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**REPORT TO THE LEEDS LOCAL ACCESS FORUM**

**Date: 15<sup>th</sup> May 2007**

**Subject: Design & Cost Report**

**Scheme Title: *GATING ORDER – BACK ASHVILLE AVENUE / BACK ASHVILLE GROVE / BACK ASHVILLE TERRACE / BACK ASHVILLE ROAD, BURLEY, LEEDS***

**Capital Scheme Number**

**Electoral Wards Affected:**

HEADINGLEY

**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)

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**Executive Summary**

The Director of Neighbourhoods and Housing is promoting the installation of gates across the carriageways in the Ashville's area of the Headingley 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 Ashville Terrace runs at the rear of Ashville Terrace and Ashville Grove. Back Ashville Road runs at the rear of Ashville Terrace and Ashville Road. Back Ashville Grove runs to the rear of Ashville Grove and Ashville Avenue. Back Ashville Avenue runs to the rear of Ashville Avenue and Ashville View. These carriageways are situated in the Headingley 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 made up predominantly with students. There are approximately 596 households with 1,760 residents in the Ashville's Lower Layer Super Output Areas (LSOA)<sup>1</sup>. The crime domain at 1,171 is ranked in the worst 5 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 roads 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.
- 2.5 All four back roads are accessible from the main highway (Cardigan Road) and are 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 Due to the make-up of the area, there are a variety of criminal offences occurring in this area. The area is predominantly landlord-owned housing occupied mostly by students and for this reason, seems to attract would-be criminals into the area, as many view students as easy targets for crime. With a large student base comes much valuable property with most student-occupied properties in the area containing expensive items like computers, TV's, costly music players and other items. Indeed such is the attraction to the area for criminals, that it is clear why the most common crimes to occur are burglary to dwellings) most access is gained through the rear of properties). As many students have access to a vehicle, this explains why theft from motor vehicles is quite high up on the list of crimes in the area, and the back roads lend themselves to much of this crime occurring. Other prominent crimes in this area are theft other and criminal damage.
- 2.7 Due to the make-up of the area, there is also a large amount of litter and fly tipping which occurs in the back streets, much of which emanates from the student properties. Nevertheless, refuse collections are prompt and keep the roads relatively tidy.
- 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 and there has been involvement

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<sup>1</sup> Data obtained from 2001 Census for LSOA Leeds 044E

by noise nuisance enforcement officers with regards noise related anti-social behaviour in the area.

- 2.9 The Inner North West Leeds Neighbourhood Warden regularly patrols the area and they have vigorously pursued the possibility of alleygating to the area.
- 2.10 West Yorkshire Police NW Inner Neighbourhood Police Team 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. Work is taking place in the area, as part of Operation Strikeback, to clamp down on known offenders in the area and to provide crime prevention information to the public, amongst other activities involving other agencies i.e. Fire Service.
- 2.11 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 the majority was in agreement that gating the back roads would improve their quality of life and reduce crime and ASB.
- 2.12 The concerns of the residents are supported by the crime figures. There have been a total of 57 crimes in the affected area over the last year which accounts for 0.2% of the Police divisional crime for this area and 2.5% of the total crime for the Headingley Ward. This figure is relatively low compared to the total for the Police division but crime stats show that there is a worrying trend towards burglary dwelling, vehicle crime and theft in the area.
- 2.13 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 behaviour.
- 2.14 A planning application to gate these back roads was submitted on 13<sup>th</sup> September 2006. Planning approval was granted on 20<sup>th</sup> December 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 one end of the back roads (the other ends are dead ends) 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 North West Area Management from their Well Being Budget.

3.2.2 Residents: On 5<sup>th</sup> June 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. Due to a poor consultation response rate, a further consultation took place 16<sup>th</sup> October 2006 to ascertain further views. 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: NW Leeds Police Division has been aware of the problems at the Ashville's and has implemented various strategies to address the problems in the area through the Inner NW Leeds Neighbourhood Policing Team (NPT). These problems have existed for some time and much work has been undertaken to make residents aware of crime prevention measures. Much of this work has been carried out amongst students through Freshers week and various publicity campaigns i.e. sneak-in burglary video. However, the problems have persisted. NPT officers along with PCSOs and Neighbourhood wardens continue to patrol the area. 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 not need to take alternative routes as each of the four back roads are dead ends. Each back road is fenced off from the railway line that runs directly behind the estate. Therefore the only users of these highways should be the occupiers of properties adjacent to them.

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 15<sup>th</sup> May 2007 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 yet non-residents should not need to use the back roads for reasons referred to in 3.2.5 above.

### **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 back roads are dead ends and therefore only serve the occupiers of properties adjacent to them. Users would still be able to access the back roads as they would have a key, but the likelihood is that most will use the front of the property as their means of access.

## **6.0 Legal and Resource Implications**

6.1 Funding has been secured from Leeds Community Safety and Leeds North West 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 Ashville Avenue, Back Ashville Grove, Back Ashville Terrace and Back Ashville Road 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.