

# **Palfrey/Pleck Local Neighbourhood Partnership**

**31st March 2005**

## **Alley Closures – Information Report**

**Service Area: Safer Walsall Borough Partnership**

### **Background**

This report outlines a borough wide scheme to impact on crime, disorder and drug misuse by targeted environmental improvements and alley gating.

Improving community safety is a major concern of the people of Walsall Borough and is a priority for the Council who through partnership working aim to reduce the fear of crime and create safe and confident communities. Community intelligence and research indicates that alleyways and other environmental issues often facilitate crime and disorder causing considerable disruption to the community. Situational measures can have a significant impact upon these locations and as such improve the quality life of those directly affected by them.

The aim of situational measures is to detect and deter crime by making crime difficult to commit. Coinciding with actual crime reduction the physical appearance of a situational intervention can significantly reduce the fear of crime within an area. Residents are able to actually see the intervention taking place and feeling increasingly secure as a direct result of this.

The Countryside and Rights of Way (CROW) Act 2000 gives local authorities power to close or divert public rights of way for the purpose of preventing crime, disorder and drug misuse.

The above legislation relates to designated rights of way that are protected by statute and cannot be closed without a lengthy legal process, the outcome of which is uncertain. Alley gating can also take place on alley's that are not and will never be a right of way. In such instances the same legal process does not apply and in such instances the consent of all relevant land/property owners is required. It is also of note that where a footpath has been used for in excess of twenty-five years it can accrue right of way status and as such would need to be closed/diverted under the provisions of the CROW legislation.

### **Current Situation**

The Safer Walsall Borough Partnership is currently in the process of formulating a clearly structured evidence led approach for the delivery of alley gating and other environmental improvements across the borough. As such resources can be targeted

where they will have the greatest impact and provide the greatest benefit to the community.

Whilst initially consideration was given to an alley gating scheme in its own right it has become apparent that gating and other environmental interventions are closely linked and can be driven by the same mechanisms. Also the nature of the scheme proposed does not fit well with each area being considered in isolation.

It should be noted at the outset that the term “Environmental Improvements” in this case means measures taken to reduce crime, the fear of crime or anti social behaviour in a given area. These being consistent with the aims of the borough Crime and Disorder Reduction Strategy and not to be confused with measures taken solely to improve the physical appearance of an area.

**The programme will be driven by crime figures and reports of anti social behaviour and directed through the partnerships Situational Measures Group. It will be evidence led and based upon a problem solving approach. Whilst suggestions from LNP’s are encouraged and are a very important part of community consultation all final decisions will be made by Safer Walsall Borough Partnership Management or the appropriate decision making body within the council.**

Operating protocol including inclusion criteria is to be agreed in forthcoming months and a clear and accountable policy ratified at the appropriate level. At this time further information/briefings will be provided.

Recently a number of gates have been successfully installed at four locations within the borough funded through the Neighbourhood Renewal Fund. The partnership also is in the process of formulating the delivery of a small number of schemes funded through Single Regeneration Budget (5). The locations of these schemes to be agreed in the near future and based on recorded levels of crime and antisocial behaviour and following consultation with police Crime Reduction Officers. It is envisaged at this time that any future works will be funded through the council’s capital programme and any funding streams that may become available.

In May 2003, Walsall Council made an application to the Department of the Environment food and Rural Affairs (DEFRA), seeking designated status for six areas of the borough under the Countryside and rights of Way Act 2000. The application was successful and introduced powers that would allow applications to be made to close public rights of way (footpaths) for reasons of crime prevention. On May 11<sup>th</sup> 2004 Walsall Metropolitan Borough Council resolved to use the new powers introduced by the above act and sections 118a and 119b of the Highways Act 1980 in order to close six sections of public footpath.

The powers were introduced in recognition of the limited scope for path diversions or closures under the grounds of crime prevention. Designation is only the first stage in the process as the intention to close any paths has to be advertised under section 118 b of the

Highways Act 1980 to allow members of the public the opportunity to object to closure. There is also a great deal of consultation that takes place in order to get to this stage. The council has recently advertised the final two orders in respect of these six closures and work continues to move these forward albeit a number of objections have been received.

The intention is to build on the experience gained throughout the above and to develop a clear evidenced based policy for all future work.

It should also be noted that this report is not intended to be a comprehensive guide as the issues are complex and the process not yet finalised.

### **Sites suggested by the Palfrey/Pleck LNP**

To date a number of suggestions have been received from the above.

**New Mills Street:** Request following a petition to gate a private alley leading to the rear of terraced dwellings.

Investigation into sites for inclusion in the forthcoming SRB funded gating schemes have continued. This has included a further examination of recorded crime and anti social behaviour reports and a number of site visits across the SRB areas. The most recent in company with the Walsall Police Crime Reduction Officer. This process is near to completion and on the strength of evidence reviewed New Mills Street is not to be included. The Police Crime Reduction Officer has also not recommend replacing an already in place and functional gate. It is unlikely under any programme of this kind that an existing functional structure will be replaced. If any future work were to take place in the location it would be to gate alleys that are currently completely open. Whilst this will undoubtedly be a disappointment to resident's resources have to be targeted where it is anticipated they are to be most effective and all interventions must meet inclusion criteria.

**Dora Street:** Request for gate between numbers 40 and 42 Dora Street.

Dora Street has also been considered for inclusion under the SRB funded scheme using the same criteria and Crime Reduction Officer recommendation. Whilst other areas have been prioritized for inclusion above Dora Street it will be considered again if any under spend becomes apparent. It should be noted however that there are a number of un-gated alleys within the street all of which would have to be looked at on equal merit.

### **Alley Adjacent to The Royal Oak Public House:**

An investigation into this alley has been initiated and a site visit conducted. From the outset it should be noted that the location does not demonstrate a significant crime or anti social behaviour problems on the strength of recorded figures. As such its case for inclusion at this stage seems weak. It is also possible that the alley may have accrued

rights by way of continuous use and as such may be very difficult to close. The investigation into this alley continues.

**Footpath Dale Street to King Street:** Request to consider the closure of this alley under the recent CROW legislation.

This footpath is a public right of way. An investigation into this matter has now started and is in its early stages. It is of note that a previous attempt to extinguish this footpath under different legislation was unsuccessful. This footpath would have to meet the criteria and go through appropriate stages that are to be set out in the forthcoming policy.

### **Recommendations**

That the LNP note the report and that residents are encouraged to report all relevant matters to the police. This to provide evidence to support closure or other action as and when problem locations are identified.

### **Resource and legal considerations**

It is anticipated that future alley gating/environmental improvement works will be funded through the council's capital programme or through specific grant aid support where relevant.

### **Citizen impact**

Closure of problem alleyways and other situational interventions will help to address the impact on crime on local citizens. This will, however, have to be balanced against the relative inconvenience that can be caused by footpath closure.

### **Environmental impact**

Improvements in security will reduce the fear of crime and reduce the opportunity for fly-tipping, litter and graffiti.

### **Consultation**

Widespread consultation is necessary in any scheme of this sort and suggestions as to appropriate sites from LNP's are welcome, such sites must however meet inclusion criteria and be prioritised accordingly.

### **Vision 2008**

The project sits well within the vision of the council impacting directly upon several of the key priorities

**Contact officer**

Steve Gittins

Safer Walsall Borough Partnership

Telephone 01922 611400

e-mail : [gittinss@walsall.gov.uk](mailto:gittinss@walsall.gov.uk)