
Report of Director of Neighborhoods and Housing

To Director of City Services and the Director of Development

Date: 5 March 2007

Subject: Gating Order – Carrholm Grove/Drive and Carrholm Mount/Road

Electoral Wards Affected:

Moortown

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Executive Summary

The Director of Neighborhoods and Housing is promoting the installation of gates across two footpaths / ginnels in the Carrholm area of the Moortown 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 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 two ginnels. One ginnel links Carrholm Grove to Carrholm Drive and the other links Carrholm Road to Carrholm Mount. Both these ginnels are in the Moortown 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 1st April 2006. The adopted status of the highway is unchanged by the order.

2.2 The ginnels leading from Carrholm Drive to Carrholm Grove and from Carrholm Road to Carrholm Mount have been the locus for anti-social behavior (ASB) and crime for a number of years, becoming increasingly worse during 2005-06. The area is a quiet residential area with a very stable population but some of the older residents are moving out of the area due to the decline in quality of life. There are

674 households with 1757 residents in the Carrholm Super Output Area number 1507. The crime domain at 3936, is ranked in the worst 20 percent in England.

- 2.3 Residents have voiced their concerns and anger over the rise in crime and ASB to West Yorkshire Police, Elected Members and council officers. Many of the residents have been victims of crime and criminal damage where offenders have used the ginnels to access and egress properties.
- 2.4 Leeds City Council's Neighbourhoods and Housing Department – Community Safety, ASBU, and Area Management - received emails and phone calls from residents demanding action to address the issues. Public meetings and meetings with individuals have taken place to ascertain the extent of public feeling regarding gating the ginnels to restrict access. The majority of those who attended meetings or have contacted the council by other means, such as email or phone, were in favour of gating the ginnels.
- 2.5 Carrholm Grove-Drive ginnel This ginnel has a very large old tree half way along that is almost the width of the ginnel. The tree provides a focal point for youths to gather, drink, smoke, deface the tree and graffiti. Removal of the tree will not prevent anti-social behaviour or crime being committed in the ginnel. LCC's Forestry officer would prefer that this mature tree remains in situ. At either end of the ginnel there are two houses. All four have been subject to some form of criminal activity including arson, criminal damage and burglary.
- 2.6 Students from Carr Manor High use the ginnel as a route to and from school and at lunch time. Residents have continually been harassed by students who spit, swear, graffiti, litter, damage cars and other property. Anti-social diaries have been kept by residents to show the scale of the problem and to build up evidence against unidentified youth. The ASBU Enforcement Officer for the area has had regular contact with residents to try and identify those causing problems.
- 2.7 Carr Manor High has worked closely with Leeds City Council and West Yorkshire Police to alleviate the problems. They have tried to identify offenders, patrolled the ginnels before and after school and at lunch time, and are in regular contact with PCSOs and NE Leeds Police Division's Youth Services Officers.
- 2.8 Inner NE Leeds Neighbourhood Wardens have also patrolled the ginnels when youth are likely to be in the vicinity. However, troublesome youths are only deterred from committing crime or ASB while there is the presence of uniformed and non-uniformed officers and this is unsustainable.
- 2.9 Carrholm Road-Mount ginnel, - This area has suffered from ASB and crime though to a lesser extent than the above area. When youths have been moved from the Carrholm Grove-Drive ginnel, they have congregated in this one. Displacement would be an issue if the Carrholm Drive-Grove ginnel was gated, and this was not.
- 2.10 The effects of making the order, on the premises adjoining or adjacent to the highways subject to gating would be positive. All residents at those properties were contacted as part of the consultation and all are in agreement that gating the ginnels will improve their quality of life and reduce crime and asb.
- 2.11 The residents concerns are supported by the crime figures. There have been a total of 117 crimes in the Carrholms over the last two year period. This accounts for 0.4% of the divisional crime over this period and 4% of crime within the Meanwood area. This represents a notable amount of crime when taken in to account the small area size of the Carrholms. Carrholm Road and Carrholm Grove have shown to be the predominant crime locations over the past two year period.

- 2.12 Assault, TFMV and damage tend to be the predominant crimes in this area (again crimes that can often be associated with ASB). A significant number of both crime and ASB reports also tended to occur in the evening time between 20:00 and 02:00hrs.
- 2.13 Planning applications to gate the ginnels were submitted on 13 July 2006. Approval was granted on 11 September 2006 (Planning Application PO6/04181/FU/NE).

