

REPORT TO: Safer Halton Policy and Performance Board

DATE: 14th June 2011

REPORTING OFFICER: Strategic Director Policy and Resources

SUBJECT: Petition objecting to the proposal for the installation of alleygates between 21 & 23 Montgomery Road, Widnes

WARDS: Riverside, Ditton, Broadheath

1.0 PURPOSE OF THE REPORT

- 1.1 To advise members of the receipt of a petition containing 13 signatures of residents of Somerville Road, Gathurst Court and Standish Court who object to the proposed installation of alleygates to a pathway between 21 and 23 Montgomery Road, and to recommend a proposed course of action.

2.0 RECOMMENDATION: That

- (1) The petition be noted; and
- (2) The Board endorse the request not to erect alley gates on the pathway between house numbers 21 and 23 Montgomery Road and hence that a Gating Order for this location not be pursued; and
- (3) The Community Safety Partnership continue their involvement to address anti-social behaviour problems in the area; and
- (4) The petitioners be informed of the decision of the Board.

3.0 SUPPORTING INFORMATION

- 3.1 A petition (attached as Appendix 1) has been forwarded to the Council stating the following:

"We the undersigned would like to object to the opening between 21 & 23 Montgomery Road being alley gated. The reasons for this are, we believe that it could potentially be life threatening, due to the fact that the path, which runs from Chestnut Lodge to St Michaels View and St Michael's jubilee golf club, is a well used footpath. We understand that it is technically designated a cycle path but has always been used as a public footpath. If this area is gated we have concerns that it could lead to people being vulnerable to attack as there would be no way off getting off the path should this happen. Also children and adults use this pathway to and from school or the park, they do this to avoid crossing Dundalk Road as this is a busy road for traffic during peak times. The crossing lights in the location do not work properly and there have been quite a few near misses when

people have attempted to cross when they have right of way. We would ask that you give this matter due consideration and look forward to hearing from you in due course.”

- 3.2 At its meeting on 21st September 2010, the Board considered a report of the Strategic Director, Environment and Economy which outlined anti-social behaviour which was occurring to the rear of Montgomery Road, Widnes. The Board was advised that an eleven-point action plan to address the anti social behaviour to the rear of Montgomery Road, which was detailed in the report, was in the process of being implemented and that its impact would be monitored and assessed. The Board resolved that the plan be supported. Furthermore, following discussion in relation to the establishment of an alleygate in the pathway leading from Montgomery Road, the Board resolved that a working group, including Members of the Board, be established to consider how to proceed with alleygating in the future.
- 3.3 The Council’s Community Safety Department has reported greater Police involvement in this area and the problems, which are being addressed by the action plan, have declined in frequency and intensity. The action plan has already resulted in crime statistics falling.
- 3.4 A number of the complaints of ASB had related to gangs of young people congregating in the area and throwing stones. Through implementing actions under the plan, the Council made some significant improvements to the area: the cutting back and removal of foliage has improved surveillance; more significantly, approximately £7600 has been spent resurfacing the path in tarmac, thus removing the loose stones that had become a problem with the previous gravel surface. These works have proven to be effective in combating some of the reported problems as well as improving the route for pedestrians.
- 3.5 This path provides an important link to the cycle-way network on the former railway ‘loop-line,’ which was constructed in the 1980’s using European funding. Local residents use the footpath / cycleway as a safe route to shops and amenities at Chestnut Lodge, thereby avoiding having to cross the busy Dundalk Road. The path also provides vehicular access to allotments situated at the rear of property numbers 19 to 37 Cunningham Road. Members of the public would be inconvenienced if this key link to the footpath / cycleway were to be gated.
- 3.6 The area where young people are reported to be gathering is accessible from each end of the footpath / cycleway via Dundalk Road bridge and also from the St Michaels end of the path. The petitioners make the point that if gates were to be erected on the link path, between house numbers 21 and 23 Montgomery Road, this would close a valuable egress point,

which could compromise the safety of users of the main footpath/cycleway route. If gated, it is likely that use of the footpath / cycleway would reduce which may, in turn take away some of the natural surveillance that exists at present from legitimate users of the route.

