
REPORT TO THE CHIEF HIGHWAYS OFFICER

DATE: DECEMBER 2009

Subject: Design & Cost Report

Scheme Title: GATING ORDER – Back Cross Green Crescent, 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 Crescent (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 temporary 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 runs at the rear of properties on Cross Green Crescent 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 Many 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.
- 2.5 Much of the recorded crime for the area is focused in and around the streets incorporating this highway. For many years, the area has suffered from varying levels of crime. This has ranged from burglary dwelling, criminal damage and assaults to vehicle crime and ASB.
- 2.6 This highway has also been the subject of much ASB for the last couple of years and continues to attract undesirables who view the back street as a location out of sight and hence a suitable location to carry out ASB (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.
- 2.7 As the back road backs onto a railway embankment, there have been issues over the years with items being thrown onto the track. As the back street affords ease of access to this embankment, and is out of public view, it has proved easy for offenders to commit this offence. As well as the Cross Green Crescent residents suffering from ASB, this particular issue has and continues to have potential serious repercussions for rail passengers on passing trains. Not only that, but as previous offenders have often proved to be young, the dangers present from being on the embankment are not always appreciated, and as the top of the embankment is a good 100 meters drop down to the track, there is very real fear of serious injury to one of these youths.
- 2.8 Many of the residents on Cross Green Crescent also own garages and /or land backing onto the embankment. Many have been the victim of burglary, attempted burglary and criminal damage over the years. Again, much of this is due to the back road affording ease of access for offenders to this area, and gating would help in restricting access to residents only.
- 2.9 The Cross Green area has also been selected as one of four sites for Selective Licensing; a new registration scheme for private landlords with property in the area. As part of the regeneration in this area, alleygating is viewed as a suitable crime reduction tool for addressing the issues prevalent in the area at the moment, but more so for reducing the fear of crime amongst local residents that exists at the moment.

2.10 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.

2.11 A planning application to gate this highway will be submitted December 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 2.4m 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 (See appendix 3&4 [drawings and photos] – **Please note there is an error on the drawing which shows Cross Green Terrace instead of Crescent**).

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 Gough-Kelly Ltd will carry out future maintenance of the gates. A commuted sum has been provided for this purpose from Inner East Area Committee for a period of 5 years.

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 September 2009, pre-consultation took place with local residents living adjacent or adjoining the highway in question. A residents meeting in December 2008 asked for alleygating to back Cross Green Crescent in response to back Cross Green Lane being considered for gating at that time. 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 Crescent (see Appendix 1).
- 3.2.6 Rights of Way: City Development Directorate Department (to be consulted)
- 3.2.7 Utilities: Utility and other service providers were contacted in September 2009 regarding the proposed gating scheme. No objections were received.
- 3.2.8 Emergencies Services: The Fire, Health and Police Authorities were contacted in September 2009 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 December 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 March 2009.

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 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 Inner East Area Committee 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 Crescent 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 Crescent 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.