

**REPORT TO:** Executive Board Sub Committee

**DATE:** 13<sup>th</sup> October 2011

**REPORTING OFFICER:** Strategic Director, Policy and Resources

**SUBJECT:** Proposal for the installation of alleygates between 21 & 23 Montgomery Road, Widnes

**WARDS:** Riverside Ward

## **1.0 PURPOSE OF THE REPORT**

That Executive Board Sub members are asked to consider proposals for the installation of alleygates between 21 and 23 Montgomery Road, Widnes in the light of:

- 1.1 issues and conflicting views regarding erection of the alleygates,
- 1.2 the Safer Halton Policy and Performance Board having thoroughly considered all of the residents' and other views put forward both for and against the installation of the gates, before coming to the unanimous decision that a recommendation is put to Board Members for approval to be given to the installation of alleygates between 21 & 23 Montgomery Road, Widnes (Safer Halton PPB meeting 14<sup>th</sup> June 2011 Minute SAF 4 (2) refers Appendix 1)

**2.0 RECOMMENDATION: That the Board considers the recommendation from the Safer Halton PPB that the installation of alleygates to a pathway between 21 and 23 Montgomery Road goes ahead.**

## **3.0 SUPPORTING INFORMATION**

- 3.1 Anti social behaviour at the rear of Montgomery Road was first brought to the attention of the Safer Halton PPB at their meeting on 21st September 2010, when they were asked to consider a report of the Strategic Director, Environment and Economy outlining the problems. It was reported that over the previous 12 months there had been a lot of anti-social behaviour with 27 incidents being recorded by the police. However it is recognised that there may have been a level of under reporting of incidents to the police. St Georges Court (off Dundalk Road and operated by Riverside RSL) and 23 Montgomery Road had been particularly affected. The complaints of ASB related to gangs of young people congregating in the

area and throwing stones, fly tipping, leaving graffiti, firing pellets at windows, damaging residents' windows and arson.

- 3.2 There is an unadopted alley that leads from Montgomery Road to the dedicated Greenway that runs from Chestnut Lodge to St. Michael's. Local councillors have identified this as a key access point for the people who are causing the anti-social behaviour. This alley also provides access to council allotments and is well used by the public as a route to and from the town centre and local schools including Sts Peter and Paul and Wade Deacon. The area where young people are reported to be gathering is accessible from any of a number of points on the Greenway which serves as both a footpath and a cycleway via Dundalk Road bridge and also from the St Michaels end of the path. The alley is not a designated safe route to school or a cycle path, however because of the continual use it is established as a Right of Way. See plan attached in Appendix 2 showing area under consideration and highlighting the access points onto the Greenway, including that between 21 and 23 Montgomery Road
- 3.3 The Alleygating operational group received the request to gate Montgomery in 2009-10. The Alleygate operational group decided, after many deliberations to take this to the Partnership Tasking and Co-ordination Group where all "responsible authorities" e.g Police, Fire, Council, Halton Housing, Riverside, Youth Service etc are present and all incidents and underlying problems could be assessed and a range of "social, situational and enforcement" tactics are then considered and implemented. The Tasking and Co-ordination Group developed an eleven point action plan to address the ASB issues and continued to monitor the incidents reported to the police. Residents were advised to contact the police following any incidents so that T&C could fully assess the problem in this area.
- 3.4 At their meeting on 21<sup>st</sup> September 2010, the Safer Halton PPB agreed the eleven-point action plan to address the anti social behaviour and to the establishment of a working group, including Members of the Safer PPB, to consider how to proceed with alleygating in the future. The 11 point action plan is summarised below.
- Investigate the deployment of CCTV to try and identify who is throwing stones at the rear of St Georges Court
  - Police Tasking Vehicle to be used in the area
  - The turning area of the access road to the allotments will be resurfaced (This is breaking up and loose stones are used for throwing)
  - The Vroom vehicle was in the area on Friday the 16th and Saturday 17th July 2010 – assess what impact this had.
  - Contact Addaction in relation to the mobile Muga and see if we are able to get this resource into the area.

