

**REPORT TO ALLEY GATING PANEL
22 MARCH 2011**

OFFICER REPORTING: JENNI HOWELLS, COMMUNITY SAFETY PROJECTS OFFICER

1. PURPOSE OF REPORT

This report sets out the evidence for and against an application to gate the alleyway between 17 and 19 Culley Way and 8 and 10 Farmers Close.

2. OFFICERS' RECOMMENDATION: That Members of the Panel consider the evidence put forward regarding the application and make a decision as to whether the request for alley gating should be agreed, refused, or deferred for further evidence.

3. SUPPORTING INFORMATION

3.1 Wards Affected

Cox Green. (Map provided in Appendix 4)

3.2 Relevant Matters Upon Which Decision is Based & Reasons Supporting Recommendation

Date of application: Third quarter 2010

Date of informal consultation: 23/02/2011 – 21/02/2011

Date of formal consultation: 23/03/2011 – 20/04/2011

Number of objections: 6 responses objecting to the proposals all from residents of Culley Way.

Number of those in favour and whom: 9 responses in favour, consisting of households in Farmers Close and Culley Way and Thames Valley Police. There is also a petition, with the signatures of 25 residents indicating they would like the alleyway gated.

Comments not yet received: The meeting of the Alley Gating Panel will be updated on any further submissions for or against.

View of police: In favour of alley gates being implemented.

View from the police Crime Reduction Advisor on the alleyway: Basically in favour of gating (See Appendix 1).

The request for the alleyway to be gated is based on the following factors:

- There have been numerous reports about anti-social behaviour around Culley Way over a period of a number of years.

- There have been 63 accounts of anti-social behaviour over the past six years. Of these incidents, 11 took place in Farmers Close and 8 took place in Culley Way (see appendix 2).
- There have been 24 incidents of crime over the past six years however all of these were on Farmers Way (see appendix 3).
- The alternative route, should the alley be closed, is or a little longer, if not the same distance.
- Thames Valley Police support the request for the alley to be gated, stating that it will have a direct positive impact on crime and the quality of life of the residents of Farmers Close.
- There is significant support from the residents of Farmers Close, and some in Culley Way, with regards to the proposed alley gates.

There have also been a number of reports from residents, who have issues with the following in the alleyway:

- Criminal damage and vandalism
- broken bottles and glasses
- rubbish gathering in the alleyway
- rubbish and food
- graffiti
- urination
- dog fouling
- late night noise and offensive language
- poor lighting
- sexual activity and the evidence of it
- the fear of being attacked or abused
- the fear that it is an escape route for criminals.

Copies of all documents relating to the applications and consultation will be made available to the ad hoc Alley Gating Panel.

3.3 Options Available

	Option	Comments
1.	Refuse the request for Alley Gates	This would need to be based on sound reasons, in order to justify it to those who have requested the gates
2.	Implement the Alley Gates	This would need to be based on sound reasons for doing so, in order to justify it to those who have contested the application for the gates
3.	Ask for further evidence and/or suggestions for	This would need

	Option	Comments
	alternative solutions	to be based on sound reasons for doing so, in order to justify it to those who have requested and contested the application for the gates

3.4 Relevant National/Regional Guidance

Powers which came into force in April 2006 give the Council the ability to gate off alleys, without recourse to the Secretary of State, as part of the Royal Borough's on-going battle against crime and anti-social behaviour. Section 2 of the Clean Neighbourhoods and Environment Act 2005 allows councils to make, vary or revoke gating orders in respect of highways within their area. Sections 129A to 129G in the Highways Act 1980 enable councils to restrict public access to any public highway by gating it (at certain times of the day if applicable), without removing its underlying highway status. Local authorities are able to make "gating" orders on grounds of anti-social behaviour as well as crime.

Guidance issued by the Home Office sets out the circumstances in which alley gates may be permitted and explains the necessary requirements which the Council must follow, before allowing them to be installed. This has been incorporated into the Royal Borough's policy.

3.5 Relevant Council Policies/Strategies

The Council's current policy on alley gating "Policy for the installation of alley gates and policy for the extinguishment of problem alleys" was revised and agreed in September 2007. The policy also states the requirement of RBWM to identify a named officer with responsibility to work with residents to "make things happen"; and the move to a "public" consideration of schemes via an ad hoc Alley Gating Panel consisting of relevant members. The alley gating process is shown diagrammatically in the Appendices.

