



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 Crescent / View / Wensley Green

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 four footpaths / ginnels in the Carrholms / Wensley Green 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 four ginnels. One main ginnel, with four off shoots, links Scott Hall Road to Carrholm Road. The proposal is to keep the main ginnel open but close the four off shoots. One links Carrholm Crescent to the main ginnel; one links Carrholm View to the main ginnel and two link Wensley Green to the main ginnel. 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 Crescent, Carrholm View and Wensley Green, to the main ginnel linking Scott Hall Road with Carrholm Road 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 The four ginnels: These ginnels provide anti-social and criminal youth with a warren of escape routes when evading capture by the police. Drug dealing is common place as it is secluded and police cars cannot access the area. Residents have supplied police with photographs of dealers and buyers who come into the area but apprehending them in the act is very difficult due to the various escape routes available.
- 2.6 Residents have been subjected to drug dealing from their boundary walls, properties have had fences broken repeatedly, repeat burglaries have taken place, garden furniture has been stolen, abusive language and acts have taken place, criminal damage is frequent as is damage to cars and theft from cars.
- 2.7 The ginnels are popular walkways for local residents from either side of the long ginnel but incidents over the past year or more have deterred a number of residents from using them. A number of residents have indicated they would use them again if access was restricted to those living in the vicinity.
- 2.8 Displacement would be an issue if the Carrholm Crescent-View ginnels were gated and the Wensley Green ones were not.
- 2.9 LCC's Neighbourhood Wardens and Youth Service, together with West Yorkshire Police have implemented various strategies to combat the crime and asb. These include carrying out regular foot and bike patrols, stop checks, and taking action against identified perpetrators but youth still gather in this area and a permanent uniformed presence in the area is unsustainable.
- 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 145 crimes in this area over the last two year period. This accounts for 0.5% of the divisional crime over this period and 7% of crime within the Chapel Allerton area. This represents a notable amount of crime when taken in to account the small area size of the Carrholm Crescent, View and Wensley Green. Wensley Green has shown to be a predominant crime location over the past two year period.
- 2.12 Assault, Theft, 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 PO6/0418o/FU/NE).

3.0 Main Issues

3.1 Design Proposals / Scheme Description

- 3.1.1 The alternative solutions for addressing the anti-social behaviour 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 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 all four 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 service and West Yorkshire Police 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 23 March 2006 a public meeting took place that was attended by over 50 people. 48 people were in favour of gating the area. Eight voted against gating. 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. 28 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. Three letters of support and five objections were received by Planning in response to the planning application. Comments in favour of as well as against the gating of the ginnels can be found in Appendix 1.

- 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. Development had some concerns regarding publicity and alternative routes. These points are addressed in this report. 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. For those not living in the vicinity (and therefore would not have access keys) wanting to reach Wensley Green via Carrholm Crescent or View, a short detour of approximately five minutes would have to be made. Pedestrians could either go via Carrholm Road – Stainbeck Road – Wensley Drive, or Carrholm Road – Stainbeck Lane – Scott Hall Road – Wensley Drive. The reverse would apply for anyone wanting to access Carrholm Crescent or View via Wensley Green. These are reasonable alternative route as 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 LLAF 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 four ginnels leading from Carrholm Crescent and Carrholm View to Wensley Green in accordance with attached drawing numbers CHC01, CHV02, WGSE03, WGSW04 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.

1.0 Consultation comments

- 1.1 Notification of meetings regarding problem ginnels was carried out in several ways.
- 1.2 The public meetings were publicised in the local press and locally through posters in public places such as shops, school and church. Properties in the streets affected, and surrounding streets were leafleted to promote the meetings.
- 1.3 Planning notices appeared in the Evening Post and local notices were posted at the ends of the ginnels. Residents also received letters informing them of the planning application. Three letters of support were received by Planning from residents. They believe the gates will provide a quieter neighbourhood and less anti-social behaviour.

Comments in favour of gating

Emails of support have also been received by Community Safety. Comments in support of gating are summarised below.

“I have lived in Wensley Green for x years and in that time we have had our vehicles and those of our visitors broken into on no less than 5 occasions”

“I have found articles of stolen property dumped in the ginnel”

“We have every form of asb, drugs, needles, sex, urinating and worse, endless damage to property and verbal abuse”

“Three cars have been damaged in the last few weeks, one car (brand new) had a wheelie bin thrown on it causing £800 worth of damage.”

“I have had a paint gun shot at my car whilst I was driving it, by a group of 20 plus youths, my back garden shed broken, bike stolen and car radio stolen”.

“My boundary wall been kicked in”

“A gang of youths threw poster paint over my caravan.... The empty bottles of paint were found thrown in the ginnel”

“We have had 3 break ins, 6 attempted break ins, replaced double glazing twice in the front room, we have had 4 sets of porch doors replaced, lost count of how many times we have had intruders in the garden and on one of these occasions my husband was threatened”.

- 1.4 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.

2.0 Objections to gating

- 2.1 Objections to the gating that were voiced at the public meetings were mainly from people who did not live in the area but used the ginnels to walk dogs, or who lived nearby but had not suffered from any of crime or anti-social behaviour that has affected a number of residents. Residents in the area will be provided with a key to enable them to access the ginnels if they are gated.

- 2.2 Planning received five letters of objection in response to the planning notices that were posted at the ends of the ginnels and sent to residents personally.
- 2.3 Objection 1 – ***Ginnels are used regularly and as a safe route to school and should be unlocked between school hours and paths must be maintained.***
Response – It is no safer to use the ginnels than it is to walk on the streets. From a community safety perspective it is probably more dangerous to use the ginnels than it is to use the streets as they are secluded from public view so anything could happen to a child or other vulnerable person and nobody would be able to see what was happening. City Services clean ginnels once a year as a basic service. Limited resources do not allow for more frequent regular cleaning though the Pride Teams do clean ginnels that are badly overgrown when requested.
- 2.4 Objection 2 – ***These are established Public Rights of Way, not ginnels (narrow alley between two walls or buildings).***
Response – Ginnel or alley, there is no dispute about this being a Public Right of Way.
- 2.5 Objection 3 – ***Will not reduce crime as police use them on the beat, need to tidy them up and maintain them and improve lighting to encourage more people to use them. People will break into the alleyway to congregate.***
Response – The police believe it will reduce crime and are fully supportive of gating this area. They will have keys to access all areas. The police are not convinced that people will scale a 2.3 metre gate or fence in order to congregate as they would then be in a contained area which would make it very easy for the police to apprehend them.
- 2.6 Objection 4 – ***This should be applied to all ginnels or none. It will attract congregation to the remaining open ginnels.***
Response – The council and police recognize that displacement could be an issue which is why the Carrholm Grove/Drive area is being gated at the same time. These two areas are very close and it is expected that if one area is gated and the other is not, then the un-gated area will be even more vulnerable to crime and asb.
- 2.7 Objection 5 – ***Gates too high, and should be at end of footpaths. Concerns about how public consultation was carried out and then cited in the supporting information.***
Response – The gates meet planning regulations and will be sited in the most appropriate place. Consultation took place through Area Committee forums, through public meetings held specifically to address this issue, and on the streets themselves. The meetings were publicised locally and in the press. Elected Members chaired all the meetings and the notes from the meetings were taken by council officers. Substantial consultation has taken place regarding this scheme.