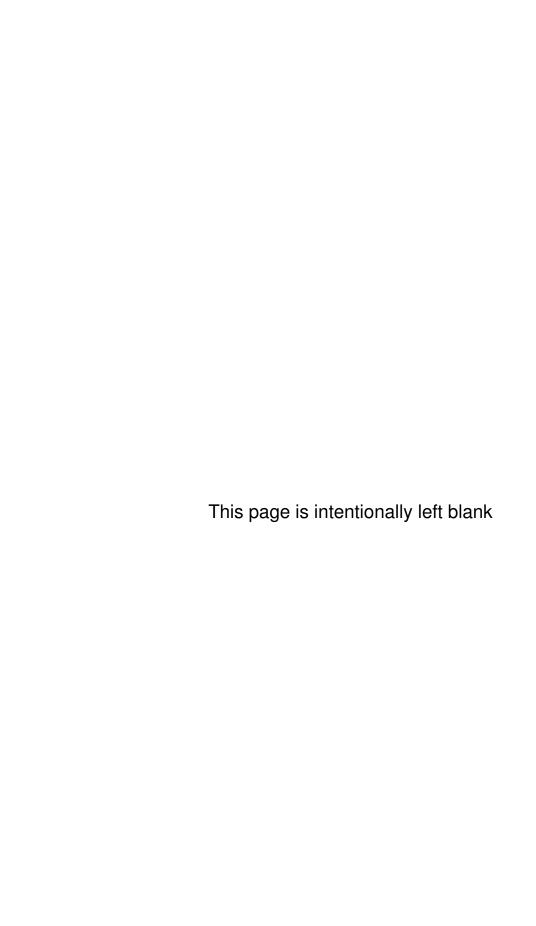
Incident	Tota
ASB - Loutish Behaviour	44
ASB - Rowdy Behaviour	13
ASB - Neighbour Disp	6
ASB - Mal Comms	5
ASB - Nuisance M-cycle	4
ASB - Emerg Serv Hoax	2
ASB - Env Dam Litter	2
ASB - Noise	1
ASB - RNB - Fireworks	1
ASB - Veh Related Nuis	- 1
Grand Total	70



RESTRICTED







Agenda Item 10

Dave Waterman

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1st August 2008

Dear consultee/stakeholder

The right to apply for public path orders Conclusions following consultation on a proposed approach to implementation

Introduction

This letter sets out our conclusions following the public consultation on the legislation in the Countryside and Rights of Way Act 2000 that provides for a right to apply, and associated rights of appeal to the Secretary of State, for orders to permanently extinguish or divert certain public rights of way.

Background

Local authorities currently have powers to make extinguishment and diversion orders "in the interests of the owner, lessee or occupier", and for school security. However, these powers are discretionary and it can be difficult for landowners to persuade authorities to act, even where strong land management reasons exist. Some authorities simply refuse to consider requests, and many authorities decline to make orders which they suspect might be controversial. Applicants can also face long delays and high charges.

In recognition of these difficulties, a statutory right to apply was introduced.

The statutory right to apply for orders to permanently extinguish or divert certain public rights of way, and the associated rights of appeal to the Secretary of State was introduced by section 57 and schedule 6 of the Countryside and Rights of Way Act 2000 (CROW Act). This inserts new 118ZA, 118C, 119ZA, 119C, 121A, 121C, 121D and 121E (and consequential amendments) into the Highways Act 1980.

Summary of the statutory right to apply provisions

On implementation, the provisions would give certain landowners and occupiers a statutory right to apply to a local authority (or National Park authority) for an order to extinguish or divert certain public rights of way across their land, and provide for the timely determination of all such applications.

The provisions would restrict the new rights to:-

- owners, lessees and occupiers of land used for agriculture, forestry or for the breeding or keeping of horses, in respect of public path extinguishment orders and public path diversion orders made under sections 118 and 119 of the Highways Act 1980; and
- proprietors of schools, in respect of special extinguishment orders and special diversion orders made under sections 118B and 119B of the Highways Act 1980.

The rights of appeal would give applicants statutory rights of appeal to the Secretary of State at two stages: firstly, if a local authority refuses to make the order applied for, and secondly where (after having made an order) an authority refuses to confirm it or to submit it to the Secretary of State.

The provisions are prescriptive about how the new rights would operate in several important respects. For example, they require that application charges be fixed by the Secretary of State, and applicants would be entitled – after four (or two months) – to ask the Secretary of State to direct an authority to determine an application (or to decide whether to confirm or submit an order to the Secretary of State) within a specified time.

