

**Notice of a public meeting of
Decision Session - Executive Member for Transport and Planning**

To: Councillor Gillies

Date: Thursday, 3 December 2015

Time: 2.00 pm

Venue: The Snow Room - Ground Floor, West Offices (G035)

AGENDA

Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by **4:00 pm on Monday 7th December 2015.**

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Policy and Scrutiny Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by 5.00pm on Tuesday 1st December 2015.

1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. **Minutes** (Pages 1 - 12)

To approve and sign the minutes of the meeting held on 12th November 2015.

3. **Public Participation - Decision Session**

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5:00pm on Wednesday 2nd December 2015.**

Members of the public may speak on an item on the agenda or an issue within the Executive Member's remit.

Filming or Recording Meetings

Please note this meeting may be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at: https://www.york.gov.uk/downloads/file/6453/protocol_for_webcasting_filming_and_recording_council_meetingspdf

4. Public Rights of Way - Proposal to Restrict Public Rights over the following Alleyways using Public Spaces Protection Order Legislation; Baile Hill Terrace/Kyme Street, Micklegate Ward, and; Cornlands Road Park, Westfield Ward (Pages 13 - 90)

Public Spaces Protection Orders have been requested by Safer York Partnership for Baile Hill Terrace/Kyme Street, Micklegate Ward, and; Cornlands Road Park, Westfield Ward. This report provides details of the informal and formal public consultations which have been carried out and the subsequent results. As no representations have been received following the formal consultation, the Executive Member is asked to seal and make operative both these Public Spaces Protection Orders.

5. Public Rights of Way - Presentation of Petition for the Closure of two Alleyways to the rear of Properties on Bachelor Hill and Gale Lane and Batchelor Hill (Pages 91 - 114)

This report presents a petition submitted by Councillor Sue Hunter, Ward Member for Westfield Ward, requesting the alleyways between 30-38 Gale Lane, 1-9 Bachelor Hill and to the rear of 11-15 Bachelor Hill be gated for reasons of security. The Executive Member is asked to consider not progressing the request at this time, but to add the request to the list of other requests for Alley-gating so that it may be prioritised accordingly.

6. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Laura Bootland

Contact Details:

- Telephone – (01904) 552062
- Email – laura.bootland@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

City of York Council

Committee Minutes

| | |
|---------------|--|
| Meeting | Decision Session - Executive Member for Transport and Planning |
| Date | 12 November 2015 |
| Present | Councillors Gillies |
| In attendance | Councillors Brooks, Craghill, D'Agorne and Warters |

21. Declarations of Interest

At this point in the meeting, the Executive Member was asked to declare any personal, prejudicial or pecuniary interests he may have in the business on the agenda. None were declared.

22. Minutes

Resolved: That the minutes of the last Decision Session held on 15th September 2015 be approved and signed by the Chair as a correct record.

23. Public Participation - Decision Session

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

There were a number of registered speakers on the agenda items as follows:

Roy Haddon had registered to speak on agenda item 4 in relation to the Public Right of Way issue. He felt that free movement should not be restricted and that the public spaces protection orders were not justified. The crime statistics only highlighted 6 recorded crimes between January 2014 and December 2014 and the area could not be considered a crime hotspot.

Stuart Kay spoke as Chairman of Dunnington Parish Council in relation to agenda item 5, Part 2, Annex J, Site 12 Common Lane Dunnington. He was pleased that the Council had acknowledged the speeding problem at the entrance to the

village from the A166 via Common Road but was concerned that the solution being put forward in the officers report would make the situation worse around the sports club.

Councillor Brooks spoke as Ward Member also in relation to agenda item 5, Part 2, Annex J, Site 12 Common Lane Dunnington. She raised concerns about moving the 30mph speed limit closer to the sports club entrance and asked that the proposal be deferred to enable further consultation.

Lawrence Mattinson spoke as Parish Councillor for Strensall and Towthorpe. In relation to in relation to agenda item 5, Part 2, Annex G, York Road, Strensall he advised that the Parish Council did not support the proposal and in light of a lack of comment from North Yorkshire Police and the opposition to the scheme from the Parish Council and Ward Member he was concerned that it is to go ahead. He asked that the Council listens to residents and referred to the fact that 75% of traffic enters the village from Sheriff Hutton Road and the lack of a crossing at that point makes it difficult for elderly residents and children to cross the road safely.