The recommendations contained in this report also contribute to the Community Strategy in the following ways:

	Relevant? Yes / No
Key Themes:	
getting about	Y
learning for life	
being safe and secure	Y
caring and health	
living and working in a good place	Y
Guiding Principles:	
working together	Y
leaving no one behind	Y
involving people	Y

safeguarding the young	Y
------------------------	---

4. INFORMAL CONSULTATION CARRIED OUT

An informal consultation took place with Culley Way and Farmers Close. The Local Access Forum, Ramblers Association and the Open Spaces Society were also informally consulted. They were consulted by means of a letter outlining the proposal, on 23 February 2011 and they had until 21 March 2011 to respond via an enclosed form with the letter or by email if they wished.

5. IMPLICATIONS

Failure to respond appropriately to the requests for alley gates could effectively result in the council being liable to legal action from the residents who have submitted the requests.

5.1 Financial

It is estimated that the installation cost of gates for an individual alleyway would approximately £2,000 pounds (excluding fees and administration costs). Capital funding has been identified. However, this estimate takes no account of the cost of Council employees and therefore an indication of resource impact is provided below.

Human Resource Implications of a successful application:

Community Safety Team – 2 weeks

Highways – 1 week

Legal (drafting orders) – 2 days (needs verification)

5.2 Legal

Section 2 of the Clean Neighbourhoods and Environment Act 2005

Sections 129A to 129G in the Highways Act 1980

5.3 Human Rights Act

Article 1 of the First Protocol, protection of property, and Article 14, Prohibition of discrimination in the enjoyment of this right are both relevant to this report. This is an absolute right.

Any interference with the right under Article 1 of the First Protocol must be as permitted by law, and proportionate.

5.4 Planning

There are no significant planning implications.

5.5 Sustainable Development

None

5.6 Diversity and Equality

None.

Background Papers: Alley Gating Policy, Alley Gating Process Flow Chart, purple file with supporting documents

Caroline Heard
Crime Reduction Advisor
Community Safety Team
Windsor Police Station
69 Alma Road
Windsor SL4 3ES
Tel. 01753 835505
04/03/11

CRIME REDUCTION SURVEY REPORT

Address of area surveyed: Alleyway between Culley Way
and Farmers Close,
Cox Green,
Maidenhead.

Recommendations made to: Jenni Howells

Dear Jenni,

This survey was carried out as a result of a proposal by the Royal Borough of Windsor and Maidenhead to Alleygate an alleyway connecting Culley Way to Farmers Close, in Cox Green, Maidenhead. Complaints have been received from the residents, with concerns that the alley is generating crime and disorder and anti-social behaviour.

RECOMMENDATIONS

This area is badly designed and runs behind side and rear gardens. In general terms this can provide access and exit routes to offenders and encourage anti social behaviour. More specifically rear alleyways that expose the rear boundary of properties give opportunities for offenders to operate unseen as well as providing places where activity can take place, concealed from any natural surveillance and the result can often be anti-social behaviour, hiding stolen goods and more. The alley in question joins up two housing areas and has no natural surveillance or lighting. There have been reports of sexual activity, broken bottles and glass, litter, late night noise to name a few.

On my visit I saw evidence to support the concerns. The alleyway is incredibly narrow and concealed and apart from providing back access to properties does not fit a purpose. It is dark and secluded, tucked away from easy view and if used in darkness, a threat to personal safety. Crime prevention material suggests that we should always try and keep pedestrians and vehicles side by side so that people are visible and safe. Back alleyways take people away from visibility and increase problems of personal safety.

The alleyway is also in the middle of a crime hotspot; there has been a particular increase in burglary across the Cox Green area. This could result in the alley being used to conceal stolen goods or indeed hide an offender.

Conclusion

From the evidence I have seen and visiting the alleyway, I believe that Alleygating it would be the best solution and solve all of the problems with the added bonus of removing one of the many routes for offenders and making residents safer. If residents needed to access the rear of their properties via the alley they would be provided with a key for the gate.

I hope the above is of some benefit to you, should you require any further advice or information please do not hesitate to contact me.

Yours Sincerely

Caroline Heard

Crime Reduction Advisor



This advice is based on information supplied by you and current crime trends in the area concerned. I can only give a view of what measures might reduce the risk of crime and there can be no guarantee that all measures will prevent crime. Crime reduction advice is free without the intention of creating a contract and neither The Home Office nor the Police can be held responsible.