- Contact Ashley House in relation to supporting local drug users and encourage access to services.
- PCSO's increased foot patrol.
- To continue to provide support to victims of ASB within the area.
- Contact the Community Centre – targeting information about the effect that stone throwing has on others
- Contact Cheshire Fire and Rescue and see if they are operating in the area and establish whether or not they are able to assist in terms of engaging with the local youths.
- Community Development is currently in the process of supporting the local residents in developing plans for a community house, Muga and a play builder scheme to be situated in Tedder Square.

- 3.5 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. On 7<sup>th</sup> and 8<sup>th</sup> September 2011 a count was made of the number of people using this footpath, which is proposed for gating. The count on 7<sup>th</sup> September was carried out between 15.05pm and 16.15pm, when weather conditions were reported as drizzly rain. During this time period there were 41 users of the footpath. The count on 8<sup>th</sup> September was carried out between 8.05am and 9.15am, weather conditions were also recorded as drizzly. During this morning time period there were 28 users of the footpath. It is likely that the number of users would vary depending on time of day and weather conditions. The views on installation of alleygates on this footpath were not sought from the users other than the 250 residents who live each side of it.
- 3.6 A petition was also received signed by 13 local residents opposing the gating scheme in this area. The Petition objecting to the installation of alleygates between 21 and 23 Montgomery Road was reported to the Safer Halton PPB on 14<sup>th</sup> June 2011 (see Appendix 1). The signatures on the 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%). 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.
- 3.7 The Council's Highways engineers are concerned about the potential installation of alleygates between 21 and 23 Montgomery Road, as this path provides an important link to the cycle-way network on the former railway 'loop-line,' which was constructed in the 1980's and received European funding in 2005. Local residents, as evidenced by the

pedestrian counts, use the footpath / cycleway as a safe route to shops and amenities at Chestnut Lodge, thereby avoiding the need to have 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. Whilst the alley is not adopted it is established as a right of way, the installation of gates would be contrary to Halton's LTP 3 and its policy of promoting the use of walking and cycling as more sustainable and healthy modes of transport whilst reducing dependence on the private car.

3.8 This alleygate would restrict access to the greenway (though there are a number of other accesses in the vicinity) and the police and community safety are not convinced this will materially reduce the anti-social behaviour in the area. Since the implementation of the action plan (including the cutting back and removal of foliage to improve surveillance and more significantly £7600 being spent on resurfacing the path in tarmac to remove the loose stones that had become a problem with the previous gravel surface), there has been a significant reduction in the reported levels of ASB and crime in the area.

3.9 Following the delivery of the eleven point Action Plan referred to in paragraph 3.3 above, there was a reduction in the number of incidents reported to the police and the profile was closed in November 2010. However, the Police have also made the following comments in relation to the situation at Montgomery Road:

“Although police recorded incidents of crime and anti-social behaviour had reduced following the Partnership Tasking and Co-ordination action plan, we are mindful that there will be a large element of anti-social behaviour that is also unreported. We also recognise that members of the public are likely to report incidents or concerns to their local councillors rather than report them to the police for fear of reprisals.

In addition and as a general principle, Community Safety Professionals have long recognised that the Alleygating process is an effective means of reducing crime and anti-social behaviour. The theory is called “Defensible Space”. By simply changing a “public space” into a controlled “semi-private” space under the ownership of a group of residents we are removing the anonymity and escape route afforded by opportunistic criminals and those committing Anti-Social Behaviour (ASB) and fires.

In conclusion, we take seriously any representation made by constituents to Councillors regarding local problems and as mentioned above we recognise that Alleygating is national good practice. This Alleygating initiative will support those interventions that were undertaken within the

previous action plan and the Community Safety Team will continue to monitor future crime, ASB and fire trends.”

