



Executive Board Sub Committee

**Thursday, 16 July 2009 10.00 a.m.
Marketing Suite, Municipal Building**

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

PART 1

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*Please contact Caroline Halpin on 0151 471 7394 or e-mail caroline.halpin@halton.gov.uk for further information.
The next meeting of the Committee is on Thursday, 10 September 2009*

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Executive Board Sub-Committee

DATE: 16 July 2009

REPORTING OFFICER: Strategic Director Corporate & Policy

SUBJECT: Procurement of Externalised Print Services
Preliminary Estimates Report

WARDS: Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 The existing arrangements for the Council's printing requirements need to be rationalised. It is proposed that a formal tender process be undertaken to achieve improved value for money. This report gives details of the estimated preliminary costs in accordance with Procurement Standing Order 2.1.

2.0 RECOMMENDED: That, in accordance with Procurement Standing Orders and current EU Procurement Regulations 2006, a formal tender procedure for the provision of externalised print is undertaken and a contract implemented to maximise procurement opportunities for the Council.

3.0 SUPPORTING INFORMATION

3.1 Outline of the current service

Print and copying requirements are currently fulfilled in a number of ways:

a) By accessing the in-house services offered by the print unit. The unit in effect provides a 'copying' service, producing committee papers; stationery (including pay slips); plus low quantity runs of leaflets, posters etc, where artwork is supplied.

b) Where the requirement cannot be accommodated in-house, the print unit offers a 'print management' service, supporting officers in the procurement of appropriate externalised print services.

c) Finally, officers procure print direct from a supplier of their choice.

Analysis in this last area shows that in one year, spend on externalised print services was in excess of £500,000 broken down by directorates as follows.

Directorate	Value £
Environment Directorate Children & Young People Directorate	151,600
Corporate & Policy Directorate	144,627
Health & Community Directorate	127,902
	96,912
Grand Total	521,042

This spend is currently spread over 92 separate external suppliers.

There are no formal arrangements in place for the procurement of these externalised print services, which encourages inconsistent pricing throughout the Council for similar products, diluted purchase spend from lack of aggregation and increased administration costs from the high volume of transaction activity.

3.2 Change in context

This report seeks approval to establish a corporate solution from formal contract arrangements for the procurement of externalised print services, split across a series of lots to ensure fair competition and transparency for our whole supply community:

Lot 1	General print
Lot 2	Marketing material
Lot 3	Promotional items
Lot 4	Banners/flags and signs

In order to provide improved support to Directorates a 'Print Desk' (similar to existing arrangements for travel and hotel bookings) will be introduced, staffed with resource from the existing print unit. The Print Desk will be responsible for the sourcing of all print requirements. They will decide if work can be accommodated in-house and where not, use their expertise to procure relevant services through the new contracts.

All print requirements will have a council Purchase Order placed with the relevant supplier, which will be raised via the Council's financial system, Agresso. Further efficiency gains will be made from utilising Agresso and E-Procurement which will reduce duplication within a paper based administration process and allow for invoices to be scanned. Electronic catalogues can also be created on the Council's IDEA Marketplace to integrate with Agresso and populate print requirements.

3.3 Links to corporate objectives

The new arrangements seek to support the current aims of the efficiency review, establishing a corporate-wide contract and creating a centre of excellence for print services to deliver efficiency and value for money.

3.4 Costs of service

The annual cost of the print unit is £304,000. In addition, as stated above, the cost of externalised print is in excess of £500,000. With a contract period of two years, the overall contract value would be in excess of £1m.

Costs of establishing the day-to-day provision of the Print Desk will be accommodated within current staffing costs.

3.5 Project risks and controls

With no formal arrangements in place, there is currently little control and monitoring of expenditure in relation to externalised print. With spend spread across 92 suppliers purchasing power is diluted with little opportunity to seek discounts, or to build relationships with suppliers.

With so many suppliers, it is also very difficult to establish quality procedures and monitor the application of our corporate identity. This increases the risk that materials are being produced that do not adhere to the brand, and/or fall short of our quality standards.

It is important that the new arrangements reflect the diverse requirements of the authority. To ensure this happens, a working group (with representatives from procurement, print unit and communications) is in place to develop the contracts with the support of a cross-department officer forum. The forum has met on several occasions, with officers providing detailed information on current spend, samples of products purchased and offering valuable insight into their requirements for the contract.

In addition, a number of supplier forums have taken place to outline our intentions and to gain feedback from the marketplace.

Once the arrangements are in place, a procurement officer will take responsibility for the contract management and work closely with the Print Unit to monitor performance and compliance with the contract from both suppliers and internal officers activity by means of KPI (Key Performance Indicators), which will be stated in the tender documents. Contract Management will be ongoing for the life of the contract to ensure continuous improvement and value for money opportunities are achieved.

