
REPORT TO THE LEEDS LOCAL ACCESS FORUM

Date: 15th May 2007

Subject: Design & Cost Report

Scheme Title: *GATING ORDER – BACK NOWELL TERRACE / BACK NOWELL CRESCENT, BURMANTOFTS, LEEDS*

Capital Scheme Number

Electoral Wards Affected:

BURMANTOFTS AND RICHMOND HILL

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

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

Executive Summary

The Director of Neighbourhoods and Housing is promoting the installation of gates across the carriageways in the Nowells area 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 Director of City Services 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 the carriageway. Back Nowell Terrace runs at the rear of Nowell Terrace and Nowell Place whilst Back Nowell Crescent runs to the rear of Nowell Crescent and Nowell View. These carriageways are 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 These back roads have been the focus for anti-social behaviour (ASB) and crime for a number of years and continue to suffer greatly. The area is a busy, built-up residential area with a constantly changing population. There are approximately 581 households with 1,499 residents in the Nowell's Lower Layer Super Output Areas (LSOA)¹. The crime domain at 1,897 is ranked in the worst 10 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 back road to access and egress properties.
- 2.4 Leeds City Council's Neighbourhoods and Housing Department – Community Safety, ASBU, ALMO 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 residents group has been set up to look at ways of addressing some of these issues.
- 2.5 Both Back Nowell Terrace and Back Nowell Crescent are accessible from the main highway running from York Road through to Roundhay Road (Harehills Lane) and is therefore fairly visible to passers-by. Irrespective of this, residents express concerns that criminal activity continues in the back roads, and that they report feeling intimidated by problem individuals and groups that use the back roads to carry out these offences.
- 2.6 There is a varied array of criminal offences occurring in this area but the most common crimes to occur are damage to dwellings, burglary to dwellings and assault occasioning ABH (Actual Bodily Harm). Such has been the fear of crime amongst local residents that the area was included as part of a Police Dispersal Order in 2005, yet problems persist two years later.
- 2.7 Due to their proximity to major highways, these back roads provide a quick cut through and ideal escape route for criminals operating in the area. It is also a ideal alternative route for vehicles seeking quick and easy access to and from major highways through the Burmantofts estate. As there are a growing number of young families living in the area, there are grave concerns regarding speeding motor vehicles and children's safety, some of which use the back roads as a play area.
- 2.8 The ASBU Enforcement officer for the area has had regular contact with residents to try to identify those causing problems in the area.
- 2.9 Inner East Leeds Neighbourhood Wardens regularly patrol the area and they have vigorously pursued the possibility of alleygating to the area.

¹ Data obtained from 2001 Census for LSOA Leeds 044E

- 2.10 West Yorkshire Police NE Leeds Central Neighbourhood Police Team have 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.
- 2.11 Recently, a new Anti-Social Behaviour Police Link officer has been working in the area to target various problem individuals and groups committing ASB. Part of the role of the officer will be to provide a link between West Yorkshire Police and the multi-agencies working in the area and they will orchestrate the flow of information regarding criminal activity to and from the Police.
- 2.12 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 rented properties, along with lettings agents who look after property in the affected area were contacted as part of the consultation and all were in agreement that gating the back roads would improve their quality of life and reduce crime and ASB.
- 2.13 The concerns of the residents are supported by the crime figures. There have been a total of 337 crimes in the affected area over the last 2 years which accounts for one percent of the Police divisional crime for this area and 3.4% of the total crime for the Burmantofts and Richmond Hill Ward. This represents a considerable amount and reflects an ongoing trend towards high crime in this particular area of the city.
- 2.14 Whilst the most common recorded crimes are those mentioned in paragraph 2.6 above, there is also a pattern of reported crimes occurring with the most common being general Anti-Social and Nuisance.
- 2.15 A planning application to gate these back roads was submitted on 18th September 2006. Planning approval was granted on 8th November 2006.

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 these back roads.
- 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 back roads 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 properties adjoining or adjacent to the back roads will be provided with a key on request from Neighbourhoods and Housing's Community Safety Service. 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.
- 3.1.4 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. 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 these gating orders. Leeds Community Safety will pay 50% of the funding for the project out its Pump Prime Capital budget, and the remaining 50% will be paid by Leeds East Area Management.
- 3.2.2 Residents: On 14th July 2006 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 Landlords and Lettings agents of property in the affected area. Residents not responding to the postal consultation were re-visited by the alleygating officer so that a better response to the consultation could be achieved. 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. Planning notices were posted at the ends of the back roads as well as in the Yorkshire evening Post. No objections were received to the planning application.
- 3.2.3 Police: NE Leeds Police Division has been aware of the problems at the Nowells and has implemented various strategies to address the problems in the area through the Central Neighbourhood Policing Team (NPT). These problems have existed for some time and the area has been included as part of a Police Dispersal area in the past in the hope that problems groups can be moved on by the Police. However, the problems have persisted. Much of the problem is caused by the high number of private landlord-run properties in the area and the ever-changing population in the area. Landlords have not been held accountable in the past for problem tenants in their properties or the damage and stress that they cause. NPT officers along with PCSOs and Neighbourhood wardens continue to patrol the area and report any issues at local multi-agency meetings on a fortnightly basis. Many of these issues are then followed up by the ASB Police Link Officer. Despite all the work going on in the area, problems still exist. 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.
- 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 and City Services have both been consulted and have no objections to the proposals. Highways users will need to take alternative routes which will incur a detour of approximately 15 metres, however this inconvenience has to be placed in context of the community safety situation. Alternative routes exist along Nowell View and Nowell Crescent (for Back Nowell Crescent). Alternative routes exist along Nowell Terrace and Nowell Place (for Back Nowell Terrace). These are reasonable alternative routes and add very little time to the journey. They can also be assumed to be safer routes to take rather than the back roads as users would be in full view of the fronts of properties and to traffic using Harehills Lane.
- 3.2.6 Rights of way: Learning and Leisure Department has been consulted and have 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): Consultation to take place shortly with the LAF.

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 an approximate detour of 15 metres, as referred to in 3.2.5 above. It is unlikely that those who had used the back roads as a short cut will resort to having to use vehicles if the amenity is lost, as the majority of non-residents live in very close proximity to the back roads.

3.5 Programme

3.5.1 It is anticipated that subject to approval these proposals will be implemented in August 2007.

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 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 Funding has been secured from Leeds Community Safety and Leeds East Area Management 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 back roads.

8.0 Recommendations

DIRECTOR OF CITY SERVICES

8.1 The Director is requested to:

- i. Approve the gating of Back Nowell Crescent leading from Nowell End Row to Harehills Lane. Also approve the gating of Back Nowell Terrace leading from Nowell Street to Harehills Lane as shown on the attached drawing, in accordance with Section 129A of the Highways Act 1980; and
- ii. Request the Director of Legal and Democratic services to advertise the notices of intention to make gating orders and, in the event that no 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.

DIRECTOR OF DEVELOPMENT

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