Policy Document

ALLEYGATING
Document Control

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Summary

<table>
<thead>
<tr>
<th>Publication Date</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Related Legislation / Applicable Section of Legislation</td>
<td>SECTION 116, SECTION 59</td>
</tr>
<tr>
<td>Related Policies, Strategies, Guideline Documents</td>
<td>PUBLIC SPACES PROTECTION ORDER</td>
</tr>
<tr>
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<td>POLICY AND PROCEDURE 2016</td>
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</tbody>
</table>

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<table>
<thead>
<tr>
<th>Last Review Date</th>
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</thead>
<tbody>
<tr>
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<td>N/A</td>
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<tr>
<td>Next Review Date</td>
<td>01/06/19</td>
</tr>
</tbody>
</table>

Document Approvals

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<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Date of Issue</th>
<th>Version Number</th>
</tr>
</thead>
</table>
Contents Page

1. Foreword
2. Policy Statement
3. Introduction
4. Resources
5. Alleygating Strategy
6. Procedure
   6.1 obtaining consent
   6.2 Consultation with Highways & Engineering Dept
   6.3 Notification to Rights of Way Organisations & Statutory undertakers
   6.4 Planning Permission
   6.5 Legal Closure
   6.6 Manufacture and Installation of the Gates
   6.7 Handover of the Alleygates to residents
7. Gating under Public Spaces Protection Order
1. Foreword

Alleygating has been adopted by Rochdale Council, neighbouring boroughs and across the country as a proven tool to tackle crime and disorder and help reduce the fear of crime and restore community confidence.

2. Policy Statement

The Council’s Community Safety Service has been running the Alleygating project since 2005. This document will set out the Council’s Alleygating Policy, Strategy and Procedure. It clarifies the role and responsibilities for all involved in the gating scheme (i.e. departments within the Council, partner agencies, and residents). It will also clarify the strategy for implementing the Alleygating project and the procedure for Alleygating schemes.

3. Introduction

Alleygating is a simple crime reduction measure of erecting steel lockable gates to the ends of alleyways in order to secure the backs of properties.

A high proportion of burglars use the rear of premises to gain entry and therefore alleyways provide them with an easy access without the means of being seen. They also provide escape routes for burglars who know the area well, making it far more difficult for the police to catch them.

Erecting gates to the ends of alleyways can make it far more difficult for a burglar to gain entry thus creating a simple and effective deterrent.

The Borough of Rochdale has a very high proportion of terraced properties and therefore a large number of alleyways.

The alleygating project has been running since 2005 and has to date installed over 583 alleygating schemes borough wide, with over 10,957 properties benefiting from the additional security the gates bring.

In addition to tackling burglary the gates impact on a number of other issues ranging from fly tipping, criminal damage, dog fouling to anti-social behaviour and drug dealing.

It has also had an impact on the environment as a number of residents have taken the opportunity to enhance their alleyway after having the gates installed e.g. introducing flower pots, plants, benches etc.....

It has also created a stronger sense of community spirit as residents have worked together to implement the scheme and continue to work together in making the scheme successful.

Whilst alleygating is implemented as a measure to reduce burglary there are a number of additional benefits which the initiative offers.

Reduces Burglary - the installation of alleygates can significantly reduce domestic burglary
Reduces youths causing annoyance - by installing alleygates access is restricted and therefore impacts on anti-social behaviour. This could mean anything from drinking in the alley to taking drugs, criminal damage etc.

Reduces fear of crime – having the gates installed impacts significantly on public reassurance. Based on 2013/14 beneficiary questionnaire 83% of respondents felt safe in their home having had the gates installed.

Reduces fly tipping / littering – having the gates installed restricts access to the alley and therefore impacts on fly tipping / littering. Many residents have taken the opportunity to clean up and enhance their alley having had the gates installed.

Reduces malicious fires – alleygating reduces the opportunity for malicious fires as access to the alley is restricted

Improves community spirit and creates a sense of ownership of the alley – residents work together in applying for the gates. Once gated it creates a communal area for residents to enjoy together. Many residents have taken the opportunity to enhance their alley by introducing benches, flower pots, hanging baskets etc…..

4. Resources

The Alleygating project has been running since 2005 and is implemented by Burglary Reduction, Community Safety, Rochdale Borough Council. It is funded from the Council's Capital Budget on a fixed term basis.

Funding is also received at times from other sources for a number of individual alleygating schemes e.g., Townships, Tasking Co-ordinating Group, Housing Associations.