3.6 Method of procurement

Halton is a member of the Merseyside Procurement Collaboration Group and intends to let this contract as an open framework agreement available to all members of the Merseyside group:

Liverpool CC
Wirral
St. Helens
Knowsley
Sefton
Mersey Travel

EU Procurement Regulations 2006 will need to be followed as the value threshold exceeds £1million.

The contractor will be selected by the Council following the Restricted Procedure for the Tender, which will include the following elements of procedure:

- Advertise for expressions of interest on the OJEU (Official Journal of the European Union).
- PQQ (Pre Qualification Questionnaire) will be issued to those suppliers expressing an interest.
- Evaluation of PQQ and shortlist
- Issue ITT (Invitation to Tenders) to shortlist
- Evaluation ITT (to include Presentations, site visits and samples)
- 10 day standstill period will take place prior to award and signing of the contract.

3.7 How the proposed method of procurement fits with the Authority's procurement policy

The method of procurement will follow the Best Practice principles of the Council's procurement policy and maximise opportunities to deliver best value and efficiency savings from continuous improvement and contract management once the contract has been embedded within the council. The contract will award on the Most Economically Advantageous Tender (MEAT) and include procurement principles of sustainability and Equality within the supply chain.

4.0 POLICY IMPLICATIONS

In accordance with Procurement Standing Orders 2.1 this report is laid before Executive Board Sub Committee.

With spend in excess of £500k per annum (and a total contract period spend in excess of £1m) to ensure compliance there must be a formal OJEU tender procedure and contract awarded.

A Print Policy is being created that will give clear direction of procurement requirements for all officers to comply with when they have a need to purchase print/promotional items. This will be approved by the start of the contract.

5.0 OTHER IMPLICATIONS

None.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

None Identified

6.2 Employment, Learning and Skills in Halton

None Identified

6.3 A Healthy Halton

None Identified

6.4 A Safer Halton

None Identified

6.5 Halton's Urban Renewal

None Identified

7.0 RISK ANALYSIS

The award of the contract to a number of suppliers across a series of lots as opposed to a sole supplier will provide officers with greater choice, flexibility, and access to specialist services, while offering the authority greater value for money than currently exists.

The establishment of the print desk will enable greater control and performance monitoring as well as enable suitably skilled officers to source from the most appropriate supplier.

8.0 EQUALITY AND DIVERSITY ISSUES

By awarding the contract as a series of smaller lots, accessibility to a wider number of potential suppliers including SME's is possible.

REPORT TO: Executive Board Sub

DATE: 16 July 2009

REPORTING OFFICER: Strategic Director Environment

SUBJECT: Astmoor and Halebank Business Improvement Districts (BIDs) first year annual report

WARDS: Castlefields and Ditton

1.0 PURPOSE OF THE REPORT

- 1.1 This report summarises the first year finances and activities carried out by the Astmoor and Halebank Business Improvement Districts (BIDs).

2.0 RECOMMENDATION: That

- (1) The Board consider and accept the first year progress report made by the Astmoor and Halebank Business Improvement Districts.**

3.0 SUPPORTING INFORMATION

Context

- 3.1 The Government legislated in the Local Government Act 2003 to allow partnerships between local authorities and the local business community to set up Business Improvement Districts (BIDs). BIDs provide a means for local areas to develop and finance projects and services that will benefit localities such as town centres and industrial estates. This allows businesses in a given area to lead on and develop their own unique area improvement plans, in addition to those provided by the local authority. The proposals are subject to approval by a vote and are funded by a levy on businesses within the specified area. The levy is ring-fenced for the area to fund the extra services and improvements identified in the proposal. Each BID is operational for a maximum of five years before a new vote is taken. The local authority has a statutory responsibility to support the development of BIDs and to facilitate their establishment.
- 3.2 Businesses on Astmoor and Halebank Industrial Estate voted in favour of creating a BID in the BID Ballots, which was announced on 7th December 2007. The 'yes' vote means that the BID business plans for each estate and all the additional services must be delivered from 1st April 2008 – 31st March 2013.

- 3.3 By voting in favour of establishing BIDs, businesses and property owners also voted that Halton Borough Council's Economic Regeneration Department act as the BID Body, the accountable body for the two BIDs. The Economic Regeneration Department will be responsible for managing the BIDs and ensuring that the funds collected by the Council are spent in line with the BID business plan.
- 3.4 The BIDs are governed through the respective elected Executive Committees and Business Steering Groups. The Business Steering Groups continue to be well attended and a crucial mechanism for updating the business community on BID activities and meeting their specific needs.
- 3.5 On 10, April 2008 the Executive Board Sub Committee approved that for the purposes of Procurement Standing Order (SO) 1.6 and in light of the devolved decision-making arrangements for the BID areas the Executive Committees for the Astmoor and Halebank BID areas be authorised to award contracts on the basis of the most economically advantageous tender or quotation (not necessarily the lowest) and that SOs 2.2-2.6 and SO 2.11(a)(iii) and SO 2.11(b)(iv) and SOs 2.12 and 2.13 and SOs 3.6 and 3.7 be waived accordingly.
- 3.6 The Board requested that an annual update on BIDs is provided summarising the first year finances and activities carried out on each estate.