CADIS Report | Analysis of Anti-Social Behaviour around Farmers Close Alleyway

Prepared by:
Prepared for:

Julie Gardner, Community Safety Information Officer
Gail Lumsden, Anti-Social Behaviour Co-ordinator
Jenni Howells, Community Safety Projects Officer
25th January 2011

Date:

Time period covered by analysis: from the beginning of CADIS (1st April 2005) to 31st December 2010 (69 months)

Area Covered: Anti-social behaviour incidents that fall within a 100 metre buffer drawn around the alleyway between Farmers Close and Culley Way in Cox Green. The alleyway was closed twice (unofficially) in March 2004 and May 2009.

The table below shows the number of incidents reported each year in the area:

Year	No. ASB Incidents
2005/6	9
2006/7	8
2007/8	14
2008/9	14
2009/10	10
2010/11 (only 9 months Apr to Dec 2010)	8
Total	63

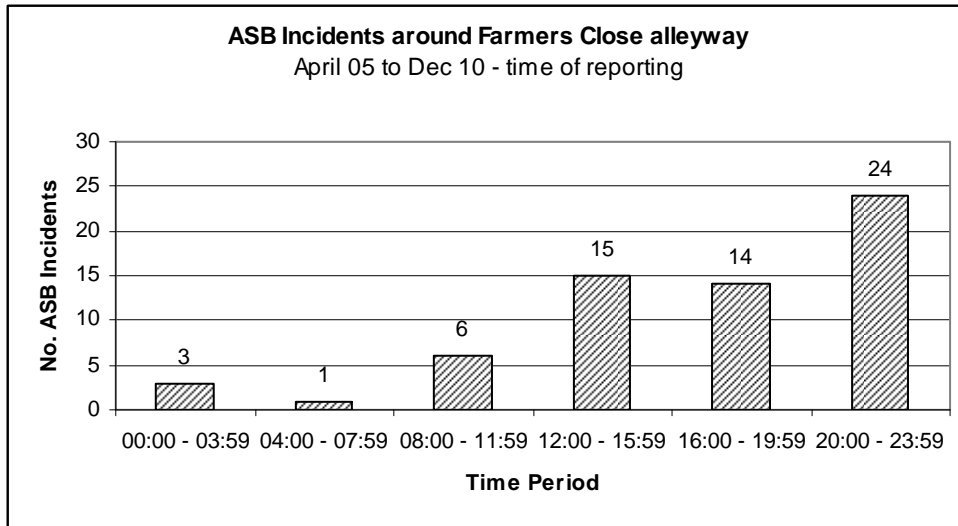
The 63 incidents refer to the following types of anti-social behaviour:

Type of ASB	No. ASB Incidents	Details
Rowdy/Nuisance – Rowdy & Inconsiderate Behaviour	30	21 loutish, rowdy and noisy behaviour
		3 ball games
		3 gathering
		2 general drunken behaviour
		1 missiles thrown
Rowdy/Nuisance – Neighbours	10	6 noise
		3 nuisance
		1 dispute
Parking	10	
Vehicle nuisance	6	4 cruising
		1 displaying
		1 racing
Malicious Communications	1	1 phone call
Noise	1	1 parties
Street drinking	1	
Substance misuse	3	2 suspected drug use
		1 supplying cigarettes to underage
Trespassing	1	

