

Leeds Local Access Forum

Tuesday, 1st December, 2009

PRESENT: Dr. M. Willison in the Chair

Mr. J. Pearlman, Mr. P. Maude, Mr. S. Wood, Councillors C. Fox and J. Illingworth

IN

ATTENDANCE:

- Mr. K. Bell, Legal Services
- Mr. P. Bowers, Legal Services
- Mr. R. Brookes, Principal Development Officer
- Mr. R. Buckenham, Assistant Countryside and Access Manager
- Miss. L. Pilgrim, Governance Services

26 APOLOGIES FOR ABSENCE

There were no apologies for absence.

27 CHAIR'S OPENING REMARKS

The Chair welcomed all parties to the meeting. Members were advised that this would be Mr. Bowers' last meeting as he was retiring from the Council after 47 years service. The Forum thanked Mr. Bowers for the work he had conducted for the Forum and wished him a long and happy retirement. The Forum also welcomed Mr. Ken Bell who would replace Mr. Bowers as legal adviser to the Forum in the future and Mr. Brent Brady who was present to present some reports on gating orders.

28 DECLARATIONS OF INTEREST

There were no interests declared.

29 MINUTES OF THE LAST MEETING

The Secretary apologised for the late circulation of the minutes. The minutes of the last meeting of the Forum held on 30th September 2009 were approved as a correct record. Members were requested to contact the Secretary should there been any inaccuracies noted following the meeting.

RESOLVED: That the minutes of the last meeting be approved.

30 MATTERS ARISING

Members noted that the minutes of the last meeting referred to both an annual update on the progress of work identified in the Rights of Way Improvement Plan (ROWIP) and a request for an update at this meeting. It was agreed that it was more

appropriate to have an update at each meeting in order to effectively monitor the progress of the ROWIP. Officers agreed to ensure that an update was brought to each meeting and that they would continue to input the information into the annual report of Rights of Way also.

The Forum noted that an advert seeking new members of the Forum had been placed in About Leeds which was to be published in December. It was anticipated that interviews for new members would take place in January 2010 in time for the next meeting in February 2010.

The Chair of the Forum brought Members' attention to a document produced by Natural England "Local Transport Plan and Rights of Way Improvement Plan Integration – Good Practice Note" and suggested that the document was discussed at a future meeting of the Forum.

RESOLVED:

- (a) That the Forum receives a report at each meeting on the implementation of works identified in the ROWIP.
- (b) The 'Local Transport Plan and Rights of Way Improvement Plan Integration – Good Practice Note' be discussed at a future meeting of the Forum.

31 UPDATE ON GATING ORDERS

The Forum went on to consider a report of the Alley-Gating Officer which provided Members with an update on the progress on alley-gating in Leeds for this year. There had only been two Gating Orders made for this year and due to a number of issues there had been delays in conducting the annual reviews of the orders which were in place. There were two completed reviews of gating orders which had been presented to the Chief Highways Officer but that had not been considered by the Forum due to time pressures. There were two reviews which Members would consider during the meeting. The Council had been awarded a red flag in relation to level of burglaries in the area and one of the areas of concern which had been identified was the level of evaluation of burglaries. As a result of the red flag and the concerns it had raised a member of staff had been given the responsibility of assisting the officer in the completion of the review of the Gating Orders which were in place.

Despite there only being two Gating Orders considered by the Forum the Officer had received a number of referrals for gating orders which had been refused due to lack of hard evidence that a gate was required. In these instances the Officer had suggested that alternative measures should be considered which had been a suggestion of the Forum at past meetings.

The following issues were addressed in questions:

- A Super Output Area was an area identified as being in the top five or ten percent deprived areas. A number of factors were taken into consideration when determining this factor which included income and health.
- There had been grey areas in relation to the ownership of land in some instances, such as the Gating Order for Nancroft Mount which had previously been considered by the Forum. The fact that the Definitive Map was

incomplete in certain areas of the city had not slowed down the Gating Order process.

- In general the police supported the installation of a gate as it acted as a crime reduction tool when used. However the officer had to make a recommendation based on the evidence. In many of the cases referred to the officer there was a lack of evidence and alternatives could be more appropriate. Gating Orders were expensive to implement and could possibly be a permanent measure if required so if the evidence in support of an Order wasn't sufficient then the Order would not go ahead.

RESOLVED: That the update be noted.