Halebank BID Finances

- 3.7 During the inaugural year of the BID (1/04/08-31/03/09) on Halebank Industrial Estate, the total BID Levy invoiced was £44,570 across 36 hereditaments (rateable properties liable for a BID Levy).
- 3.8 The total amount of BID Levy collected was £43,275 equating to a collection rate of 97.01%. Therefore, the amount not collected was £1,295 of the total invoice amount, which was the result of one company going into liquidation. The amount not collect was less than the annual contingency figure incorporated into the BID business plan.
- 3.9 The total amount of BID Levy expenditure equated to £21,179.22, resulting in a balance of BID Levy equating to £22,095.78. This balance is ring-fenced to utilise in line with the BID business plan and through agreement of the BID Executive Committee and Business Steering Group.

Halebank BID Services & Infrastructure

- 3.10 The primary focus for the inaugural year was to improve security and design out crime. The key holding and alarm / incident response services were introduced and made available to every company on the

estate. The companies utilising these services are receiving many benefits, especially the knowledge that a professional security company will respond to their alarm in the event of an alarm activation. There are a number of companies that have yet to subscribe to this service, in part due to companies with their own 24-hour security. The contracted security firm, Select Security (Northwest) Limited, are also providing a two mobile patrols to the estate per day.

3.11 The existing estate-wide CCTV system was expanded and SmartWater DNA Forensic property marking kits were provided to business on the estate. Automatic alarm dialers were installed in a number of companies to enable their existing alarm systems to transmit alarm signals to Select Security for a response.

3.12 High profile crime prevention signage was installed to promote the range of security services and infrastructure protecting companies on the estate.

3.13 During the second year, the focus will be on implementing schemes to improve the image of the estate, although the security services will continue to operate for the lifetime of the BID programme.

Halebank Crime Figures

3.14 The Official Police crime figures for Halebank Industrial Estate BID area:

Crime Type	2006-07	2007-08	2008-09
Aggravated vehicle taking	0	1	0
Burglary in a building other than a dwelling	4	8	2
Criminal damage to a building other than a dwelling	2	0	0
Criminal damage to a vehicle	3	4	1
Interfering with a motor vehicle	2	1	0
Other Criminal damage	2	0	3
Other theft	1	4	1
Theft by an employee	1	0	0
Theft from a vehicle	10	6	3
Theft from automatic machine or meter	1	0	0
Theft from the person	1	0	0
Theft or unauthorised taking of motor vehicle	2	5	0
Total	29	29	10

3.15 The figures show that total crime on Halebank Industrial Estate has reduced by 65.5% during 2008-09, the first year the BID has been operational.

3.16 The figures show the all crime types have decreased since the BID commenced with the exception of 'other criminal damage'. Burglaries

have dropped by 75% on the previous year and by 50% on 2006-07. Theft from vehicles has continued to drop year on year.

- 3.17 The BID Executive Committee agreed that these figures demonstrated that the BID security services and the partnership with the Police are having a positive effect on the level of crime on the estate.

Astmoor BID Finances

- 3.18 During the inaugural year of the BID (1/04/08-31/03/09) on Astmoor Industrial Estate, the total BID Levy invoiced was £163,555 across 162 hereditaments (rateable properties liable for a BID Levy).

- 3.19 The total amount of BID Levy collected was £157,393 equating to a collection rate of 96.23%. Therefore, the amount not collected was £6,162 of the total invoice amount, which was due to a number of liquidated companies. The amount not collect was less than the annual contingency figure incorporated into the BID business plan.

- 3.20 The total amount of BID Levy expenditure equated to £79,587.51, resulting in a balance of BID Levy equating to £77,805.49. This balance is ring-fenced to utilise in line with the BID business plan and through agreement of the BID Executive Committee and Business Steering Group.

Astmoor BID Services & Infrastructure

- 3.21 The primary focus for the inaugural year was to improve security and design out crime. Every site benefits from two mobile patrols per day. In addition to the patrols, key holding and alarm / incident response services were introduced and made available to every company on the estate. The companies utilising these services are receiving many benefits, especially the knowledge that a professional security company will respond to their alarm in the event of an alarm activation. There are a number of companies that have yet to subscribe to this service, in part due to companies with their own 24-hour security or where companies do not have an existing alarm system.