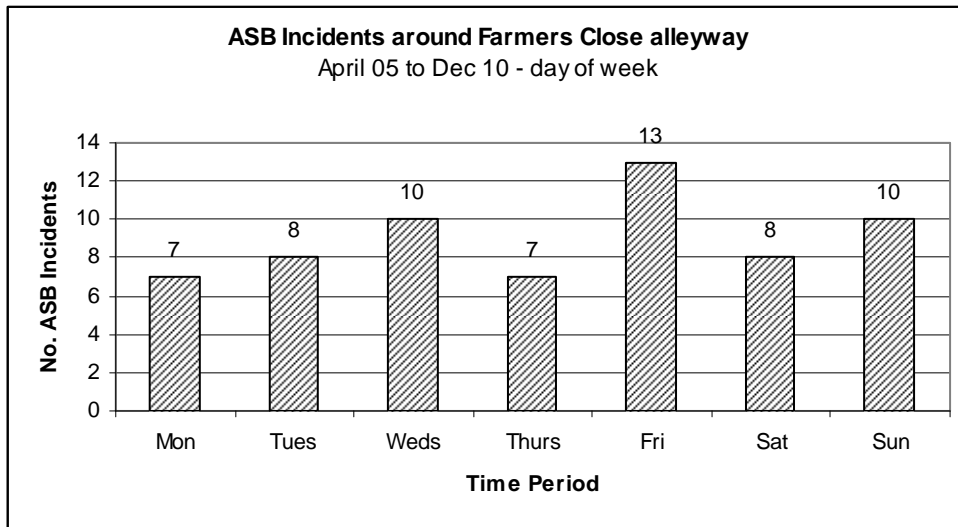
The 63 incidents were reported in 3 streets around the alleyway:

Street	No. ASB Incidents
Farmers Way	44
Farmers Close	11
Culley Way	8

The incidents were reported at the following times of day showing an increase in reporting between 8pm and midnight:



Reporting is evenly distributed through the week:



There have been 10 reports of anti-social behaviour in the last 12 months. These are detailed below:

Date	Hour	Who	What	Why	What2	Descriptor	Street
06/01/2010	18	NDD	RNN		Noise		Farmers Way
30/03/2010	0	YND	RNRIB		Missiles thrown		Farmers Way
16/04/2010	17	NDD	RNN		Noise		Farmers Way
05/05/2010	10	NDD	RNRIB		Loutish, rowdy & noisy		Farmers Way
16/05/2010	1	NDD	RNN		Noise		Farmers Way
20/07/2010	15	YND	Trespassing				Farmers Close
06/08/2010	21	YND	RNRIB		Loutish, rowdy & noisy	Smashing bottles	Farmers Way
31/08/2010	23	NDD	RNN		Noise		Farmers Way
31/10/2010	1	NDD	Noise		Parties		Culley Way
13/11/2010	22	YND	RNRIB		Loutish, rowdy & noisy		Farmers Way

NB CADIS Classifications:

NDD – nuisance/disorder/disturbance (perpetrator age not known)

