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**To the Chief Highways Officer**

**Date:**

**Subject: Review of Gating Order –**

**Electoral Wards Affected:**

Burmantofts and Richmond Hill

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

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**Executive Summary**

East North East Homes Leeds (ENEHL) is promoting the installation of gates in the Aysgarth Estate, East End Park to temporarily close highways suffering from persistent levels of crime and / or anti-social behaviour (ASB). As per the current legislation, ENEHL have carried out an annual review of the Alleygating scheme and any associated Gating Orders to footpaths in the Aysgarth Estate (Burmantofts and Richmond Hill Ward).

**1.0 Purpose of this Report**

1.1 The purpose of this report is to inform the Chief Highways Officer of the outcome of the annual review and to support the recommendations made in the review.

**2.0 Background Information**

2.1 Section 129A to 129G of the Highways Act allows for the making of a gating order to temporary closure a highway in response to high levels of anti-social behavior. The legal provision came into effect on 1<sup>st</sup> April 2006. The adopted status of the highway is unchanged by the order.

2.2 Gating Orders (No.19) was granted for footpaths in the Burmantofts and Richmond Hill ward on 8<sup>th</sup> August 2008. As per requirements set out in the relevant legislation within the Clean Neighbourhoods and Environment Act 2005, it is the responsibility of the promoting department to carry out an annual review of the gating order to assess its use in reducing persistent crime and / or ASB.

- 2.3 As per any gating order to a relevant highway, the status of the highway shall remain unchanged. As a result of the review carried out, recommendations can be made by the promoter to either:
- Continue with gating of the Highway for a further period of time (to be specified);
  - Continue with the gating but keep gates locked open for a period of no less than 3 months to allow for monitoring of the site and to establish if there is further need for the gates; or
  - Revoke the gating order and remove the temporary restriction.

### 3.0 Main Issues

#### 3.1 The review process - methodology

- 3.1.1 The review process will need to take in several factors in order to satisfactorily assess their use and value. The first stage of the review process is to obtain both recorded and reported crime and ASB adjacent and adjoining the site under review for the 12 months before and 12 months after the gating order came into operation.
- 3.1.2 The views of the local Neighbourhood Police Team Inspector must be obtained in order to assess their opinions regarding the gating order.
- 3.1.3 The views of local ward members should also be gained.
- 3.1.4 A postal consultation, lasting no longer than 28 days, should be carried out with a random selection of residents affected by the gating order(s) unless numbers affected are low enough in order to enable consultation with all affected residents.
- 3.1.5 Where possible, a site visit should be carried out in order to gain a greater understanding of the effect of the alleygates in the area under review. This should take in factors including the appearance of the gated site, any damage to gates, whether gates have been left open, etc.

#### 3.2 The review process – outcomes

- 3.2.1 **Crime Statistics** - The primary reason for the gating up of a highway is to reduce the opportunity to commit acquisitive crime which includes:
- Domestic burglary
  - Burglary other (can include sheds, outbuildings, etc)
  - Robbery
  - Vehicle crime

Alleygating is not exclusively used for these issues and can often be associated with the reduction of other crimes and Anti-Social Behaviour. It is also used to reduce environmental issues such as flytipping and littering.

- 3.2.2 The crime stats for the ward 7 have been obtained for the 12 months BEFORE the gating order (1<sup>st</sup> August 2007 to 31<sup>st</sup> July 2008), and 12 months AFTER the gating order has been in place (1<sup>st</sup> August 2008 to 31<sup>st</sup> July 2009) (see appendix 1).
- 3.2.3 Recorded crime and ASB for the period 12 months after the gating order was 20% up on the figure recorded 12 months before the order. There had been a total of 3490 crimes and ASB incidences recorded 12 months before the order compared with 4180 crimes 12 months after.

- 3.2.3 Whilst crime and ASB has **increased** 20% in the Burmantofts and Richmond Hill ward over the specified time frame, crime has **dropped** 3% across the city. This is in comparison to the 28% **rise** in the review area. This represents a considerable **rise** in crime and ASB in the review area during the gating order period and suggests that crime reduction initiatives, including alleygating **have not** contributed to a reduction.
- 3.2.4 In terms of the 4 key Acquisitive crimes for which alleygating is particularly used for, burglary dwelling **increased** 750%, burglary elsewhere **decreased** 200%, theft from motor vehicle **increased** 1000%, and theft of motor vehicle has **remained static** (1 in 2007 and 1 in 2008). There were 0 reported robberies before the gating order and 1 recorded Robbery in the review area after the gating order.
- 3.2.5 Criminal damage is a crime often reduced by the introduction of suitable crime reduction initiatives. Since the gating order was introduced in the review area, criminal damage has **risen** by 1%. There were 9 offences in 2007 followed by 10 offences in 2008. The majority of offences in 2008/9 have taken place in August – Oct 2008. The problem of residents not closing gates was rectified in the latter part of 2008 with self-closing shutters.
- 3.3 **Consultation** (See appendix 2)– Consultation was carried out with a random sample of 100 properties affected by the gating order. The response to this was **good** with 21 replies received, of which 96% were in favour of keeping the gating order in place for a further twelve months and 4% were opposed to the gating order.
- 3.3.1 Of those in favour, many commented that they had increased privacy, feel more safe and secure in their properties without strangers passing through and that it is better now the gates are self-closing.
- 3.3.1.1 Of those opposed, the main complaint was that they were noisy and people were still leaving them open.
- 3.4 **Ward Members** (See appendix 3)– Ward Members were asked to feedback on their thoughts regarding the alleygates. Cllr Brett was in favour of keeping the alleygates and Cllr Pryke gave no preference but outlined both the positive and negative feedback he has received from residents.
- 3.5 **Neighbourhood Policing Team (NPT)** (See appendix 3) – The NPT Inspector has been asked to comment on the gating order. The NPT are in favour of the Gating order remaining in place.
- 3.6 **Leeds Fire Service, Arson Task Force** (See appendix 3) – The Arson task Force held no objection to the scheme staying in place.
- 4.0 **The Review Process – Conclusions** (see Appendix 2 – table of considerations)
- 4.1 The majority of respondents to the review were **in favour** of the gating orders remaining in place for a further twelve months. The NPT also **supports** the gating orders for a further period of time and ward members were either **in support** or gave no personal view.
- 4.2 There has been an **increase** in recorded crime and ASB figures since the gating order was enforced, and this is a possible indication that alleygates in the area are **working** only to provide a sense of well-being to local residents. 74 percent of respondents felt that crime and ASB in the area had decreased since the alleygates were installed.
- 5.0 **Recommendations**

5.1 The Chief Highways Officer is requested to:

- i. Note the content of this report; and
- ii. To approve the continuation of Gating Orders No.19 as recommended by East North East Homes and Leeds Community Safety for a minimum of 12 months and then to carry out a further annual review in August 2011.