- 3.22 An Auto Number Plate CCTV system has been installed covering all the vehicle entrances and exits and SmartWater DNA Forensic property marking kits were provided to business on the estate. Automatic alarm dialers were installed in a number of companies to enable their existing alarm systems to transmit alarm signals to Select Security for a response. A number of void property alarms have been purchased to protect the vacant units on the estate.

- 3.23 High profile crime prevention signage was installed to promote the range of security services and infrastructure protecting companies on the estate.

3.24 During the second year, the focus will be on implementing schemes to improve the image of the estate, although the security services will continue to operate for the lifetime of the BID programme.

Astmoor Crime Figures

3.25 The Official Police crime figures for the Astmoor Industrial Estate BID area:

Crime Type	2006-07	2007-08	2008-09
Arson not endangering life	0	0	1
Burglary in a building other than a dwelling	20	19	11
Criminal damage to a building other than a dwelling	7	3	2
Criminal damage to a vehicle	2	5	3
Criminal damage to a dwelling	0	1	0
Interfering with a motor vehicle	1	1	0
Other Criminal damage	1	5	0
Other theft	20	8	10
Theft by an employee	1	0	1
Theft from a vehicle	11	10	12
Theft or unauthorised taking of a pedal cycle	1	3	0
Theft or unauthorised taking of motor vehicle	2	4	0
Grand Total	66	59	40

3.26 The figures show that the total crime on Astmoor Industrial Estate has reduced by 32.2% on 2007-08 levels and 39.4% on 2006/07 levels during 2008-09, the first year the BID has been operational.

3.27 Burglaries have dropped by 42.1% on the previous year and by 45% on 2006-07. Criminal damage to buildings has dropped by 33% on 2007-08 and 71.4% on 2006-07 levels. All categories of criminal damage have reduced. Theft of motor vehicles and pedal cycles has dropped to 0.

3.28 The BID Executive Committee agreed that these figures demonstrated that the BID security services and the partnership with the Police are having a positive effect on the level of crime on the estate.

4.0 POLICY IMPLICATIONS

4.1 The issues and priorities addressed through the implementation of the BID Business Plans are directly aligned to the Community Strategy:

A Safer Halton

The BID Business Plans provides a package of crime prevention initiatives that are designed to deter crime from the estates, including plans to either enhance existing CCTV security systems, or install new

systems which will assist in designing out crime on the estates, which will be backed up by a response to incidents. Reduce overall crime (in line with Halton's Crime and Disorder Reduction Partnership targets).

Halton's Urban Renewal

BIDs will attract a significant private sector contribution (more than £1 million over 5 years) to contribute towards the economic regeneration of the borough.

Employment, learning and skills in Halton

The programme of work set out in the BIDs proposals, will assist with the ongoing challenge to retain existing and create new jobs

Children and Young People in Halton

There are no implications arising from this report.

A Healthy Halton

There are no implications arising from this report

5.0 OTHER IMPLICATIONS

There are no other implications arising from this report.

6.0 RISK ANALYSIS

In the report on 10, April 2008 the most significant risk to the delivery of BIDs was concerning non-collection of the BID Levy. As reported in paragraphs 3.8 and 3.19, the collection rate is high and well within the annual contingency figures stated in the BID business plans.

7.0 EQUALITY AND DIVERSITY ISSUES

There are no equality or diversity issues arising from this report.

REPORT TO: Executive Board – Sub Committee

DATE: 16 July 2009

REPORTING OFFICER: Strategic Director - Environment

SUBJECT: Hale Road/Deansway – Proposed Gating Order

WARDS: Riverside, Ditton, Broadheath

1.0 PURPOSE OF THE REPORT

- 1.1 To seek approval from Members to proceed with the making of a Gating Order for the footpath between Hale Road and Deansway, Widnes.

2.0 RECOMMENDATION: That

- (1) A Gating Order for the footpath between Hale Road and Deansway, Widnes be made and gates erected to support the Order; and
- (2) The objector be notified accordingly

3.0 SUPPORTING INFORMATION

- 3.1 A report to Safer Halton Policy and Performance Board on 20 January 2009 reported the receipt of a petition and set out the background to a request for alleygates at the footpath between Hale Road and Deansway, Widnes – see Appendix 1. It also contained information relating to crime statistics and the use made of the path. Based on the information in that report the Board approved the recommendation which was:

- (1) The residents be encouraged to submit diary sheets so that the nature, details, dates and times of the listed incidents can be recorded in a manner suitable as supporting evidence for the consideration in the possible making of a Gating Order; and
- (2) Once the above is complete, the Operational Director (Highways, Transportation and Logistics) makes a decision whether or not to proceed with the advertising of a Gating Order in line with his delegated powers.