3.0 Main Issues

3.1 Design Proposals / Scheme Description

- 3.1.1 The alternative solutions considered for addressing the anti-social behavior at the ginnels 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 the footpaths/ginnels.
- 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 both ginnels to prevent access to the ginnels for those not living in the immediate vicinity.
- 3.1.3 The gates will be locked 24 hours a day. Residents living in the streets connected by the ginnels 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 Cleaning, Forestry 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. NE Leeds Area Management will carry out the annual review for these gates.

3.2 Consultations

- 3.2.1 Ward Members: All ward members have been actively involved in promoting these gating orders. The Inner NE Area Committee has allocated £75,000 from the Well Being Capital Fund specifically for gating projects.
- 3.2.2 Residents: On 30 January 2006 approximately 60 residents and users attended a public meeting to discuss gating the area. 41 people signed in favour of gating. Nobody signed to object to the gating. On 23 March 2006 another 50 residents attended another public meeting. Twenty voted in favour of gating while four voted against. Gating of the ginnels was an agenda item of Inner NE Leeds Area Forums in May and June 2006. No objections were received at the three meetings that took place. Street consultations were carried out with residents in June to discuss gate and fence design and height. The residents were presented with a choice of four gate designs. Thirty five residents indicated a design preference. The majority preference will be commissioned. Public meetings were publicized in the media and locally through posters in public places such as shops, school and church. Planning notices were posted at the ends of the ginnels as well as in the Evening Post. No objections were received to the planning application. The neighbourhood wardens identified school children as the main users of the ginnels whilst they were on patrol.

- 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). When complaints were first received by the police from members of the public living near the ginnel areas, PCSOs were deployed both on foot and bike patrols. As the situation escalated with the suspicion that Class A drugs were being sold and used in the areas concerned, NPT Police Officers were also deployed into the areas. Several arrests were made in addition to numerous stop checks, however the groups were not moving away. An ASB operation was implemented in the area by PCSOs and Police Officers to gather names and details of youths congregating for the purpose of issuing ASB warnings and in some cases applying for full ASBO. This was carried out in partnership with LCC ASBU and to some extent has split the groups up. However due to the proximity of the ginnels to private dwelling houses crimes still occur in the areas of the ginnels. Despite using various tactics such as varying patrols, developing neighbourhood watch schemes, involving other agencies to work with young people, the problems continue due to the ginnels being in the place they are.
- 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 need to take alternative routes which will incur short detours however this inconvenience has to be placed in context of the community safety situation. An alternative route from Carrholm Drive would be to use Stainbeck Lane to access Stainbeck Road, which is where the ginnel leads to via Carrholm Grove. Conversely, an alternative route from Carrholm Grove to Carrholm Drive would be to use Stainbeck Road and Stainbeck Lane. This is a reasonable alternative route as it would only add approximately five minutes to the journey. An alternative route from Carrholm Road to Carrholm Mount is via Stainbeck Road. The same route would apply to anyone wanting to reach Carrholm Road from Carrholm Mount. This is a reasonable alternative route as again it would only add approximately five minutes to the journey.
- 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 in June 2006 regarding the proposed gating scheme. No objections were received.
- 3.2.8 Emergencies Services: The Fire, Health and Police Authorities were contacted in June 2006 regarding the proposed gating scheme. No objections were received.
- 3.2.9 Carr Manor High School: Head Teacher at Carr Manor High supports the gating of the ginnels as his staff has had to spend time pre, during and after school, patrolling the areas to deter anti-social behaviour. This is time that otherwise could have been spent on more productive activities with young people.
- 3.2.10 Prescribed Organisations, Local Footpath User Groups and Local Access Forum: Consultation has taken place with these organisations. XXXXXX need to include outcome of LLAFF meeting. None of the others have objected.

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 ginnels as a short cut will resort to having to use vehicles if the amenity is lost, as the majority of non-residents are school children and dog walkers.

3.5 Programme

- 3.5.1 It is anticipated that subject to approval these proposals will be implemented in June 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 proposed alternative routes will add very little to journey times and the alternatives are safe pedestrian routes. This meets Leeds Travelwise policy of discouraging private car use and promoting walking to school. There are safe pedestrian crossing facilities on the two main roads, Stainbeck Road and Scott Hall Road, that children walking to schools in the area might use.

6.0 Legal and Resource Implications

- 6.1 Funding has been secured from Inner NE 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 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 areas, 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 youth, who do not live in the vicinity, from entering the ginnels.

8.0 Recommendations

DIRECTOR OF CITY SERVICES

- 8.1 The Director is requested to:
- i) approve the gating of two ginnels leading from Carrholm Grove to Carrholm Drive, and from Carrholm Road to Carrholm Mount in accordance with attached drawing numbers CHGO1 and CHM02 in accordance with Section 129A of the highways Act 1980;
 - 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

objections are 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.