Councillor Waller spoke in relation to agenda item 5, Part 2, Annex N, Wetherby Road. He advised that he had asked residents for their views on the proposal and the key issue is speed. The majority did not support changing the road layout. He felt that a 40mph buffer was required and asked that this be incorporated into any ongoing consultations.

Councillor D'Agorne spoke in relation to agenda item 5. He referred to the speed review process and advised it should be a speed monitoring process. He felt that the Council was failing to achieve a safe environment for all road users and more needs to be done to make sustainable travel safe and attractive. He advised that the Council should consult on the whole speed management process rather than just individual engineering schemes. He supported the replacement of Vehicle Activated Signs but felt that they needed to be deployed for a maximum of 6 months and combined with enforcement action to make them effective.

Councillor Warters spoke in relation to agenda item 5, Part 2, Annex Q, Murton Way. He felt that improving the signage would be a waste of money as in his opinion, signs are ineffective. In reference to the white lines, he felt they should not of been

painted in the first place but it was not an appropriate use of funds to now attempt to remove them. He supported the installation of a granite rumble strip and verge widening in Murton Lane.

Nick Kay spoke on behalf of the St Andrew Place Residents Association. He advised that the entrance to Spen Lane is access for residents, visitors, utilities and deliveries only. He referred to paragraph 16 of the report and advised that Spen Lane, St Andrew Gate and St Andrew Place should of been included in the list as being covered by regulations. He advised that residents suffer from pollution and noise. He asked that the Spen Lane area be included within the review as the restrictions aren't currently being enforced and residents are concerned that if more restrictions are introduced around the city centre then more people will use Spen Lane.

Councillor Craghill spoke on agenda item 7 City Centre Strategy. She advised that she welcomed the report and its recommendations as she was concerned about vehicles spoiling access in the city centre. She supported as much of the city centre being closed to vehicles as possible and supported option 9 as outlined in the report, to look at a wide range of solutions. She supported the comments made by the previous speaker in relation to Spen Lane and also had some concerns about Fossgate and the lack of enforcement in that area and welcomed further work in that area but didn't want to see Fossgate removed from plans to bring it into the footstreet area.

24. Public Rights of Way - Proposal to restrict public rights over the alleyways between Barbican Road/Willis Street, Willis Street/Gordon Street and Gordon Street/Wolsley Street, Fishergate Ward, using Public Spaces Protection Order legislation

The Executive Member considered a report which outlined a proposal to restrict public rights over the alleyways between Barbican Road/Willis Street, Willis Street/Gordon Street and Gordon Street/Wolsley Street, Fishergate Ward, using Public Spaces Protection Order legislation.

The Executive Member commented that he didn't feel there was enough evidence to act on the proposals to alleygate the streets, he also took into consideration the comments made by

residents about waste collection with only a small majority stating they would be happy with presenting waste to the front of their properties.

Resolved: That the Executive Member:
Agreed to abandon the schemes.

Reason: Though the majority of respondents are in favour of the Alleygating scheme, the results of the waste collection consultation have shown that changing collections could be problematic.

25. Partnership Speed Review Update. Including Proposed engineering speed reduction schemes. Related Vehicle Activated Sign (VAS) Review.

The Executive Member considered a report which gave a Speed Management Update and which had been split into 3 elements.

Part 1 Speed Review Process Update

The report provided the Executive Member with an update on the collaborative Speed Review Process set up under the 95 Alive Partnership and provided an overview of the locations from 2013, 2014 & 2015 where concerns about traffic speeds had been raised, and provided an update on progress towards assessing these against the agreed prioritisation framework.

The Executive Member noted the report and approved option 1.

Part 2 Review of the Speed Management Engineering Programme

The report provided the Executive Member with details of the speed management schemes which had been referred for an engineering solution and sought approval for the detailed 2015/16 speed management programme.

In relation to the comments made by the Public Speakers and Ward Members, Officers advised as follows:

- In relation to the Dunnington Scheme, Officers were aware that there were still concerns about the proposals

and were happy to look at the scheme again. As such, the scheme would be taken out of the programme at present to allow for further investigation.

- Officers felt that the Strensall Road scheme should remain in the programme to enable consultation to continue. In relation to the Sheriff Hutton Road scheme, this was already being dealt with and would be brought back to the Executive Member at a later date.
- In relation to the Wetherby Road scheme, Officers were already aware of the issues raised by Councillor Waller. The comments about a 40mph buffer were noted and would be incorporated into the ongoing consultation. Receipt of a 42 signature petition at the end of the Decision Session was also acknowledged.
- For all of the schemes above, if strong representations were received then a further report would be brought back to an Executive Member Decision Session.

