



Report of the West Leeds Area Manager

Inner West Area Committee

Date: 29th March 2007

Subject: Footpaths and Ginnels Closures/Gating Orders

Electoral Wards Affected:
Bramley & Stanningley
Armley

Specific Implications For:
Ethnic minorities
Women
Disabled people
Narrowing the Gap

Council Function

Delegated Executive Function available for Call In

Delegated Executive Function not available for Call In Details set out in the report

Executive Summary

1.0 This report gives an overview of the current position in relation to requests for ginnel and gating orders from members of the community who are experiencing issues of crime and Anti-Social Behaviour associated with a footpath or ginnel in their neighbourhood.

2.0 Purpose Of This Report

2.1 This report aims to provide members with a criteria by which requests made to West Leeds Area Management to investigate potential ginnel closures and gating orders may be prioritised and taken forward..

3.0 Background Information

During 2004/05 Community Safety employed a closure of Right of Way Officer (CROW) whose remit was to consider and prioritise issues relating to request received from Ward Members, Police and the general public in relation to problematic footpaths and ginnels and areas suitable for alley gating throughout the whole of Leeds.

The Crow Officer focused on those ginnels that were in high crime areas and where there was little or no resistance from local residents to either alley gating schemes or footpath closure.

The process for gaining a closure and alley gating or gating order is complex and a time consuming piece of work and, as a consequence, during this period one footpath was closed in Leeds and two alleygating schemes progressed.

The CROW Officers post was temporarily funded and when the funding ended

the post ceased. Community Safety received Stronger and Safer Communities funding to prioritise funding an alleygating officer's post to develop schemes on the highways, but not to progress requests for closure or gating orders on public footpaths. Since this period, there has been no overall strategy for dealing with requests for the closure/gating of problem public footpaths/ ginnels in Leeds. Community Safety will offer guidance to the promoting agency on closure/gating of footpaths, but no longer undertakes this work.

In East Leeds , the East Leeds Areas Committee have funded a two year temporarily CROW officer's post who's remit is to undertake an assessment of all the footpath/ ginnel requests in East Leeds. Part of this post is to prioritise those which may be suitable for closure, whilst looking at a variety of possible solutions, depending on the issues and status of the ginnels referred.

In North East Leeds the Area Community Safety Co-ordinator has been focusing resources pursuing the gating of one ginnel which has been on going for over 12 months.

In West Leeds the Area Community Safety Co-ordinators has worked with the Police, Community Safety, partner agencies, and local residents and conducted an assessment of some of the ginnels referred and has developed some solutions. However there has been an increase in requests for the closure/gating of ginnels and since April 2006 there have been fourteen referrals forwarded to Area Community Safety Co-ordinator from Community Safety requesting assistance in closing footpaths/ ginnels , seven of these requests have been in the last 3 months. With this increase it is felt that a clear process is required to assist the team in prioritising this work and making appropriate responses to the public and other bodies.

4.0 Main Issues

- 4.1 Given that there are no additional resources within the Area Management Team to deal with these requests it was agreed that, whilst wishing to support local residents in their concerns, realistically the team would only be in a position to consider two requests for closures or gating orders in one year.
- 4.2 The success of gaining a closure or gating of a ginnel often depends on the following
- a) Status of the foot path or ginnel - is it a public Right of Way?
 - b) Is the ginnel or footpath adopted by Highways, thus making this a Public Right Of Way
 - c) Is there evidence of high crime?
 - d) Is there support from key agencies and local residents?
 - e) Is finance in place to fund the scheme
- 4.3 This would mean that an assessment would be made on each ginnel and a criteria devised that would assist on identifying which two ginnels the team would prioritise for possible closure/gating per year and seek to identifying other solutions for the other ginnels through the multi-agency Crime & Grime meetings, perhaps through

increased patrolling, the formal logging of incidents and focused action plans..

4.4 Criteria for Prioritising Closure & Gating of Public Footpaths & ginnels

In order to assist the Area Management Team in prioritising closure and gating request a criteria has been developed in which local residents have to have met before consideration is given to pursuing any closure or gating order.

These are:

- Evidence of High Crime and Anti-social Behaviour over a 3 year period
- Evidence of alternative solutions having been attempted to deal with the issues raised before looking at closure/gating
- Support from Highways, Police, Community Safety, Ward Councillors
- Support from Rights of Way Officer
- A record of Anti-social Behaviour incidents recorded by local residents
- Part of or willing to establish a local Neighbourhood Watch Scheme

4.5 For the 2007 period, two ginnels that meet the above criteria have been prioritised for potential closure. These are Nancroft Mount in Armley and Wellington Mount in Bramley.

5.0 Implications For Council Policy And Governance

5.1 The need for Leeds City Council to comply with the Highways Act 1980 (Gating Orders) Regulations 2006 and the Countryside and Rights of Way Act 2000

6.0 Legal And Resource Implications

6.1 Before any closure or gating order can be progressed, funding has to be in place to cover the administration and legal costs of any order. Also finance would need to be in place to pay for the costs associated with any closure which would include gates, fencing, keys, and the maintenance of this, and any costs associated with relocation of main services due to a footpath closure.

6.2 Further more if there are objections that cannot be resolved by agreement, then a public enquiry may need to take place which would incur further costs.

7.0 Conclusions

7.1 The process for gaining a closure order or gating order is complex and time consuming with no guarantees of being successful. Agreeing a procedure that prioritises two ginnels a year, with funding set aside by Area Committee, will ensure that we are focussing on those ginnels that we would most likely succeed in closure or gating. At the same time officers / partners would continue to look at other solutions for those ginnels that would prove almost impossible to close.

8.0 **Recommendations**

8.1 That members support the proposed criteria for prioritising requests for closure of footpaths /ginnels in West Leeds.

8.2 That members agree the two priority ginnels identified in 4.5.