32 REVIEW OF GATING ORDERS

The Forum considered another report from the Alley-Gating Officer in relation to the Review of two Gating Orders in place at the Wellingtons, Bramley and Back Stratford Terrace, Beeston. The Gating Order at the Wellingtons had been in place since April 2008. There had been issues in conducting the reviews for this round of Gating Orders due to problems with what information was required from the Intelligence Unit and a lack of guidance from the Home Office in relation to the conduct of reviews. The review process had recently been improved and more information would be brought to the Forum in the future. In relation to the Wellingtons the statistics for crime across Leeds for period after the Gating Order showed an increase of 6% on the year before. For the Bramley and Stanningley area the increase in crime for 2008/09 was 44% however for the area which the Gating Order covered the figure fell by 27%. The only increase for the gated area related to damage to vehicles which could be attributed to the area where residents parked. In the consultation and discussions with local residents they had been very vocal in their support for the gates to remain and some of these comments had been included in the report. The recommendation was that the Gating Order remain in force for another 12 months when it would be reviewed again. The Forum supported the recommendation however requested that further review provide details of what type of gate was in place e.g. a time restricted gate.

The Forum then went onto consider a report on the review on the Gating Order in place at Back Stratford Terrace in Leeds. The Alley-Gating Officer informed Members that this review had been more problematic than other reviews. Where there were more than 100 people affected by the Order a random sample of people were selected to be included in the consultation. There had been an extremely poor response to the consultation with 16 people in support of maintaining the Order and six against the Order. It was hoped that future reviews would involved a door to door consultation.

The crime statistics had been difficult to explain as some things such as burglary had increased. The biggest problem was the fact that the gates were regularly left open. Based on the responses from the local residents and local councillors there was general support for the Gating Order to remain in force. There were also options open to the Officer such as locking the gate open and assessing the impact of this. The Officer was also aware that there were other options which maybe more successful in addressing the problems in the area. The gates had been part funded

by the local area management board and this will have to be taken into considered when assessing whether gates should be removed. The current recommendation was that the Gating Order should remain in force for a period of six months and to carry out a further Review in 2010.

The Forum endorsed the recommendation that the Gating Order should remain in force for another six months but also recommended that officers engaged with local councillors and local community leaders on the importance of locking the gates and the improvements which had been made in other areas.

RESOLVED: That the recommendations of the Alley-Gating Officer be supported and that in relation to Back Stratford Terrace that Officer engage with local councillors and community leaders in relation to the gates.

33 GATING ORDER - APPLICATION FOR A GATING ORDER AT BACK CROSS GREEN CRESCENT, LEEDS

The Forum considered a report from the Alley-Gating Officer in relation to the request for a Gating Order for Back Cross Green Crescent, Leeds, LS9. The Officer had met with a new residents association. In the past, when the desire for Gating Order had been discussed, however no funding could be identified at that stage. The area was to undergo some changes with large area of house being knocked down and replaced with part Registered Social Landlord (RSL) and private houses. The prospect of a Gating Order had been discussed with the RSL and the local Area Management Board had agreed to fund the project. Problems in the area had existed for a number of years and mostly involved youth congregating on the rail embankment causing problems for the rail companies and being a danger to both themselves and other people. It was hoped that the youths would no longer be able to congregate in this area. There were also a number of garages and workshops in the area which had been vandalised. As previously mentioned there were a number of changes proposed in the area such as it becoming a trial area for selective licensing where all landlords will be required to be licensed and registered. The Gating Order would go a long way to support the measures being put in place to improve the area.

The following issues had been discussed:

- The Officer could not foresee there being access issues to the rail network for Network Rail however they would be consulted on the proposed Order.
- The Gating Order for Back Cross Green would be reviewed in February/March 2010.
- The proposed changes to the review/application process would provide statistics for a much closer area than had currently been provided.
- The Officer had previous knowledge of the area as he had worked there and was aware of the problems in the area. It was his opinion that the proposed Gating Order was as suitable tool for reducing crime in the area.
- There were a number of outstanding issues in relation to the ownership of the land which had to be addressed prior to the Gating Order reaching the approval stage.
- The local authority was trialling a self closing mechanism.

RESOLVED: That the Gating Order proposed for Back Cross Green Crescent be supported.