The cost to install alleygates is difficult to accurately determine as it varies scheme by scheme based on the procedure requirements and the size of the scheme. As a base figure an average alleygating scheme costs approximately £2,500 to implement.

The alleygating budget covers the procedural cost of closing the alleyway together with the manufacturing and installation costs of the gates. Once the alleygating schemes are implemented ownership of the gates falls to residents and therefore any future cost implications does not lie with the council.

5. Approach to Alleygating

Identification of Schemes
Potential alleygating schemes are identified on a 2 group classification basis.

1 - Proactive / Strategic – by examining previous crime data to identify burglary / crime hotspots. This analysis and information is provided by Greater Manchester Against Crime (GMAC) in order to identify specific alleyways which would benefit from gating. Burglary Reduction would then target those areas with a view to alleygating.
nb. the proactive programme of works will be flexible to incorporate change in crime trends / emerging hotspot areas.

2 – Reactive / Tactical – referrals by other sources e.g. Police, Police Community Support Officers (PCSO’s), Community Safety Officers, Partnership And Communities Together (PACT), Elected Members, Area Forums, other council departments, self-referrals from residents etc…..
- this takes into account the under reporting of crimes which would not be captured in the GMAC analysis.

* All schemes must be subject to some form of crime / disorder within the alleyway to meet the criteria for Alleygates. Unreported crime / disorder may be considered in support of an application.

Other alleygating schemes may be requested in response to regeneration opportunities. These schemes can be processed by the Burglary Reduction Officer.

6. Alleygating Process

Once a location is identified by one of the two means above the following procedure takes place:-

Please note that there is no intention that the provisions of this document will apply in the same way to each scheme as each location will require individual detailed consideration.

6.1 Obtaining consent

In order for an alleygating scheme to proceed a street representative is required. This would be a resident within the scheme.

Burglary Reduction /Community Safety will conduct a site survey to assess suitability for alleygating. Not all alleyways are eligible for closure by alleygating.

Below are circumstances where gating is not eligible :-

- alleyway may be too open plan to gate and secure backs of properties
- alleyway may contain fronts of properties
- request is to close footpath/bridleway/cut through and not a back alley
- alleyway is adopted
- objection from highways, rights of way organisations or statutory undertakers
- planning permission refused
- highway closure order refused

For suitable alleygating schemes an application pack is sent out to a nominated street representative (resident within the scheme). The street representative is required to obtain consent from residents backing on the alleyway to be closed. They are required to sign a consent form to the alleygating scheme [appendix 1]. Tenants are required to complete the form and provide their landlords / letting agency’s details.

The Burglary Reduction Officer will contact landlords direct to obtain consent. If a street representative is having any difficulty in obtaining consents the Burglary Reduction Officer is able to assist. It may be necessary in some cases for the Officer to undertake personal visits or meetings to clarify any concerns / questions residents may have.

rochdale.gov.uk
The street representative is required to sign a code of conduct to ensure that any objectors details are not disclosed to residents (Community Safety do not wish to be seen to be fuelling neighbourhood disputes when reducing crime is the objective).

The council are required to pass ownership of the gates to the residents once the scheme is completed.

The absence of a response from a property does not constitute an objection. The protocol for non-responses is a minimum of 2 chasing letters sent to the property owner, the final letter giving a 7 day deadline for any objections. Should any concerns be raised the Burglary Reduction Officer will contact the resident to discuss. Thereafter, any resident who wishes to object, have the right to submit a formal objection once a planning application has been submitted.

*Time:* The timeframe for obtaining consent lies with the street representative and therefore significantly varies case by case.

6.2 Consultation with Highways & Engineering Department
Highways are notified of all proposed alleygating schemes. We are advised by Highways the status of the alleyway and if a formal closure is required.

*Guidelines for legal process:*
- adopted alleyways cannot be closed under Highway Closure Order
- unadopted alleyways with a highways number and established highways rights require formal highway closure
- unadopted alleyways which have no highway numbers or are dead ends do not require formal highway closure

*Time:* Timeframe to obtain this information is within 1 week

6.3 Consultation with Rights of Way Organisations and Statutory Undertakers
Consultation takes place with relevant rights of way organisations and statutory undertakers if a formal highway closure is required.

*Time:* the timeframe for consultation is 14 days from date of correspondence to service providers and rights of way organisations.

6.4 Planning Permission
Planning permission is required for schemes where the gates are over 2 metre in height and abutting a highway.

Planning Applications for Alleygating schemes are undertaken by the Burglary Reduction Officer on behalf of the residents.