The Executive Member was happy to approve the speed management programme with the suggested amendments.

Part 3 Vehicle Activated Signs Review

The report sought approval for an updated Vehicle Activated Sign (VAS) policy to include:

- The criteria that a site would have to meet before a VAS can be considered.
- Monitoring of existing and new sites and;
- The future maintenance of VAS

The Executive Member queried whether it would be possible to research the cost of different types of VAS so that the Council has cost information available upon request as a number of Parish Council's have queried costs in the past. Officers confirmed they could look into this.

Resolved: That the executive Member agreed to the following:

Part 1 – Speed Review Process Update

That the Executive Member approved Option 1, and agreed with the findings and

recommendations of the report as a cost effective, and evidence led solution to provide the appropriate level of investigation to community speed concerns.

Reason: So that all locations identified, from past reports as well as this current report, are considered for appropriate speed reduction measures on clear and equal guidelines.

Part 2 – Review of Speed Management Engineering Programme.

i) Approve the proposed programme of schemes (Annex A-P sites) and authorise officers to undertake further consultation and advertisement of speed limit orders as necessary, and to implement the measures if no objections are received. Any measures which receive objections should be reported back to the Executive Member for a decision. With the following amendments:

- Removal of the Common Lane, Dunnington Scheme from the programme to allow for further investigation of speeds between it's junction with the A1079 and the village entrance.
- To include in the Consultation for Wetherby Road the 60mph limit on Wetherby Road (Acomb) to the A1237 be reduced to 40mph in a similar way to neighbouring junctions.
- York Road, Strensall to remain in the programme with a view to bringing back the matter to an Executive Member Decision Session if the consultation proves the scheme to be controversial amongst residents.

ii) Authorise officers to carry out additional speed surveys (Annex Q and R sites) and to

carry forward these sites for further assessment in the 2016/17 programme.

iii) Approve the inclusion of further feasibility work for the three sites with speed limit issues (Annex S) in the ongoing programme of speed management schemes.

Reason: To deliver measures to address speed complaints raised by local residents.

Part 3 – Vehicle Activated Sign Review

Approved Option 2 and:

i. To retain the existing criteria for speed limit VAS, which is:

a) That Local Transport Plan (LTP) funding will only be used where the 85%ile speed equals or exceeds the signed limit by 10%+2mph (i.e. 35mph in a 30mph limit, and 46mph in a 40mph limit). This would be consistent with the speed enforcement thresholds employed by the police (ACPO guidelines).

b) Where this funding criteria is not quite met, a Ward Committee or Parish Council may still wish to fund the installation of a VAS. In this situation, a threshold of 85%ile speeds being 10% above the speed limit should be adopted (i.e. 33mph in a 30mph limit and 44mph in a 40mph limit).

Reason: To ensure a consistent approach and targeted use of LTP resources. In the case of Ward Committee and Parish Council funding this allows the use of VAS where there are real concerns about the speed of traffic but where the stricter criteria for LTP funding is not met.

ii. To establish criteria for the provision of hazard warning VAS based on at least one recorded injury accident in the previous three

years, with reports of inappropriate speed (which may be within the posted speed limit) .

Reason: To make sure hazard warning VAS are used appropriately.

iii. The existing system of monitoring should be replaced by collection and analysis of speed data before installation and three months after.

Reason: To focus future monitoring and review, where it is most needed.

iv. VAS to be reviewed as and when they develop faults applying the criteria in i. and ii. above. If the site meets the criteria, it is recommended that the VAS is repaired or replaced. If they do not, the sign and post should be removed and the site disbanded.

Reason: To address the issue of maintenance, longer term monitoring, and review the site objectively when the sign is not present.

v. To consider the need for future allocations for the review and aftercare of LTP funded signs. Ward committee or Parish Councils are expected to fund any maintenance (if they so wish) if they originally purchased the signs.

Reason: To address the current maintenance funding shortfall and ensure the VAS stock is maintained at sites where the signs are warranted.

26. Stockton Lane - Speed Management Scheme

The Executive Member considered a report which sought approval for the implementation of cycle lanes on Stockton Lane between its junction with Lime Avenue and Greenfield Park Drive to reduce speeds following the receipt of speed complaints from local residents.