- 3.10 The response to the gating request between 21 and 23 Montgomery Road has followed the procedures applicable to alleygating applications which were agreed at the Safer Halton Policy and Performance Board at their meeting on 18<sup>th</sup> January 2011 and attached in Appendix 3. These procedures were subsequently adopted by the Executive Board at its meeting on 31<sup>st</sup> March 2011 (Minute EXB 117)
- 3.11 The Safer Halton Policy and Performance Board has thoroughly considered all of the objections and the representations supporting the gating of the path and unanimously agreed at the 14<sup>th</sup> June 2011 meeting to support the installation of an alleygate between 21 and 23 Montgomery Road and to recommend that this matter be referred to Executive Board for approval. (Safer Halton PPB meeting 14<sup>th</sup> June 2011 Minute SAF 4 (2) refers – see Appendix 1). At this meeting there was a discussion around a number of public questions/statements which had been received. These are noted in the minutes of the PPB meeting which are attached as Appendix 1. The minutes from this PPB also state that additional letters of support for the alleygates were also received from residents in the area.

#### **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 Council's Property Services Division has estimated the costs for erection of alleygates at Montgomery Road as £3,950 including fees and maintenance. These costs would be met from the Area Forum Budget. There are approximately 500 alleygates across Halton, which have been primarily funded through the Area Forum budgets although there have been additional contributions from Housing Associations and others. The cost of each gate varies depending on whether there is a need for additional posts or fencing and on the size of the gate. There is a council revenue budget of £30,000 to which each new scheme contributes a one off £500 maintenance fee, which is used to

cover maintenance of the gates. In addition to the financial costs the management of alleygates has time implications for Direct Link staff, who take request for new gates and replacement keys/repairs, for Community Safety, Legal and Highways staff who investigate the case for alleygates, for Property Services staff to estimate costs and arrange repairs and also for the Neighbourhood Environmental Action Team staff who go and make any necessary repairs. In addition to these, there are also costs associated with any necessary public consultation exercises. Obviously these direct and indirect costs will continue to increase with the number of gates installed.

- 5.2 **Social Inclusion Implications:** Access to the footpath/cycleway provides the community with a convenient route to access education and 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 **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 however, 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. People should have the right to expect to be safe in their own home and live in peace not live in fear. Anti social behaviour has a significant impact on quality of life. There has 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 seen crime statistics falling as a result of the combined efforts of the partnership and without gating any access points. Gating could however, reduce the potential for anti-social behaviour in the vicinity of the path even further.

### **6.5 Halton's Environment and Urban Renewal**

The provision of gates can provide a safer environment for some residents but they could be deemed visually intrusive by others, present an image that the area is subject to anti-social behaviour as mirrored by the need for gates and restrict movement through an area.

## **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, including those accessing the allotments to the rear of 19-37 Cunningham Road, as they may be required to walk longer distances. 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**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
<b>Police crime statistics</b>	Community Safety Unit 10 Turnstone Business Park Mulberry Avenue Widnes Waterfront Widnes WA8 0WN	Mike Andrews
<b>Response to informal consultation of 25/10/10 (42 replies)</b>	Highways Development Division, Rutland House, Halton Lea, Runcorn	Jon Farmer
<b>Safer Halton Policy and Performance Board Alleygating Report 18<sup>th</sup> January 2011</b>	Committee Services, Municipal Building, Widnes Or on the council intranet	Paul McWade
<b>Safer Halton Policy and Performance Board Anti-Social Behaviour, Montgomery Road 21<sup>st</sup> September 2010</b>	Committee Services, Municipal Building, Widnes Or on the council intranet	Paul McWade
<b>Safer Halton Policy and Performance Board Petition objecting to the proposal for the installation of alleygates between 21&amp; 23 Montgomery Road, Widnes 14<sup>th</sup> June 2011</b>	Committee Services, Municipal Building, Widnes Or on the council intranet	Paul McWade

## APPENDIX 1

Meeting of Safer Policy and Performance Board, Tuesday 14<sup>th</sup> June, 2011

**REPORT TO:** Safer Halton Policy and Performance Board

**DATE:** 14<sup>th</sup> 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.

### 1 RECOMMENDATION: That

- (1) The petition be noted; and
- (1) 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
- (2) The Community Safety Partnership continue their involvement to address anti-social behaviour problems in the area; and
- (3) 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.
- 5.4 **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.
- 5.5 **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**

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

## **Minutes:**

### **Item 4 Petition Objecting to the Proposal for the installation of Alleygates between 21 & 23 Montgomery Road, Widnes**

The Board considered a report of the Strategic Director, Policy and Resources which advised Members of the receipt of a petition containing 13 signatures of residents of Somerville Road, Gathurst Court and Standish Court who objected to the proposed installation of alleygates to a pathway between 21 and 23 Montgomery Road, and recommended a proposed course of action.