The location of the gates is assessed by the Burglary Reduction Officer prior to submission of planning. Residents can request vehicle access gates if the alleyway is regularly used by vehicles, however certain highways regulations must be adhered to for vehicle access gates.
e.g. any vehicular access gates must be set back at least 5.5 metres from the back of the footway or edge of the carriageway unless the usage of the carriageway is considered minimal [each planning permission is considered individually].

**Time:** the timeframe for obtaining planning permission is 8 weeks following submission of application however this could be extended if objections are received and the application is required to go to Committee.

### 6.5 Legal Closure

For alleygating schemes where a closure is deemed necessary [see section 6.2], the alleyway is closed under S116 of the Highways Act 1980. This is a stopping up order of the alleyway which permanently removes all public access rights.

Applications made to the Magistrates for Alleygating schemes are to stop up the highway if:-

- it is deemed unnecessary; or can be diverted so as to make it nearer or more commodious to the public.

Applications made to the Magistrates for Alleygating schemes would be to stop up the highway rather than divert.

On hearing the application the Magistrates must be satisfied that the applicant authority has given the notices required by Part 1 of Schedule 12 to the Act which is any person who uses the highway and any other person who would be aggrieved by the making of the order applied for. Any person to whom notice is required have a right to be heard.

The successful making of such an Order will extinguish the highway rights and enable it to be enclosed, subject to necessary planning consent.

Legal Services undertake the stopping up order, on behalf of Community Safety, under S116 of the highways Act 1980.

**Time:** the timeframe for obtaining formal closure is approximately 4 months however this could be extended if enquiries or objections are received during the process.

### 6.6 Manufacture and Installation of the Gates

Once the required formal processes have been undertaken orders are placed for the gates to be manufactured and installed.

The Alleygating Project tenders for an annual programme of works which is awarded to one firm of contractors. Gating schemes are implemented by the contractors in batches of approximately 10 schemes at a time throughout the year.

Design of gates – the design of the gates takes into account security and the overall appearance.

- steel gates as they provide strength and are low maintenance
- 2 metres in height to adequately secure alleyway
- vehicle and pedestrian access gates offered to cater to existing usage of alley
- gates have vertical bars to prevent intruders / unauthorised persons from using the bars as a stepping mechanism to get over the gates
- they are not solid so as to aid natural security, giving clear line of sight down the alleyway
- gates are black in colour as standard in order to be in keeping with the area
- the gates are galvanised and powder coated to increase life expectancy before requiring maintenance
- the gap underneath the gates should not be wide enough to allow crawling underneath wherever possible.
- the locking mechanism is an integrated lock. Pedestrian gates are self-locking to assist residents in keeping gates locked a key is required to unlock the gate, vehicle assess gates which are heavier require a key to lock and unlock.
- the locking mechanism is positioned to allow wheelchair use

_Time:_ the time frame for manufacture of gates is approximately 12 weeks to allow for measuring, manufacture and installation.

6.7 Handover of the Alleygates to residents
Once the gates are installed ownership transfers to all residents backing onto the alleyway. Any future maintenance costs lies with residents jointly. They are advised to set up a maintenance fund to allow for any future costs. The Street Representative continues to be the point of contact for the scheme.

The street representative is provided with 1 key per property for distribution to residents together with usage guidance and crime prevention literature. The keys provided cannot be duplicated and therefore any additional keys must be purchased direct from Burglary Reduction within Community Safety.

We advise residents to view the installation of the gates as the start of their project and recommend they work together to enhance the communal area. We also encourage establishing a Homewatch scheme via their neighbourhood policing team to further protect themselves and their property.

_Time:_ - ongoing for residents

7. Gating under Public Spaces Protection Order
In the event that a permanent closure of the alleyway is not possible under the Alleygating criteria Burglary reduction are able to consider the use of a Public Spaces Protection Order (PSPO) under S59 of the Anti-Social Behaviour, Crime and Policing Act 2014. This gives Councils the power to impose conditions on the use of an area which applies to everyone. This can include restricting access to public rights of way through gating.

Burglary reduction can only consider the use of PSPOs for locations evidencing high levels of crime and disorder.

Gating under the PSPO does not permanently extinguish public rights of way, making it possible to subsequently alter or revoke the restrictions and re-instate the use. They can be secured for a period of 3 years and will be reviewed within a 3 year time scale with a view to being extended / varied or revoked. As a consequence the ownership of the gates will remain with the council.

The procedure for gating remains the same as above (see section 6) however the legal process will relate to a PSPO.