Officers outlined the report and advised that following a consultation, 6 objections to the scheme were received out of 116 responses. The scheme would be the first attempt to tackle speeding in the area and once implemented it would be monitored and the speed survey repeated to measure effectiveness.

The Executive Member was happy to approve the scheme with the understanding that if it did not have the required impact then officers would look at an alternative intervention.

Resolved: That the Executive Member:

Approved the scheme as proposed in Annex B for implementation.

Reason: To introduce measures to reduce speeds on Stockton Lane following the receipt of a speed complaint from local residents.

27. City Centre Strategy

The Executive Member considered a report which outlined options for further investigation regarding the regulation of vehicles and other operational issues in the central retail area of the city.

Officers outlined the report and in response to the comments made by a registered speaker, confirmed that Spen Lane should of been included in the map at Annex A of the report.

The Executive Member commented that he supported the comments made about the enforcement of restrictions in the City Centre and the difficulties surrounding what Council Officers are able to enforce. He acknowledged that the Council can help with measures such as bollards and signage but officers would need to consult with all organisations in the City Centre to find solutions. He also asked that cycle parking facilities be reviewed.

Resolved: That the Executive Member:

- (i) Approved the further investigation into the regulation of the City Centre as identified in Options 2,4,6 and 11 to include Spen Lane.
- (ii) Requested that consideration be given to the practicality of enforcement of the regulations.
- (iii) Requested that Officers review cycle parking facilities in the City Centre.

Reason: To enable a comprehensive and coherent review of the operation of the public highway in the city centre to be undertaken with the aim of minimising the impact of vehicular traffic whilst maintaining access for visitors, residents and businesses where appropriate.

28. Traffic Systems Asset Renewal Plan

The Executive Member considered a report which presented a plan for structured renewals of traffic signals across the city, which a recent asset condition assessment had shown are in need of significant investment.

Officers outlined the report and advised that there was a significant backlog in the maintenance of traffic signal equipment in the city and that extra funds required to complete the work would be drawn from the Council's Local Transport Plan Integrated Block Capital allocation.

The Executive Member was pleased to note the work to be undertaken on the Traffic Signal Detector Equipment and the benefits this would bring towards improving traffic congestion in the city.

Resolved: That the Executive Member:

- (i) Approved the commencement of the Traffic Asset Renewal Programme as outlined in the report.

Reason: To ensure the City traffic signals equipment is up to date and the costs and risks to the Council of maintaining an increasingly aged asset are mitigated.

- (ii) Approved the continuation of the current programme of provision of new detector equipment.

Reason: To ensure effective and reliable detection equipment is provided at traffic signal junctions in York for the benefit of road users.

29. City and Environmental Services Capital Programme - 2015/16 Monitor 1 Report

The Executive Member considered a report which set out the progress to date on schemes in the 2015/16 City and Environmental Services Capital Programme, including budget spend to the end of September 2015. The report also proposed adjustments to scheme allocations to align with the latest cost estimates and delivery projections.

The Executive Member noted the report and asked that thanks be recorded to the Highways staff who had completed the A19 Pinch Point Scheme under budget.

That the Executive Member:

- i. Approved the virement of funds within the Highways and Transport Budgets.
- ii. Approved the amendments to the 2015/16 CES Capital Programme set out in Annexes 1 and 2.

Reason: To enable the effective management and monitoring of the council's capital programme.

Councillor Gillies, Chair

[The meeting started at 5.00 pm and finished at 6.10 pm].



Decision Session
Executive Member for Transport & Planning

3 December 2015

Report of the Director of City and Environmental Services

Public Rights of Way – Proposal to restrict public rights, using Public Spaces Protection Order legislation over alleyways at Baile Hill Terrace/Kyme Street, Micklegate Ward, and; Cornlands Road Park, Westfield Ward

Summary

1. The above Public Spaces Protection Orders (PSPOs) (Annex 1) have been requested by Safer York Partnership (SYP). This report provides details of the informal and formal public consultations which have been carried out and the subsequent results. As no representations have been received following the formal consultation, the Executive Member is asked to seal and make operative both these PSPOs.