34 LOCAL DEVELOPMENT FRAMEWORK - CORE STRATEGY: PREFERRED OPTIONS

The Forum was in receipt of a consultation on the Local Development Framework (LDF) – Core Strategy: Preferred Options consultation document. Members agreed that it was not appropriate for the Forum to respond to certain aspects of the consultation and would restrict their comments to matters which reflected to remit of the Forum. Members were free to respond to the consultation as individuals. Members noted that a considerable amount of work had been conducted as part of the LDF project but there appeared to be some conflicting situations where the need to build more houses would impact on the desire to preserve green spaces within the City. The pressure to build the level of housing required by the Government would certainly place pressure on the few open spaces and green infrastructure in inner city areas. Protecting green spaces and access to these areas was consistent with Leeds' aim to improve the health of its citizens and that this should be reflected in the LDF. The utilitarian aspect of public rights of way should also not be ignored as many people used the rights of way network to access work and other facilities.

One area which the Forum felt strongly about was the inclusion of the Rights of Way Improvement Plan (ROWIP) in the LDF and that when making decisions on planning applications the ROWIP should be cross referenced to identify areas of possible improvement to the rights of way network. The LDF referred to the draft ROWIP and Members noted that the ROWIP was no longer a draft document which should be reflected in the LDF.

RESOLVED: That the Forum provides their broad support to the consultation document but highlighting the area outlined above.

35 UPDATE ON PARLINGTON AND ST. AIDAN'S SITES

The Assistant Countryside and Access Manager provided Members with an update on two sites which had been of interest to the Forum. In relation to the Parlington site Members were aware that there was still an outstanding objection in relation to the proposed network and that the estate still had to pay for the paths to meet a specific standard before creation and extinguishment orders could be made. The Parlington Estate had requested a hold to works on the site due to the current economic climate. If officers tried to proceed with the project money from the Local Transport Plan could be identified for the site. However, as Members were aware, this fund had also been affected by the financial downturn. There were a number of options which could be explored however Officers would meet with Estate representatives to discuss options before a decision was made.

Officers had met with UKCoal representatives to discuss some outstanding issues in relation to the St. Aidan's site and the next steps for completing the legal aspects of the site. There were still a number of outstanding issues in relation to the types and gradients of the path network which included the slope of the path Members had discussed at the previous meeting. UKCoal had attended a site visit with Officers

where options were discussed which included an alternative route for the disputed sloping path. No agreement had been reached in relation to the path however Officers were confident that a resolution could be found. There had also been issues with ensuring that paths met the required standards and some further work on some of the paths was required. UKCoal had also informed Officers that they intended to submit the final plan for the site by the end of the year and the appropriate legal orders for the site could be complete.

Members discussed options of the sloping path being created following the site being handed over to the RSPB but there were possible financial constraints to this. The standard cross fall for paths was 5% and the path, at certain points, had a cross fall of 20%. Officers still had time to follow up the Forum's previous recommendation to conduct a further site visit with a person who was suitably experienced to advise on whether the slope of the path could prevent access to those with restricted mobility. There was also the issue of whether the path could be maintained in the future with such as cross slope as it would be difficult for machinery to be used on the path. Officers and Members noted that there were a number of options open to them which included consultation with disabled access groups and the wider community on the current and possible alternative routes. Members would be provided with an update at a future meeting.

RESOLVED: That the update be noted.

36 ENQUIRIES AND ENFORCEMENT PROCEDURES

Officers provided the Forum with a paper on Enquiries and Enforcement Procedures following a previous request from Members. Since April 2009 all enquiries had been logged using a new report form and recorded on a database to enable the course of the investigation and to record and necessary actions. Enquiries were categorised in to one of five function areas and the relevant officer was then assigned to the task. Since April 2009 approximately 275 inquiries had been received and details of the categories and types of enquiries were included in the report. Members welcomed the report and resolved that the information should be provided to the Forum on an Annual basis.

RESOLVED: That the Forum receive an Annual Report on the Enquiries and Enforcement Procedures.

37 HIGHWAY RECORDS AND LIST OF STREETS

The Forum was in receipt of a request for information from a new workings group for Highways Records. The Assistant Countryside and Access Manager had emailed the appropriate person to respond to the questionnaire but had not received a response. Members requested that a copy of the response was forwarded to them.

RESOLVED: That a copy of the response of the questionnaire be forwarded to Members.

38 FINAL COPY OF THE LEEDS LOCAL ACCESS FORUM ANNUAL REPORT

The Forum received the final version of the Annual report which required the addition of photos. Members were asked to advise the Secretary of any amendments as soon as possible.

39 DATE AND TIME OF NEXT MEETING

RESOLVED: The date of the next meeting of the Leeds Local Access forum be agreed as 4th February 2010 at 18:30.