- 3.2 The Council's policy and procedure, which requires a Gating Order to be made prior to the erection of any gate on a public highway, was adopted by the Executive Board on 21 June 2007. This stated that any objections received to a proposed Gating Order, following an advertising and notice procedure, should be referred to the Executive Board Sub Committee. Members of this Board should then decide whether to proceed with

making the Order and erecting the gates or to request that a Public Inquiry be held.

- 3.3 In accordance with the procedure, the recommendation of the Safer Halton Policy and Performance Board and based on the evidence provided by residents, the police and other departments, the Operational Director (Highways Transportation and Logistics) approved the advertising of a draft Order for the footpath between Deansway and Hale Road in April 2009. The schedule of the footpath and case for the Gating Order is attached in Appendix 2.
- 3.4 An objection has been received from one local resident only. A copy of this objection is attached in Appendix 3.
- 3.5 A summary of the objection is listed in the table below, along with a response from the Strategic Director, Environment.

OBJECTION	RESPONSE
It is a public footpath in use for over 50 years (the objector makes an accusation that the Council is breaking the law)	It is a Public footpath but the new 2005 legislation does not exclude it from a Gating Order, which would allow gates to be erected and closed at times as specified in the Order (should one be made)
A petition was circulated approx. 2 years earlier to keep the path open. What was the outcome?	The action being taken to obtain a Gating Order and erect gates is in response to a petition received by the Council requesting that the path be closed. The Council is not aware of any other recent petitions
There have been no vandals and number 19 hear no noise at night	Crime and antisocial behaviour are occurring throughout the day. This is supported by the crime statistics and the diary sheets
Issue with parked cars	This issue is not related to the proposed Gating Order and will be considered separately

- 3.6 **Proposal** - It is recognised that some users of this path could be disadvantaged if gates were erected by having to walk slightly longer distances using the alternative route indicated in Appendix 2. However, this additional route involves no additional road crossings, and is on wide and well lit footways, albeit along busier local distributor roads. Approximately, 240 consultation letters were sent to residents in the area informing them of the proposal. These letters also indicated that

residents most affected could request a key for the gates if they wished to continue to use the path. This consultation resulted in nine responses in support of the scheme and only one objection.

3.7 Therefore, on balance it is recommended that the Order be made and gates erected. This recommendation is based on the evidence of crime and antisocial behaviour and the need to tackle such crime problems in accordance with the Council's statutory duty and as permitted under the Gating Order procedure. Account is also taken of the issues and case set out in Appendices 1 and 2 (which considers the crime case, pedestrian usage and the alternative route) and the level of concern expressed in the petition and the consultation exercise. The Council is obliged to keep all Gating Orders under review and if it is felt that gates are no longer needed, a recommendation to remove them can be considered.

3.8 If the Gating Order is to be approved as proposed, then the objector should be informed of the Council's decision.

4.0 POLICY IMPLICATIONS

4.1 This has implications for the Council's Policy to promote walking (both as a sole mode of transport and as a means to access a bus stop) as it is restricting the use of a footpath. This may result in longer journeys needing to be made, for which residents may be more likely to use a car, resulting in health and environmental impacts.

5.0 OTHER IMPLICATIONS

5.1 The cost of erecting the gates is to be met by the Local Area Forum.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 There are a number of implications of erecting alley gates on public highways some of which are reflected in the responses given to the objection above. In tackling crime and anti-social behaviour alley gates can make areas safer places in which to live and improve people's quality of life through reduced stress. A more detailed report on the implications of alleygating schemes was considered by the Safer Halton Policy and Performance Board on 20 November 2007. The effect alley gates have had, countrywide, in combating crime and anti-social behaviour and thus improving the quality of people's lives is well documented.

7.0 RISK ANALYSIS

7.1 Risks associated with erecting alley gates include the potential for longer journeys on busier footways to be experienced but in this case they are

not felt to be significant. It is possible that a small number of people may be encouraged to use their cars but this cannot be proven at this stage. Conversely the risks associated with not implementing the scheme would involve an increase in anti-social behaviour, criminal damage, graffiti and burglary, which are more significant.

8.0 IMPLEMENTATION DATE

8.1 Late 2009

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

Document	Place of Inspection	Contact Officer
Alley Gates and Gating Orders Report, Executive Board 21 June 2007	Rutland House	J Farmer
Crime statistics	Rutland House	J Farmer

Appendix 1 – Report to Safer Halton Policy and Performance Board

Appendix 2 – Schedule of footpath and case for the Gating Order

Appendix 3 – Objection

APPENDIX 1

REPORT TO: Safer Halton Policy and Performance Board

DATE: 20th January 2009

REPORTING OFFICER: Strategic Director - Environment

SUBJECT: Petition for the Installation of Alleygates
between Hale Road and Deansway, Widnes

WARDS: Riverside, Ditton, Broadheath

1.0 PURPOSE OF THE REPORT

1.1 To advise members of the receipt of a petition containing 19 signatures, and the proposed course of action

2.0 RECOMMENDATIONS: That

- (1) The residents be encouraged to submit diary sheets so that the nature, details, dates and times of the listed incidents can be recorded in a manner suitable as supporting evidence for the consideration in the possible making of a Gating Order; and
- (2) Once the above is complete, the Operational Director (Highways, Transportation and Logistics) makes a decision whether or not to proceed with the advertising of a Gating Order in line with his delegated powers.

