REPORT TO: Safer Policy and Performance Board

DATE: 18th January 2011

REPORTING OFFICER: Strategic Director, Adults and Community

SUBJECT: Alleygating

WARDS: Borough-wide

1.0 PURPOSE OF THE REPORT

To review the Council's policy on alleygating.

2.0 RECOMMENDATION: That

1) Members of the Safer Policy & Performance Board note and comment upon the report.

3.0 SUPPORTING INFORMATION

3.1 On 21st June 2007 the Executive Board adopted a policy on alleygating (Minute EXB 13). It was resolved that 'the policy that requires all future proposed alleygates on public highways (which can include Public Rights of Way) to be supported by a Gating Order, made under the provisions of Section 129A of the Highways Act 1980 be adopted'.

3.2 Experience has shown that the existing policy is difficult to implement in practice.

3.3 Two matters can be highlighted in particular: (1) ward members have considerable local knowledge which is underutilised and (2) the system is predicated on an evidence based approach when evidence is extremely difficult to obtain in this area. Indeed, requests are almost always based on impressions and feelings about the role of highways in crime and anti-social behaviour which are not substantiated objectively by analysis of the facts. The mismatch between the problems as perceived and evidence to back up those perceptions causes frustrations on the part of members and the public.

3.4 At its meeting on 21st September 210 the SH-PPB resolved that a short-term working group be established to look at the procedure for Alleygates. The working group concluded that a more radical approach was required which included a review of policy as well as procedures.

3.5 It is therefore appropriate to consider a more flexible approach to establish whether the expectations of the community and members can be accommodated better than with the current system. This also accords with the principle of continuous improvement.

4.0 PROPOSED ALLEYGATING PRINCIPLES

4.1 Alleygating involves a balance between (on the one hand) the duty of the Council to keep the highways within the Borough open for the public to use and (on the other hand) the duty of the Council to act to reduce crime and disorder.

4.2 Ward members should be involved more fully at an earlier stage of the process to enable their local knowledge of possible issues to be used to assess their merits of proposals.

4.3 There will always be highways which the Council can never allow by be gated whatever the level of crime and disorder because of the over-riding importance of maintaining unimpeded access.

4.4 Alleygating should not be allowed as a “quick fix” for problems which are unrelated to highways.

4.5 Alleygating proposals will be considered in the context of pursuing the well-being of the community and the Council’s objectives as set out in its Corporate Plan.

4.6 Where evidence exists to justify gating orders to be made the provisions of Section 129A Highways Act 1980 should apply.

4.7 All gating schemes will be monitored from time to time to assess their continued relevance and contribution to reducing crime and/or anti-social behaviour.

5.0 PROPOSED ALLEYGATING PROCEDURES

5.1 Appendix 1 sets out the proposed procedures. The proposed procedures are designed to produce a system which is in line with the principles set out above.

6.0 CONSEQUENTIAL ISSUES

6.1 The proposed principles and procedures are cost neutral in terms of the physical costs of erecting and maintaining alleygates but will save money in processing gating orders which do not comply with the above principles.

6.2 At current prices, the cost of processing gating orders (excluding costs of erecting and maintaining gates) is assessed at to be in the order of £ 1,000.00 to £ 1,500.00 per scheme.

7.0 POLICY IMPLICATIONS

7.1 This report represents a revision to existing policy.

8.0 OTHER IMPLICATIONS

8.1 There are no other implications arising out of this report.

9.0 IMPLICATIONS FOR THE COUNCIL’S PRIORITIES

9.1 **Children and Young People in Halton**
None

9.2 **Employment, Learning and Skills in Halton**
None

9.3 **A Healthy Halton**
Resident's perception that they live in a safe environment aids general well-being.

9.4 **A Safer Halton**
Previous studies have indicated that alleygates reduce burglaries, instances of fly-tipping and general anti-social behaviour.

9.5 **Halton's Urban Renewal**
By reducing fly-tipping and general litter problems, gates improve the overall appearance of the borough.

10.0 RISK ANALYSIS

10.1 Alleygates reduce the risk of crime and anti-social behaviour within the Borough.

11.0 EQUALITY AND DIVERSITY ISSUES

11.1 There are no direct implications arising from this report.

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

12.1 None under the meaning of the Act.

Document	Place of Inspection	Contact Officer

APPENDIX 1`

Procedures applicable to alleygating applications

ACTION	BY WHOM?
ASSESSMENT PHASE	
1. Request received for alleygate	Received direct by **HDL** or if received by other persons request is to be forwarded to **HDL**
2. Request forwarded to: • Ward Members (**WMs**). **WMs** to give views on community feelings about the request. • Community Safety Partnership (**CSP**). **CSP** simply report on crime etc statistics • Highways (**H**). **H** asked whether the highway in question could in principle be gated or whether the highway is too strategically important in principle to be gated. • Area Forum Co-ordinator (**AFC**). **AFC** does nothing at this stage.	**HDL**
2. **WMs** give initial view on request. • If they recommend approval go to point 5. • If the recommend rejection go to point 9.	**WMs** give views to **AFC**
3. **H** reply to question in point 2 above. • If they say YES in principle go to point 5. • If they say NO in principle go to point 9.	**H** give views to **AFC**
5. Area to be consulted on request agreed	**WMs**, **H** and Property Services (**PS**) agree and inform **AFC**.
6. Budget checked to confirm funds available should request be approved. • If budget available go to point 7. • If budget not available go to point 9.	**AFC**
7. **CSP** 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:- • Within the area identified in point 5 for general view and • Neighbours with a boundary with a proposed gate to establish then they would agree to erection of gate. • If outcome of canvas positive go to point 8. • If outcome of canvas negative go to point 9.	**CSP** report to **AFC** on outcome
8. **AFC** convenes meeting with **WCs**, **H**, **CSP** & **PS** to share all information obtained and agree to proceed to Implementation Phase	**WCs**, **H**, **CSP** & **PS** instruct **AFC** to prepare report for Implementation Phase
9. Decide to proceed or discontinue : • If decision to proceed carry out any missing steps to get to point 8. • If decision to discontinue inform persons making the request.	**AFC** **AFC**
IMPLEMENTATION PHASE	
Refer to relevant area forum	**AFC**
If approved by area forum Property Services implements the gating after obtaining planning permission.	**PS**
MONITORING PHASE	
Monitoring/review procedures to be designed and outcomes reported to **SH PPB** periodically	**SH PPB** to specify requirements