The provisions also prescribe an appeal procedure, whereby if an applicant appeals against an authority's refusal to make the order applied for, the Secretary of State would be obliged to make an order and ensure that it is publicised. The order would then be processed as if it had been submitted to the Secretary of State for confirmation, with a public enquiry, hearing or exchange of written representations as appropriate.

Exercising the new rights would not guarantee that an applicant can obtain an extinguishment or diversion order, but they would ensure that the arguments, both for and against extinguishing or diverting a right of way, would be duly considered in a timely fashion.

Consultation

In May 2007 Defra undertook a public consultation exercise to seek views on a proposed approach to implementing the new rights through the making of regulations. It also sought views on the level of prescribed charges to be paid by applicants and the likely costs, risks and benefits, set out in detail in the partial Regulatory Impact Assessment.

The 160 responses that were received were carefully considered and analysis of these responses compiled. An analysis of the responses is available on Defra's website, through the following link.

http://www.defra.gov.uk/wildlife-countryside/issues/public/diversion-exting.htm

Considerations

Defra is committed to introducing a right to apply and appeal for extinguishment and diversion of public rights of way, particularly as a right of application and appeal already exists for definitive map modification orders. However, we are keen to ensure that the new rights are introduced in a way which delivers real benefits for applicants, without imposing undue burdens on local authorities and others. In light of consultations with practioners in local authorities and other key stakeholders, about how the provisions could be put into practice, and the responses from the wider public consultation, we have concluded that the legislation as it stands would not achieve this.

The key concerns are as follows.

- The rights of application and appeal would be limited to certain types of landowner.
- The application charges would have to be prescribed by the Secretary of State and there is little or no scope to take account of local circumstances or for local authorities to use discretion in charging.
- Given that there is no guarantee of the outcome of an application (only that the local authority would consider the application fully and within a certain timescale), exercising the right could prove costly and be of doubtful benefit to applicants.
- If an applicant were to appeal against a refusal to make an order, the Secretary of State would be required to make an order and offer a public inquiry, even where the order clearly has no prospect of success (because the statutory criteria for confirming an order cannot be met).
- Local authorities could easily shift the burden and cost of order-making onto the Secretary of State simply by refusing all applications.
- Any application could result in a public inquiry if it receives just a single objection – regardless of how minor or misplaced the objection proves to be.

Conclusion

Because the primary legislation is so prescriptive, there is little room for manoeuvre in addressing these shortcomings through regulations. Whilst we remain committed to introducing a right to apply and appeal for extinguishment and diversion of public rights of way, we have concluded that further primary legislation would be required in order to make such a right work effectively. It is not clear at this stage when a suitable opportunity for the necessary primary legislation would arise. However, we will work with stakeholders to develop an alternative solution.

Yours faithfully

DAVE WATERMAN

Recreation & Access Policy

Agenda Item 13



Karen.Wood@eastriding.go v.uk 08/09/08 16:49 To rachel.briggs@yorkshiredales.org.uk, jane.1.wilkinson@northyorks.gov.uk, dianne.morrison@calderdale.gov.uk, cc

bcc

Subject Regional Meeting

Dear Collleague,

I am writing to invite two representatives and one officer from each Local Access Forum to a Regional LAF meeting.

The purpose of the meeting is to enable representatives to come together and discuss the potential for regional activity. Wakefield LAF have kindly offered a venue and lunch.

The meeting will take place on Wednesday 22nd October 2008

Old Courtroom (in Wakefield Town Hall) Wood Street Wakefield

The suggestion is that we have a 10am start and finish at 3pm.

I would welcome suggestion from each Local Access Forum on items for the agenda.

Wakefield LAF have asked if we coul confirm numbers and any special needs regarding catering arrangements by the 30th September. Please provide me with details of individuals who will attend from your LAF.

I am also trying to collate some information regarding the meeting dates of each Local Access Forum and I would be grateful if you could whereever possible supply your **meeting dates for the forthcoming year.** The two regional representatives to the EAF have asked for this information in order to ensure best possible communicatio bewteen the EAF and the local groups.

If you have any queries about this email please do not hesitate to contact me Regards

Karen

Karen Wood Rural Partnership Manager Mobile: 07789941271 Telephone: (01482) 391695 Fax: (01482) 391666

East Riding of Yorkshire Council Room JS129 County Hall BEVERLEY HU17 9BA This page is intentionally left blank

FORWARD WORK PROGRAMME

Meeting Date	Items Expected
Tuesday 9 th October 2007	 Local Development Framework Consultation Documents West Leeds Country Park and Green Gateways Management Plan Rights of Way Improvement Plan Membership Update Forward Work Programme
Tuesday 5 th February 2008	
May 2008 July 2008	Annual Report

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