3.0 SUPPORTING INFORMATION

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

"We the undersigned are requesting that Halton Borough Council install alleygates between Hale Road and Deansway, Widnes. For many years residents have suffered various kinds of Anti Social Behaviour, causing distress and health problems for those adjacent to the walkway."

3.2 The petition was also presented to the last meeting of the Board on 18 November 2008 by one of the local elected Members with a request for a report to be brought back to the subsequent Board meeting with recommendations on how the matter could be addressed.

3.3 The petition contains 19 signatures, 16 of which are residents of Hale Road or its immediate surroundings. Also attached is a list of occurrences of crime and anti social behaviour around the alleyway between 128 and 130 Hale Road. These are over 100 in number mostly relating to anti-social behaviour by youths.

- 3.4 The Council has received similar requests in relation to this path in the past. Prior to the current Gating Order legislation being in place, a resolution by Council Members in January 2004 resulted in an Order being pursued through the Magistrates Court, to fully Stop Up the path, under the Highways Act 1980 Section 116. However, this was unsuccessful as the Magistrate considered that the use of the legislation was not appropriate to tackle crime and anti social behaviour, and that more appropriate legislation such as the Countryside and Rights of Way (CROW) Act, should be used. This was despite a case being made that the route was unnecessary, in that users of the route would not be unduly inconvenienced by using alternative routes.
- 3.5 A 12 hour pedestrian count has recently been carried out at the Hale Road / Deansway passageway, which shows that 304 pedestrians used the route between 7am and 7pm on Thursday 6 November 2008. It is worth noting, however, that the pedestrian flow in the last hour was 78 and was primarily made up of youths repeatedly using the path to collect firewood to build a bonfire. The full survey results are attached as Appendix 2.
- 3.6 The Police crime statistics for the route show 4 separate incident reports between November 2007 and December 2008. However, it is possible that the incidents of anti-social behaviour listed in the petition could also be used as evidence for a Gating Order to be pursued, if properly recorded on diary sheets giving times, dates and nature of incidents. The residents concerned have recently been given these sheets and have been encouraged to complete them. The relevant instances of crime and anti-social behaviour will, once received, then need to be balanced against use of the path and potential inconvenience caused to users of the path by installation of gates. A decision will then be made by the Operational Director, under his delegated powers, whether to advertise a proposed Gating Order, which if uncontested would allow the erection of gates (subject to funding by the Area Forum).
- 3.7 The Gating Order legislation referred to above, would allow for gates to be erected at either end of the path, but would not allow for the Stopping Up and hence full closure (and enclosure by land owners) of the path. Legislation is available to allow this, on the grounds of crime and anti-social behaviour, which was brought in a number of years ago under the CROW Act. However, this is a lengthy process, where an area first must be designated by the Secretary of State, which can take many months, followed by a local Order for the path concerned, and potentially an automatic Public Inquiry, should objections be received. (Members may recall a number of paths at Kendal Road estate being closed using this process). By comparison a Gating Order is advertised and the Executive Board Sub Committee makes the decision whether to confirm the Order or hold a Public Inquiry, should objections be received. Should the need be proven to restrict the use of the route, it is felt that consideration

should be given to using a Gating Order, as the problems experienced by residents would potentially be resolved more quickly.

4.0 POLICY IMPLICATIONS

4.1 There are no policy implications

5.0 OTHER IMPLICATIONS

5.1 There are no other implications

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

It is alleged that anti-social behaviour by youths is causing a disturbance to neighbours adjacent to the path between Hale Road and Deansway. Should a Gating Order be implemented this would prevent such youths from gaining access to the path.

6.2 Employment, Learning and Skills in Halton

There are no direct implications for Employment, Learning and Skills in Halton.

6.3 A Healthy Halton

There are no direct health implications, however, the recommendation will help build a case for a Gating Order which could help relieve residents' stress caused by anti-social behaviour. Removal of pedestrian routes such as this, may discourage people from walking. However, in this case, for most users, the possible gating of the path would result in only a short additional walk.

6.4 A Safer Halton

Recommendation (1) will help build a case for a Gating Order which if pursued could help reduce crime and antisocial behaviour.

6.5 Halton's Urban Renewal

There are no direct implications for Halton's Urban Renewal.

7.0 RISK ANALYSIS

There are no risks associated with the proposed action.

