

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

Date: 2008

Subject: Design & Cost Report

Scheme Title: GATING ORDER – OAKHAM WAY, OSMONDTHORPE, LEEDS

Capital Scheme Number

Electoral Wards Affected:

BURMANTOFTS AND RICHMOND HILL

Specific Implications For:

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

Eligible for Call In

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

Executive Summary

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

1.1 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.
- 2.5 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 LSOA Leeds 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/Egress').
- 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.

- 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. Despite 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.

