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<b>REPORT TO:</b>	<b>HOUSING AND COMMUNITY SERVICES</b>	<b>AGENDA ITEM: 7</b>
<b>DATE OF MEETING:</b>	<b>2<sup>ND</sup> SEPTEMBER 2010</b>	<b>CATEGORY: DELEGATED/</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>CLAIRE RAWLINS: 5798</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>PROPOSED GATING ORDER</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>WOODVILLE</b>	<b>TERMS OF REFERENCE: HCS07</b>

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## **1.0 Recommendations**

- 1.1 Members to support an application to the County Council for a gating order for the adopted pathway situated on Jubilee Park, Woodville.

## **2.0 Purpose of Report**

- 2.1 To inform and gain the support of members to the Safer South Derbyshire Partnership's intention to consult with local residents and statutory consultees on a proposed gating order for the adopted pathway on Jubilee Park, Woodville.

## **3.0 Detail**

- 3.1 Jubilee Park is small residential cul-de sac consisting of 35 properties. The adopted pathway is positioned at the end of the cul-de sac between two residential properties-numbers 33 and 35 (see attached map).
- 3.2 The footpath currently provides a pedestrian link between Campion Road, Jubilee Park and Hartshorne Road.
- 3.3 The pathway on Jubilee Park is facilitating repeat incidents of anti-social behaviour, as such the Safer South Derbyshire Partnership and Derbyshire Police wish to use powers under Section 2 of the Clean Neighbourhoods and Environment Act 2005 to put forward an application to Derbyshire County Council to restrict access to the highway. It is proposed that access will be restricted by the installation of permanent gating at each end of the pathway.
- 3.4 There have been many complaints of anti-social behaviour and criminal damage over a number of years at Jubilee Park. Complaints have been reported to the Police, the Safer South Derbyshire Partnership and the Member of Parliament. These reports have been made pre-dominantly by residents of Jubilee Park. Pedestrians walking through the pathway wholly perpetrate the anti-social behaviour.

### 3.5 Examples of anti-social behaviour reported: -

- Several residents have suffered damage to their vehicles, including smashed wing mirrors, damage resulting from individuals walking over car bonnets and roofs, scratches to vehicles where unknown individual/s have keyed the panels of a car.
- A resident of Jubilee witnessed an unknown male walk through the estate with a wooden pole hitting parked vehicles as he made his way through the estate.
- Stones have been thrown at windows and vehicles.
- A vodka bottle was thrown directly at a resident's window.
- Residents that have confronted individuals regarding their anti-social behaviour have been verbally abused.
- Residents that live adjacent to the footpath have had fencing / trellising damaged.
- The residents that live either side of the footpath have had graffiti daubed on their fence panels.
- Individuals have been riding nuisance / illegal motorbikes through the pathway posing a danger to pedestrians and causing noise nuisance to local residents.
- Residents have reported incidents of screws and nails deliberately placed under the wheels of their cars.
- Garden furniture and plants have been damaged.

3.6 Due to the persistent nature of the anti-social behaviour that is occurring on Jubilee Park, several requests from residents have been made over the years for the adopted pathway on the estate to be permanently gated.

3.7 The Safer South Derbyshire Partnership and the Police have used exhaustive interventions to try and tackle the anti-social behaviour issues that are occurring in this area, methods used have been: -

- Covert CCTV. This has been used in Jubilee Park on three occasions to try and identify perpetrators.
- Increased Police patrols have been undertaken in the area.
- The Council's Safer Neighbourhood Wardens have been deployed in the area to act as a deterrent.
- Warning letters and warning interviews have been given to a number of individuals who were suspected of causing anti-social behaviour in the Woodville area.
- Increased youth provision has been provided in the Woodville area to encourage young people to engage in positive activity rather than anti-social behaviour.
- A programme of work has been undertaken in the local Secondary Schools educating young people on the consequences of anti-social behaviour and the impact this can have on victims.

- Teaching staff from Granville School have worked closely with the Police and the Partnership and have undertaken patrols in the area at the end of the School day.
  - Anti-social behaviour mail drops have taken to encourage residents to report incidents as they occur.
- 3.8 The persistent anti social behaviour has continued and now the Gating Order is seen as an appropriate measure to try.
- 3.9 Statutory consultation will take place for 28 days to ensure that the views of the community are sought in relation the Partnership's proposal to pursue an application for a gating order.
- 3.10 To ensure the fullest consultation, the proposal to gate the pathway will be publicised in the local media as well as on site fixed signage at both ends of the pathway.
- 3.11 A statement of evidence will be available for residents to view at the District Council, which will outline why the order is felt necessary. Full responses will be provided to all representations received.
- 3.12 Should the gating order application be successful, an alternative route is available for pedestrians to use, which can be accessed via Sage Drive. The route is of a comparable standard to the pathway on Jubilee Park.
- 3.13 The County Council will review the outcome of the statutory consultation before making a final decision to proceed with a gating order.

#### **4.0 Financial Implications**

- 4.1 The Safer South Derbyshire Partnership has an anti-social behaviour budget available for undertaking both the statutory consultation and the gating order application and providing the installation of the gates.

#### **5.0 Corporate Implications**

- 5.1 This proposal is in support of the Corporate priority to ensure a Safe and Secure community for the benefit of local people. It will impact on the following corporate Plan performance Indicators: Reducing Incidents of Criminal Damage & Reducing the number of police calls for service for ASB incidents
- 5.2 The Legal Department have been consulted throughout this process and advice has been taken from them with regards to the consultation process.

#### **6.0 Community Implications**

- 6.1 The proposed Gating Order will provide a final deterrent to the anti social behaviour which has adversely affected this neighbourhood over a long period of time.
- 6.2 Statutory consultation is currently taking place for 28 days to ensure that the views of the community are sought in relation the Partnership's proposal to pursue an application for a gating order. As part of the Public Consultation an open public meeting is taking place on 24<sup>th</sup> August where residents can express their views on the proposal.

## **7.0 Conclusions**

7.1 The Safer South Derbyshire Partnership, the Police and the residents of Jubilee Park feel satisfied that the adopted pathway is contributing to the persistent commission of anti-social behaviour in this location. The level and ongoing nature of anti-social behaviour in this area is causing significant alarm and distress to residents that live on Jubilee Park with many now expressing that they have no other option but to sell their properties.

7.2 It is considered that there is sufficient evidence to demonstrate that there is a real and ongoing anti-social behaviour problem on Jubilee Park. Previous interventions used to tackle the problem have been unsuccessful and the pathway over the years continues to attribute to the anti-social behaviour on Jubilee Park. It felt by both the Police and the Partnership that the only final effective alternative is the permanent closure of the pathway, in order to reduce the crime and anti-social behaviour that is being complained of.

## **8.0 Background Papers**

8.1 Land Registry Index Map Plan of Jubilee Park, Woodville.

8.2 Police intelligence reports showing the breakdown of crime and anti-social behaviour statistics for Jubilee Park, Woodville

8.3 Agreement from Derbyshire Constabulary to pursue a gating order application for Jubilee Park