YND – youth nuisance /disorder

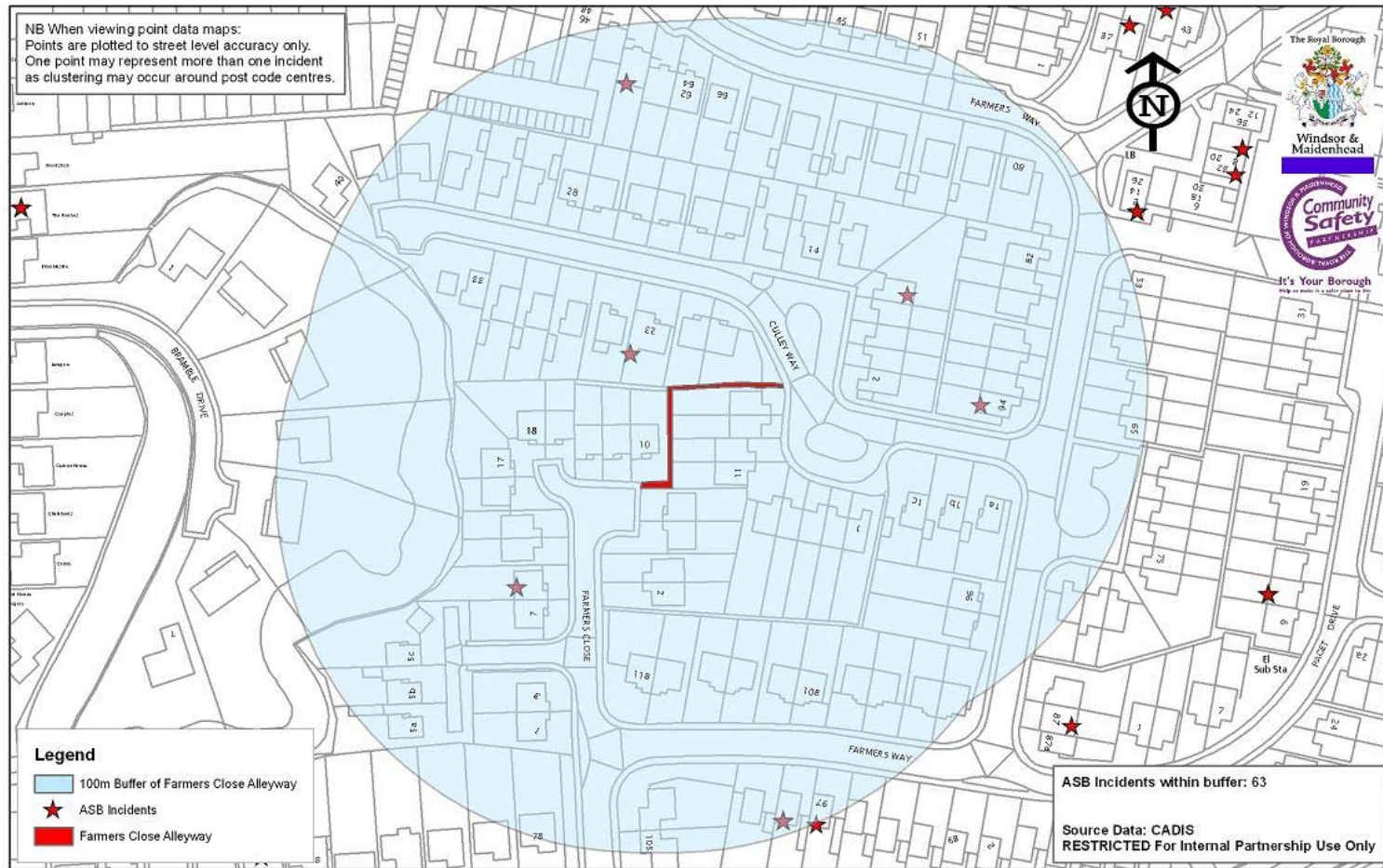
RNN – rowdy/nuisance – neighbours

RNRIB – rowdy/nuisance – rowdy & inconsiderate behaviour

No incidents involving drugs or alcohol have been reported in the last 12 months.

The last call regarding anti-social behaviour within the 100m buffer of the alleyway was in November 2010.

The map on the next page shows the area covered by this analysis and the location of reports of anti-social behaviour (note the caveat on the map regarding plotting of point data).



Anti-Social Behaviour Incidents within a buffer of 100m around Farmers Close Alleyway, Cox Green
 Incidents from 1st April 2005 to 31st December 2010
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Royal Borough of Windsor and Maidenhead, Licence number: 100016817 2011.

0 12.5 25 50 75 100 Meters
 25th January 2011 FarmersCloseASBIncidents_0405_1210.mxd

CADIS Report | Analysis of Crime around Farmers Close Alleyway

Prepared by:
Prepared for:

Martin Euden Partnership Performance Manager
Gail Lumsden, Anti-Social Behaviour Co-ordinator
Jenni Howells, Community Safety Projects Officer
26th January 2011

Date:

Time period covered by analysis: from 1st April 2005 to 31st December 2010 (69 months)

Area Covered: Crime incidents that fall within a 100 metre buffer drawn around the alleyway between Farmers Close and Culley Way in Cox Green. The alleyway was closed twice (unofficially) in March 2004 and May 2009.

Data Source: Thames Valley Police CEDAR mapped to a minimum of street level accuracy. The table below shows the number of incidents reported each year in the area:

Year	No. Crime Incidents
2005/6	5
2006/7	0
2007/8	11
2008/9	1
2009/10	6
2010/11 (only 9 months Apr to Dec 2010)	1
Total	24

The 24 incidents refer to the following categories of crime:

Crime Category	Count	Breakdown
Criminal Damage	8	6 Vehicles
		2 Other
Other	6	2 Vehicle Interference
		2 Drug Possession
		2 Exposure
Less Serious Violence	5	3 Public Order
		2 Assault Without Injury
Serious Acquisitive	3	2 Theft From Vehicle
		1 Theft Of Vehicle
Assault With Injury	2	2 Actual Bodily Harm