Background

2. The Anti-social Behaviour, Crime and Policing Act 2014 (Annex 2), gives local authorities the power to make a PSPO in order to tackle those activities which are having a detrimental effect on the quality of life of those in the locality, and which are likely to be both unreasonable and persistent.
3. Baile Hill Terrace/Kyme Street
Statistics provided by the Business Intelligence Unit (Annex 3) show that in the 9 months from January 2015 to October 2015, for the 64 properties affected/adjacent to this alleyway, there were 4 recorded incidents of crime and 3 of anti-social behaviour. In the 12 months between November 2013 and November 2014, there were 11 recorded incidents of crime and 5 of ASB.

Cornlands Road Park

Statistics provided by Business Intelligence Unit (Annex 4) show that in the 9 months from January 2015 to October 2015, for the 68

properties affected/adjacent to this alleyway, there was 1 recorded incident of crime and 0 of ASB. In the 12 months between November 2013 and November 2014 there were 5 recorded incidents of crime and 4 of anti-social behaviour.

4. The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to implement crime reduction strategies in an effort to reduce overall crime in their administrative area. This Order will support that obligation.
5. Once an Order is made it can be reviewed and either varied or revoked (s61). Annex 2 summarises the requirements of the legislation on the use and life of a Public Spaces Protection Order.
6. With due regard to the Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010, the Council has identified that there is one positive and six negative impacts for both these gating schemes which involve mobility and access issues (Annex 3 - Community Impact Assessments). Some of the negative impacts can be mitigated by design and installation options. As PSPOs must be reviewed every three years, or on demand, any change in local circumstance may be accommodated at this time. It may be considered that the positive impact of additional security to residents, increasing peace of mind and providing a safe area to the rear of properties justifies the negative impacts.

Consultation

7. Informal consultation with residents, emergency services and statutory consultees was carried out in December 2014 and the responses for Baile Hill Terrace/Kyme Street were as follows; (Annex 5)

Kyme Street – 8 responses, 5 in favour, 3 objections

Baile Hill Terrace – 2 responses, 1 in favour, 1 objection

Newton Terrace – 16 responses, 7 in favour, 9 objections

Victor Street – 2 responses, 2 in favour, no objections

8. Formal consultations with the consultees as listed above were carried out in June and no responses were received. Following the informal consultation, where objections were received, a site visit between residents, Councillors, Waste Strategy and PROW, resulted in an updated scheme being presented at the formal consultation. The updated scheme consists of the two arms of the

alleyway being separately gated. As no formal responses were received, it was assumed that the updated scheme was acceptable to residents. No changes are required to Waste Collections.

9. Informal consultation with residents, emergency services and statutory consultees with regard to the Cornlands Road Park scheme was carried out in December 2014 and the results were as follows; (Annex 5)

9 residents were in favour of gating the alley
2 objections were received

10. Formal consultations with the consultees as listed above were carried out in July and as no responses were received, it was assumed that the scheme is acceptable to residents. No changes are required to Waste Collections.

Options

11. Option 1: Seal and make operative the draft Public Spaces Protection Orders.
12. Option 2: Do not seal the draft Public Spaces Protection Orders.

Analysis

13. Option 1
If the draft Public Spaces Protection Orders are sealed, the alleyways will be gated at all times. Only those residents living in properties which are adjacent to or adjoining the restricted routes will be given a Personal Identification Number (PIN) to open the gates, along with emergency services and utilities that may need to access their apparatus. No changes to waste collection are necessary.
14. The Order will then be reviewed after 3 years or before if necessary, by conducting a full consultation with residents. Depending on the outcome, the gates could either remain in situ; the conditions by which they remain in situ could be changed; or, they could be removed altogether.
15. Option 2
This option would leave the alleyways open for use by the public and the incidents of crime and ASB are therefore likely to continue

at previous levels. Notwithstanding this, gating these alleyways may be revisited in the future.

Council Plan

16. The Plan is built around 3 key priorities – A Prosperous City for All, A Focus on Frontline Services and A Council that Listens to Residents.

These schemes support the following aims of the plan:

- Residents are protected from harm, with a low risk of crime.
- All children and adults are listened to and their opinions considered.
- Ensure neighbourhoods remain clean and safe environments
- Keep our city and villages clean
- Use evidence based decision making
- Always consider the impact of our decisions, including in relation to health, communities and equalities
- Engage with our communities, listening to their views and taking them into account.

Implications

17.