The Board at its meeting on 21st September 2010 considered a report which outlined anti-social behaviour which was occurring to the rear of Montgomery Road, Widnes. It was reported 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.

The Board was further advised that the Council's Community Safety Department had reported greater Police involvement in this area and the problems, which

were being addressed by the action plan, had declined in frequency and intensity. The action plan had already resulted in crime statistics falling.

It was reported that 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. The attached petition was also received and had been signed by 13 local residents opposing the gating scheme in this area. The signatures on the 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%).

Those respondents opposed to the proposal, argue 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.

It was also reported that five of those who responded in support of the scheme had 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.

The Chairman reported that there had been an original petition of approximately 250 residents in support of the installation of the alleygates. The Board had made a decision previously to support the installation of the alleygates as over the last twelve months there had been a considerable amount of anti-social behaviour with numerous incidents being recorded by the police. Councillors had identified the alley to the greenway by these properties as a key access point for the people who were causing the anti-social behaviour. In addition, it was noted that alleygates had been very successful throughout the Borough in reducing incidents of anti social behaviour.

The Board noted the numerous incidents of anti social behaviour in the area and that the pathway was not a designated safe route to school or a cycle path. In addition, the Board agreed that installing an alleygate was in the best interest of the community.

After considerable discussion, the Board unanimously agreed to support the installation of an alleygate and that the recommendation be presented to the Executive Board for approval.

It was noted that the following public questions had been received:-

- (1) *If the gates dont go ahead this time what is it going to take to get them put up, after having death threats made to me, the police catching thieves in my garden and letting them go with a warning, youths throwing eggs at my windows, glass bottles getting thrown into the dog pen (cutting her paw and resulting in a £180 bill from the vets). please dont take the next few lines the wrong way, but I remember a man from Warrington called Garry Newlove who was plagued with yobs outside his house he is now six foot under, I have 3 fantastic kids and a fantastic wife and I HONESTLY DONT WANT TO END UP LIKE GARRY NEWLOVE especially over a poxy alleyway that could have something done about it to stop all this crap we are getting in a matter of weeks.*

In response, the Board was advised that due to the complexity and late receipt of this question, a written response will be provided.

- (2) *I would like to address the meeting again on 14th June 2011 to reiterate my previous concerns and comments and would also like to ask if the Safer Halton Partnership are aware of the cost implications for sending a fire engine to deal with these incidents, sending the street scene team out to clean up the mess made (not just by the fire set but also for the fly tipping that goes on there) and the cost to replace the damaged fencing and replace the wheelie bin that was destroyed. I expect that if you add all those things together it will amount to a pretty penny, but the other cost that cannot be described in pounds, shillings and pence are the social cost's, the effect it is having on the health of the residents who live next to that pathway, the fact that they cannot settle because they are constantly worried about what is going to happen next, people should have a right to expect to be safe in their own home and live in peace, not live in fear.*

In response, the Board was advised that Halton Housing Trust estimated the cost of repairs to a damaged fence at £100 following a bin fire reported last week. Their records indicated that there had also been a bin fire in 2003. Each wheelie-bin replacement cost the Council £20 per bin.

In respect of the amount of fly tipping that had been removed, more information on the specific area concerned was required.

Therefore a written response on this matter would be provided when further information has been ascertained.

In respect of Safer Halton Partnership and the cost implications due to the complexity of the question a written response would be provided.

In addition, the Board noted the additional letters of support for the alleygates received from residents in the area. A map of the area was also circulated at the meeting for Members information.