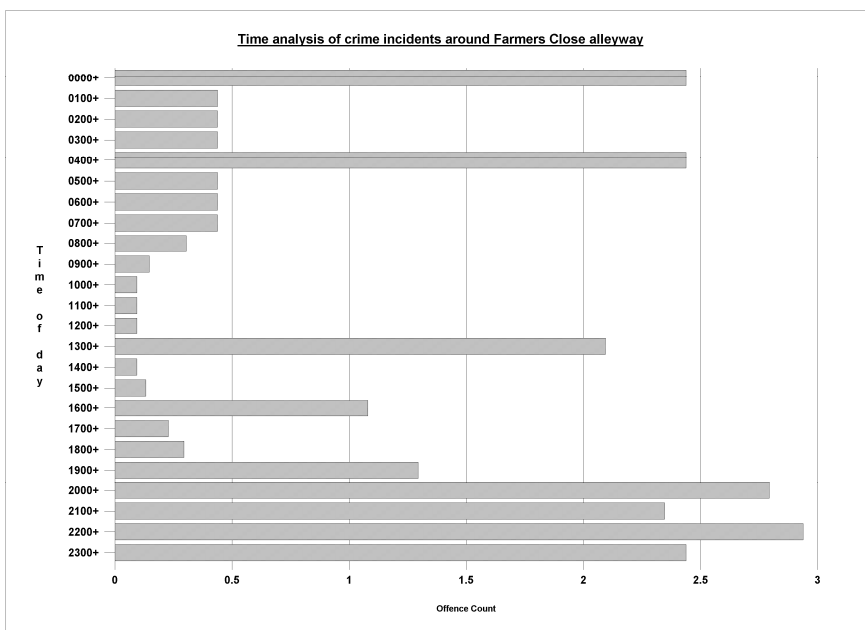
The 24 incidents were reported in 1 street around the alleyway:

Street	No. ASB Incidents
Farmers Way	24

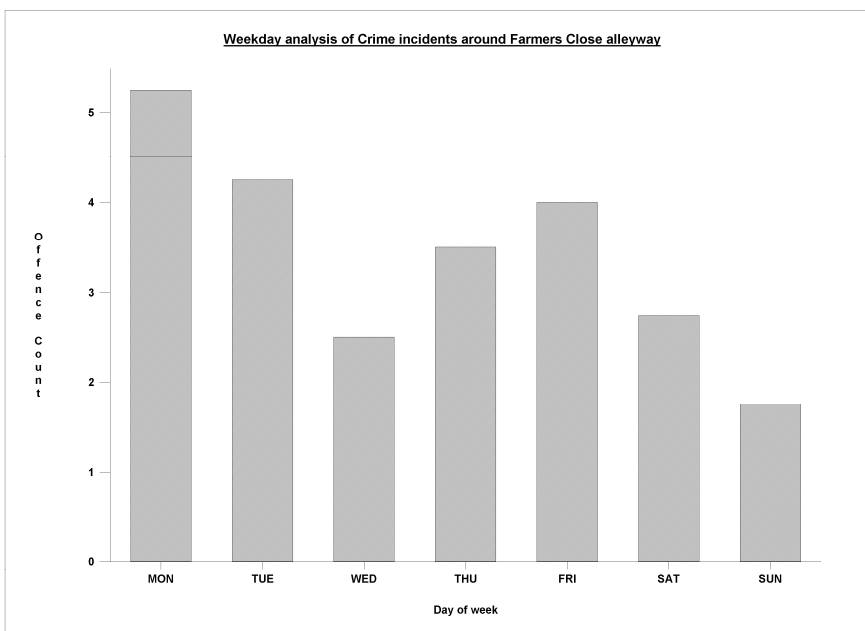
This may be as a result of the incidents being mapped to a minimum of street level and randomly matched to the section of the street in the 100m buffer zone. More significantly no crime reports were recorded in the vicinity of the alleyway on either Farmers Close or Culley Way.

Temporal Analysis

The incidents were reported at the following times of day showing an increase in reporting between 8pm through to the early hours of the following day:



Reporting is highest on Mondays but these could be as a result of overnight incidents being reported the following morning:



The data was extracted using the same geographic constraints as the mapped area in the Anti-Social Behaviour brief and so no map has been provided here.



Scale: 1:1,000

Author: Jenni Howells



Proposed Alley Gating Order on the alleyway between Culley Way and Farmers Close in Cox Green under Section 2 of the Clean Neighbourhoods and Environment Act 2005.

■■■■■■ Alleyway to be Gated

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (c) Crown copyright.

Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Royal Borough of Windsor and Maidenhead Licence No 100018817, 2011

The Royal Borough



Windsor & Maidenhead