- **Financial** Capital funding has been secured for the scheme through the Council and SYP. To supply and fit one double (vehicular) gate with locks is approximately £2,000 and one single gate with lock, is approximately £800. The total cost of gates for Baile Hill Terrace/Kyme Street would therefore cost approximately £5,600 (2 double and 2 single gates). The approximate cost for Cornlands Road Park would be £5,000, based on two double gates and associated railings (the exact configuration of gates and railings will be decided at the preliminary site visit). Repairs to alley gate locks are undertaken by an outside company at a cost of £50 per hour. The gates would be maintained through the existing Rights of Way maintenance budget.
- **Human Resources (HR)** To be delivered using existing staff resources. The current Alleygating post will be lost in March 2016, due to budget cuts.
- **Equalities** There are no equalities implications other than those discussed in paragraph 6 above.

- **Legal** Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 enables the Council to make a Public Spaces Protection Order restricting access to an alleyway which is a public highway where the Council is satisfied that (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect, and that these activities are, or are likely to be, persistent and unreasonable in nature, and justify the restrictions imposed by the notice. Before making such an Order the Council must also consider the likely effect of the Order on adjoining and adjacent occupiers of premises and other persons in the locality. Where the highway constitutes a through route the Council must consider the availability of a reasonably convenient alternative route. For these schemes, the alternative routes are clearly defined on the Order Plans.
- **Crime and Disorder** There are no Crime and Disorder Implications other than those discussed in paragraphs 4 and 13 above.
- **Information Technology (IT)** There are no IT implications.
- **Property** Property Services have been consulted about the Cornlands Road Park scheme and have offered no objections.
- **Other** There are no other implications

Risk Management

18. The implementation of a Public Spaces Protection Order is a power of the authority, not a duty. There are no rights of appeal should a decision not to progress with the Order be made. However, Crime and ASB levels local to the area are likely to continue should the Order not be pursued.

A person may apply to the High Court for the purpose of questioning the validity of a Public Spaces Protection Order if they believe that the Council had no power to make it, or any requirement under this Part was not complied with in relation to it.

Recommendations

19. The Executive member is asked to:

- 1) Seal and make operative the PSPOs for Baile Hill Terrace/Kyme Street and Cornlands Road Park.

Reason: No formal objections or representations have arisen as a result of the formal consultations for both schemes.

Contact Details

Author:

**Claire Robinson
Rights of Way
Sustainable Transport
Tel No. 01904 554158**

Chief Officer Responsible for the report:

**Neil Ferris
Acting Director, City and Environmental Services**

**Report
Approved**

Date

17
November
2015

Specialist Implications Officer(s) None

Wards Affected: Micklegate and Westfield

All

For further information please contact the author of the report

Background Papers:

- Anti-social Behaviour, Crime and Policing Act 2014
- Crime and Disorder Act 1998
- Equalities Act 2010
- Officer Decision - : Public Rights of Way – Proposal to restrict public rights over alleyway between Baile Hill Terrace and Kyme Street, (Micklegate Ward), using Public Spaces Protection Orders legislation.
- Officer Decision -: Public Rights of Way – Proposal to restrict public rights over alleyway in Cornlands Road Park (Westfield Ward), using Public Spaces Protection Orders [Put link to website here](#)

Annexes:

- Annex 1:** Baile Hill Terrace/Kyme Street and Cornlands Road Park, Draft Public Spaces Protection Orders and Plans
- Annex 2:** Legislation Anti-social Behaviour, Crime & Policing Act 2014
- Annex 3:** Crime and Anti-Social Behaviour Statistics Baile Hill Terrace
- Annex 4:** Crime and Anti-social Behaviour Statistics Cornlands Road Park
- Annex 5:** Informal consultation responses
- Annex 6:** Community Impact Assessment

Glossary

ASB – Anti-Social Behaviour

PROW – Public Right of Way

PSED - Public Sector Equality Duty

PSPO's - Public Spaces Protection Orders

SYP – Safer York Partnership

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Public Spaces Protection Order

Anti-social Behaviour, Crime and Policing Act 2014 Sections 59 to 68

City of York Council Public Spaces Protection Order 2015

Cornlands Road Park

This Order is made by the City of York Council (“the local authority”) under Sections 59 to 68 of the Anti-social Behaviour, Crime and Policing Act 2014 because it appears to the local authority that certain anti-social activities carried on at the public rear alleyway between No 56 Cornlands Road and No 71 Tennent Road, York (OS Grid Reference SE6151), being a public place within the authority’s area, have had a detrimental effect on the quality of life of those in the locality. And further, that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature such as to make the activities unreasonable and which justifies the restrictions imposed by this Order. These said activities being fly tipping and arson.