8.0 EQUALITY AND DIVERSITY ISSUES

In cases such as this there is potential that gating a route may cause particular inconvenience for users of wheelchairs or mobility scooters. However, in this case the path has barriers which already prevent access to mobility scooters and larger wheelchairs.

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

Document	Place of Inspection	Contact Officer
Gating Orders Report 21 June 2007	Municipal Buildings, Widnes	Gill Ferguson
Police Crime Statistics	Rutland House, Runcorn	Jonathan Farmer

HALTON BOROUGH COUNCIL**GATING ORDER PROPOSAL – ALLEYWAY
DEANSWAY, HALE ROAD
WIDNES****HIGHWAYS ACT S.129****1. SCHEDULE**

Alleyway between 19 & 21 Deansway, Widnes and alongside 130 Hale Road with a maximum width of 3.5 metres, a maximum adopted length of approx 75 metres and a maximum length proposed for gating of approx 55m from its junction with Hale Road to the boundary walls of 19 & 21 Deansway.

2. PROPOSED EXEMPTIONS

There would be a number of individuals and groups that have legitimate purpose to pass through the proposed gates and hence would require a key for them. This would include Council officers conducting their business and the emergency services, (including the Police, Fire and Ambulance services). There would also be statutory undertakers including Water, Electricity, Gas and the Telecommunications companies who would require access. A person who lives or works in the immediate vicinity of the footpaths would also be entitled to a key upon request.

3. SUPPORTING INFORMATION.

The route proposed for the erection of alley-gates has highway status and therefore would be subject to the usual legal procedures for restricting the use of a highway. In order to gate a highway it must be proved that there is a significant enough issue with crime or anti-social behavior as to outweigh the benefits of maintaining the openness of the highway. In this case, reports of anti-social behaviour for the past twelve months indicate that rowdy youths have used the alley for drinking, urinating and general nuisance. There are also reports of fire, persistent damage to residents' properties and opportunist intruders all relating directly to the alleyway. Halton's Community Safety Team and the Safer Halton Partnership both support the proposal to gate at this location in order to better improve the security and safety of the residents in the Hale Road and Deansway vicinity.

This alley is approx. 75m long and with a maximum width of 3.5m. This route provides access to local facilities and public transport for certain residents and those affected would be eligible to receive a key. The alternative route is Canterbury Road, Coronation Drive and Hale Road. Staggered chicane barriers already exist along the alleyway impeding passage of the larger mobility scooters. Those residents directly affected will be able to request a key for the gates, if they are erected.

While considering both the advantages and disadvantages of the scheme I would conclude that it is both expedient and in the interest of the Council that we proceed with the Gating Order in an attempt to tackle crime and anti-social behaviour in the area.

Signed M. J. Noone

Date 7th April 2009

KEY:



HIGHWAY TO BE STOPPED UP



ALTERNATIVE ROUTE



ENVIRONMENT

R.G.Tregea B.A., M.A., M.R.T.P.I.
Strategic Director Environment
Rutland House, Halton Lea, Ru
WA7 2GW
Tel: 0151 424 2061

