
REPORT TO THE CHIEF HIGHWAYS OFFICER

DATE: 17 FEBRUARY 2008

Subject: Design & Cost Report

Scheme Title: GATING ORDER – Back Cross Green Lane, Leeds 9
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 Environment and Neighbourhoods is promoting the installation of gates across a carriageway in the Cross Green area of the Burmantofts and Richmond Hill 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 highways 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 back street at the rear of Cross Green Lane and Cross Green Avenue (see Appendix 1). This carriageway is 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 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.

- 2.2 This highway leads from Cross Green Crescent at one end through to Cross Green Road and has been the focus for anti-social behavior (ASB) and crime for many years, becoming increasingly worse in recent years. The area is a built-up residential area with a mixed, changing population. There are approximately 756 households with 1648 residents in this Super Output Area (Leeds 075C). The crime domain at 1350 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 highway as a place to congregate and commit crime and anti-social behaviour and to make good their escape from the Police. .
- 2.4 There has also been much concern from local residents regarding one of the properties backing onto back Cross Green Lane. It has been established that a brothel is operating in the area and there are concerns that this is attracting undesirables from outside the area to frequent the back street. The local Policing team has carried out work to get rid of the brothel, but there are fears that other void properties in the area will be obtained for similar purposes. It is therefore hoped that alleygating will privatise this back road, making it unavailable to outsiders and more manageable from a Policing perspective.
- 2.5 Much of the problems occurring in this back road come from youths congregating in it. The congregation of youths in the road has led to the occurrence of several incidents of anti social behaviour, incorporating criminal damage, nuisance, under age drinking and vandalism. The highway 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.
- 2.6 Much of the recorded crime for the area is focused in and around the streets incorporating this highway. For many years, the area, and particularly Cross Green Lane and Avenue have suffered from varying levels of crime. This has ranged from serious assaults and arson, down to minor disturbances. The area continues to suffer from persistent offences and in the last 12 months there have been 71 recorded offences. The majority of these relate to burglary and criminal damage; 2 crime types that alleygating has been proven to combat.
- 2.7 This highway has also been the subject of much ASB for the last couple of years and has been the venue for 59 ASB incidences over the nine months from 01/01/08 to 30/09/08 (see Appendix 2). 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.
- 2.8 The effects of making the order for properties adjoining or adjacent to this highway 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 highway would improve their quality of life and reduce crime and ASB.
- 2.9 A planning application to gate this highway will be submitted February 2009.

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 highway have not resolved the situation and are not sustainable. It is now proposed to temporarily close the highway 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 highway to prevent access to it for those not living in the immediate vicinity.
- 3.1.3 The gates will be locked 24 hours a day. Residents whose properties back onto this highway 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 November 2008, pre-consultation took place with local residents living adjacent or adjoining the highway in question. A residents meeting took place to discuss proposals and to identify support in December 2008. All residents attending this meeting were in support of the gates.
- 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 highway up. This will help Police apprehend offenders who have used the highway 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 has been consulted and has no objections to the proposals. Highways users will need to take alternative routes which will incur a short detour. Alternative routes exist along Cross Green Lane and Cross Green Avenue (see Appendix 1).
- 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 in November 2008 regarding the proposed gating scheme. No objections were received.

3.2.8 Emergencies Services: The Fire, Health and Police Authorities were contacted in November 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 organisations in February 2009.

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 highway 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 April 2009.

3.0 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.

4.0 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 fully fund the proposed scheme 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 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 carriageway.

8.0 RECOMMENDATIONS

8.1 The Chief Highway Officer is requested to:

- i) approve the gating of the carriageway at Back Cross Green Lane 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 carriageway at Back Cross Green Lane 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.