BY THIS ORDER

The effect of the Order is as follows:

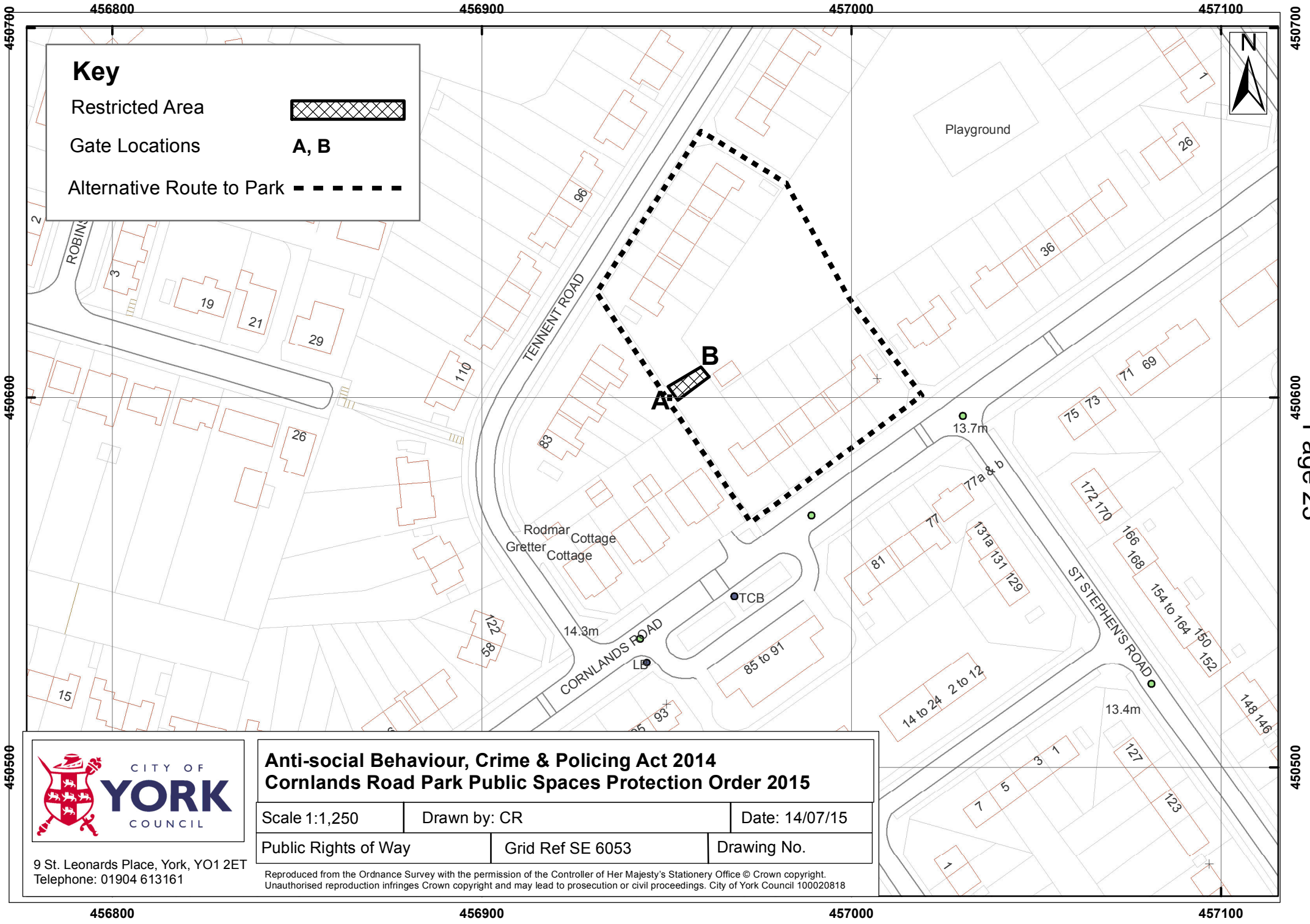
- 1 To restrict the use of the public right of way over the above mentioned public place (‘the restricted area’) the restriction being in place at all times.
- 2 This restriction shall not apply to the occupiers of premises adjoining or adjacent to the restricted area so indicated.
- 3 Access to the restricted area is to be controlled by the installation of lockable metal gates at either end of the footpath between No 56 Cornlands Road and No 71 Tennent Road, York. The maintenance of the gates, locks and keys will be the responsibility of the Assistant Director (City and Environmental Services), West Office, Station Rise, York, YO1 6GA.
- 4 The alternative route to the restricted highway is along Tennent Road, through Cornlands Road Park, and along Cornlands Road.
- 5 It is an offence under section 67 of this Act for a person without reasonable excuse to do anything that the person is prohibited from doing by a Public Spaces Protection Order, or to fail to comply with a requirement to which the person is subject under a Public Spaces Protection Order, and a person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 6 Access to the footpath shall be unrestricted at all times for all authorised local authority employees, the emergency services and statutory undertakers for all