- 3.7 During October 2010, an informal local consultation was carried out in the area by Halton Borough Council in order to gauge the views of residents in respect of an Alley Gating scheme being introduced at this location. Letters were delivered to approximately 250 houses on each side of the footpath / cycleway. A total of 42 responses were received including 9 objections to the scheme and 33 in support. A petition, which is the subject of this report, was also received signed by 13 local residents opposing the gating scheme in this area. The signatures on petition included one original objector who responded to the consultation, bringing the numbers against the scheme to 21 (or 39%) and numbers in favour 33 (61%).
- 3.8 Those respondents opposed to the proposal, argued that the pathway should remain open, as it provides a valuable, convenient and safe route to school for the children of the area, avoiding the need to cross the very busy Dundalk Road at peak hours.
- 3.9 It should be noted that five of those who responded in support of the scheme made additional comments requesting the closure of another link onto the footpath / cycleway, from the Chillington / Netherfield estate, or expressed the hope that the proposed gating would resolve problems on the main route entirely. It would appear from these responses that the consultation may have raised the expectation levels of some residents in these respects. However, this gating proposal does not form part of a wider scheme. The gating of all accesses to this part of the cycle network is something the Highway Authority would be opposed to as this could lead to a sustainable transport route that is no longer used for its intended purpose and could lead to an increase in anti-social behaviour due to a reduction in natural surveillance.

4.0 POLICY IMPLICATIONS

- 4.1 The Local Transport plan states that the Council will promote cycling and walking and provide safe routes to school. Alongside the UDP it aims to provide sustainable access to employment and local amenities. The Rights of Way Improvement Plan looks to provide access to rural and countryside areas as well as leisure amenities. The gating of safe routes to school and access to the cycle network is contrary to meeting these aims.

5.0 OTHER IMPLICATIONS

- 5.1 **Resource implications:** the cost of erecting the gates would be met by Area Forum budgets.
- 5.2 **Social Inclusion Implications:** Access to the footpath cycleway provides the community with a convenient route to access employment areas in south and east Widnes via connections to the cycleway network.
- 5.3 **Sustainability Implications:** Access to the footpath cycleway provides the community with a convenient route to access the cycleway network which is a key part of sustainable transport infrastructure across Widnes.
- 5.4 **Legal Implications:** Where evidence exists to justify gating orders to be made the provisions of Section 129A Highways Act 1980 should apply in implementing the Alleygating procedure.
- 5.5 **Crime and Disorder Implications:** These are covered in detail within the body of the report.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

This is a well used route by children and young people. Through the consultation and via the petition, the Council has received objections from local residents highlighting this as being a safe route to school as it provides a convenient cycle and pedestrian friendly route avoiding the busy Dundalk Road.

6.2 Employment, Learning and Skills in Halton

The footpath / cycleway is a well used route by residents accessing work and employment areas and preventing means of access onto the route by gating, would disadvantage legitimate users.

6.3 A Healthy Halton

Gating of this link pathway is likely to discourage the use of the footpath / cycleway network potentially reducing the benefit of walking and cycling to promote health and well being and possibly encouraging greater car use. Gating could lead to reduced stress levels by any residents directly affected by anti-social behaviour resulting from the path's availability.

6.4 A Safer Halton

In tackling crime and anti-social behaviour, the Council and its partners aim to create safer places and improved quality of life through reduced stress.

There has already been a significant positive impact on the area after maintenance and improvement works. The Council's Community Safety Department has reported greater Police involvement in this area and has already seen crime statistics falling as a result of the combined efforts of the partnership and without gating any access points.

6.5 Halton's Urban Renewal

There are no urban renewal implications.

7.0 RISK ANALYSIS

There are no risks associated with the proposed action.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 There is a potential issue with elderly and disabled users of the path accessing the allotments to the rear of 19-37 Cunningham Road. If the path were to be gated as proposed, there could be a high negative impact on these equality groups.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Police crime statistics	Community Safety Unit 10 Turnstone Business Park Mulberry Avenue Widnes Waterfront Widnes WA8 0WN	Mike Andrews
Response to informal consultation of 25/10/10 (42 replies)	Highways Development Division, Rutland House, Halton Lea, Runcorn	Jon Farmer