HALTON BOROUGH COU

GATING OF HIGHWAY

DEANSWAY

HIGHWAYS ACT 1980 S.129

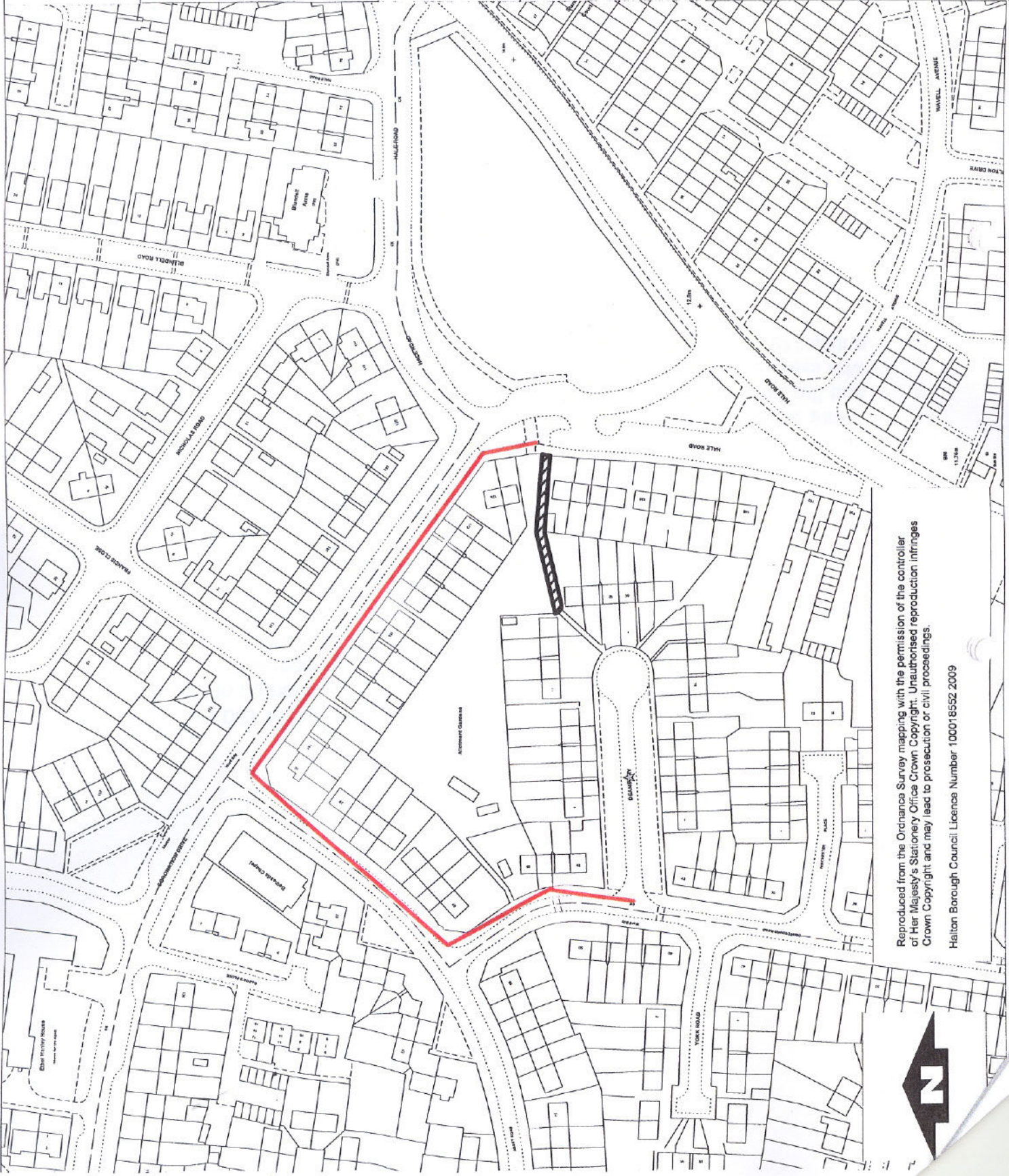
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The Occupier

Our Ref

IMD/KM/00925

**If you telephone
please ask for**

Iain Dignall

Your ref

Date

26 May 2009

E-mail address

iain.dignall@halton.gov.uk

Dear resident

We have recently advertised our proposal to confirm a Gating Order at the alleyway, which connects Deansway to Hale Road. This is as a result of increased criminal and anti-social behavior at this location.

The advertisement appeared last month in the Widnes World and has been displayed on site for the past 28 days. Currently we have not received any objections to the scheme. Local residents would be eligible to receive a key in order that they may enjoy continued use of the alleyway as a short cut.

Prior to the confirmation of the Gating Order we would like to give local residents an opportunity to express their own views by completing the form attached overleaf and returning it back to us on or before 9th June 2009.

Thank you in advance

Iain Dignall
(Transportation)

It's all happening IN HALTON

Corporate & Policy

Municipal Building, Kingsway, Widnes, Cheshire WA8 7QF

Tel: 0151 424 2061

www.halton.gov.uk



INVESTOR IN PEOPLE



HA
 ENVIRONMENT AND DEVELOPMENT DIRECTORATE
 RECEIVED 02 JUN 2009
 FOR ATTENTION OF



Do you have any objections to the proposed Gating order at Deansway and Hale Road?

YES

Yes/~~No~~/~~do not~~ object to the proposal to install Gates at the Deansway alley.

I AM A 70 YEARS OF AGE AND USE THIS WAY SO DO CHILDREN GOING TO SCHOOL

Additional comments.

TWO YEARS AGO WE HAD A PATISON TO KEEP IT OPEN
 AND YOU HAVE GONE BACK ON THAT. THIS IS A RIGHT OF WAY
 PUBLIC HIGHWAY
 FOOT PATH
 YOU ARE BRAKIN THE LAW

WHAT EVER YOU LIKE TO CALL IT
 THAT HAS BEEN THERE FOR OVER 50 YEARS
 THERE HAS BEEN NO VANDALS THERE FOR YEARS
 THE PEOPLE AT NO 19 DO NOT HEAR ANY NOISE AT NIGHT

Name and address.

G.H. BOOTH
 12 DEANSWAY
 DITTON

P.S
 YOU COULD DO SOMTHING
 ABOUT CARS PARKED ON GRASS.
 THANK YOU

It's all happening IN HALTON

Corporate & Policy
 Municipal Building, Kingsway, Widnes, Cheshire WA8 7QF
 Tel: 0151 424 2061
 www.halton.gov.uk



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