**RESOLVED: That**

- (1) The Board unanimously support the installation of an alleygate on the pathway between 21 and 23 Montgomery Road;**
- (2) The Board's recommendation be presented to the Executive Board for approval; and**
- (3) The petitioners be informed of the Board's decision.**

**Supporting documents:**

- [Safer halton PPB GATING REPORT Montgomery v4, item 4. PDF 45 KB](#)
- [montgomery alleygating petition, item 4. PDF 156 KB](#)
- [Montgomery Gating Scheme location plan, item 4. PDF 546 KB](#)

Please note:-

**SAF12 MINUTES**

The Minutes of the meeting held on 14 June 2011 were taken as read and signed as a correct record subject to Minute No SAF4, 7<sup>th</sup> paragraph be amended to read

“The Chairman reported that a consultation exercise had been previously undertaken with approximately 250 residents in the area. The results of the consultation exercise had highlighted that the majority of residents supported the installation of the alleygates.”



**APPENDIX 3**

**Procedures applicable to alleygating applications**

<b>ACTION</b>	<b>BY WHOM?</b>
<b>ASSESSMENT PHASE</b>	
1. Request received for alleygate	Received direct by <b>HDL</b> or if received by other persons request is to be forwarded to <b>HDL</b>
2. Request forwarded to: <ul style="list-style-type: none"> <li>• Ward Members (<b>WMs</b>). <b>WMs</b> to give views on community feelings about the request.</li> <li>• Community Safety Partnership (<b>CSP</b>). <b>CSP</b> simply report on crime etc statistics</li> <li>• Highways (<b>H</b>). <b>H</b> asked whether the highway in question could in principle be gated or whether the highway is too strategically important in principle to be gated.</li> <li>• Area Forum Co-ordinator (<b>AFC</b>). <b>AFC</b> does nothing at this stage.</li> </ul>	<b>HDL</b>
2. <b>WMs</b> give initial view on request. <ul style="list-style-type: none"> <li>• If they recommend approval go to point 5.</li> <li>• If the recommend rejection go to point 9.</li> </ul>	<b>WMs</b> give views to <b>AFC</b>
3. <b>H</b> reply to question in point 2 above. <ul style="list-style-type: none"> <li>• If they say YES in principle go to point 5.</li> <li>• If they say NO in principle go to point 9.</li> </ul>	<b>H</b> give views to <b>AFC</b>
5. Area to be consulted on request agreed	<b>WMs, H</b> and Property Services ( <b>PS</b> ) agree and inform <b>AFC</b> .
6. Budget checked to confirm funds available should request be approved. <ul style="list-style-type: none"> <li>• If budget available go to point 7.</li> <li>• If budget not available go to point 9.</li> </ul>	<b>AFC</b>
7. <b>CSP</b> asked to canvass community view (i.e. whether the community feel that gating is desirable because of their perceptions of crime and/or anti-social behaviour:- <ul style="list-style-type: none"> <li>• Within the area identified in point 5 for general view and</li> <li>• Neighbours with a boundary with a proposed gate to establish then they would agree to erection of gate.</li> <li>• If outcome of canvas positive go to point 8.</li> <li>• If outcome of canvas negative go to point 9.</li> </ul>	<b>CSP</b> report to <b>AFC</b> on outcome
8. <b>AFC</b> convenes meeting with <b>WCs, H, CSP &amp; PS</b> to share all information obtained and agree to proceed to Implementation Phase	<b>WCs, H, CSP &amp; PS</b> instruct <b>AFC</b> to prepare report for Implementation Phase
9. Decide to proceed or discontinue : <ul style="list-style-type: none"> <li>• If decision to proceed carry out any missing steps to get to point 8.</li> <li>• If decision to discontinue inform persons making the request.</li> </ul>	<b>AFC</b> <b>AFC</b>
<b>IMPLEMENTATION PHASE</b>	
Refer to relevant area forum	<b>AFC</b>
If approved by area forum Property Services implements the gating after obtaining planning permission.	<b>PS</b>
<b>MONITORING PHASE</b>	
Monitoring/review procedures to be designed and outcomes reported to <b>SH PPB</b> periodically	<b>SH PPB</b> to specify requirements