purposes in connection with inspection, repair and maintenance of the surface and the street lights and for any other purpose in connection with the undertaking of its statutory functions.

- 7 The Order shall have effect for a period of 3 years from the date of this Order, unless extended by further Orders.
- 8 An interested person wishing to question the validity of a Public Spaces Protection Order may apply to the High Court within the period of six weeks beginning with the date on which the Order is made.

The COMMON SEAL of the)
Council of the City of York)
was this day of 2015)
hereto affixed in the presence of:)

Assistant Director of Governance and ICT
Council of the City of York



Key

- Restricted Area
- Gate Locations **A, B**
- Alternative Route to Park - - - - -



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

**Anti-social Behaviour, Crime & Policing Act 2014
 Cornlands Road Park Public Spaces Protection Order 2015**

| | | |
|----------------------|------------------|----------------|
| Scale 1:1,250 | Drawn by: CR | Date: 14/07/15 |
| Public Rights of Way | Grid Ref SE 6053 | Drawing No. |

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THE COUNCIL OF THE CITY OF YORK
ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTION 59
The Council of the City of York
Baile Hill Terrace/Kyme Street Public Spaces Protection Order 2015

This Order is made by the Council of the City of York ("The Council") under the Anti-Social Behaviour, Crime and Policing Act 2014 Section 59 ("the Act").

1. This Order relates to the public highway described in Paragraph 1 of the Schedule below and defined by cross-hatching on the plan attached to this Order ("the restricted area"), being a public place in the Council's area to which the Act applies:
2. The Council is satisfied that the two conditions below have been met, in that:
 - a. activities carried on in the restricted area as described below, have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and that they will have such an effect. The said activities being urination, defecation, drug use and fly tipping.
 - b. that the effect, or likely effect of the activities described above, is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

BY THIS ORDER

3. The effect of the Order is as follows:
 - a. To restrict the use of the public right of way over the highway within the restricted area described in Paragraph 1 of the Schedule below, the restriction being in place at all times.
 - b. This restriction shall not apply to the occupiers of premises adjoining or adjacent to the restricted area so indicated.
 - c. The alternative to the restricted highway is as indicated in Paragraph 2 of the Schedule below;
 - d. There is authorised the installation of a lockable metal gate at the ends of the restricted highway identified in Paragraph 1 of the Schedule, whose maintenance is the responsibility of the Assistant Director (Transport, Highways and Fleet), West Offices, Station Rise, York, YO1 6GA.
4. The Order will remain in force for a period of 3 years from the date of this Order, unless extended by further Orders under the Council's statutory powers.
5. A person guilty of an offence under conditions (3) (a) above, under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale or fixed penalty notice of a maximum £100.

THE SCHEDULE

1. The highway to be restricted (A-B and C-D) commences at Point A (OS grid reference SE 60110 51317) on the Order map, at the side of No 2 Kyme Street and behind No 13 Victor Street, continuing in a south westerly direction for 17 metres and then in a south easterly direction for 43 metres to Point B (OS grid reference SE 60125 51275) finishing at the rear of No 8 Newton Terrace. Then commencing from Point C (OS grid reference SE 60133 51268) on the Order map at the rear of No 22/24 Kyme Street,

continuing in a south easterly direction for 71 metres to Point D (OS grid reference SE 60187 51223) finishing at the rear of No 25 Newton Terrace.


2. The alternative route is along Kyme Street, Victor Street, Newton Terrace and Baile Hill Terrace, as shown by a bold broken line on the Order map.

THE COMMON SEAL of the)
Council of the City of York was)
this day of 2015)
hereto affixed in the presence of:-)


Assistant Director of Governance & ICT

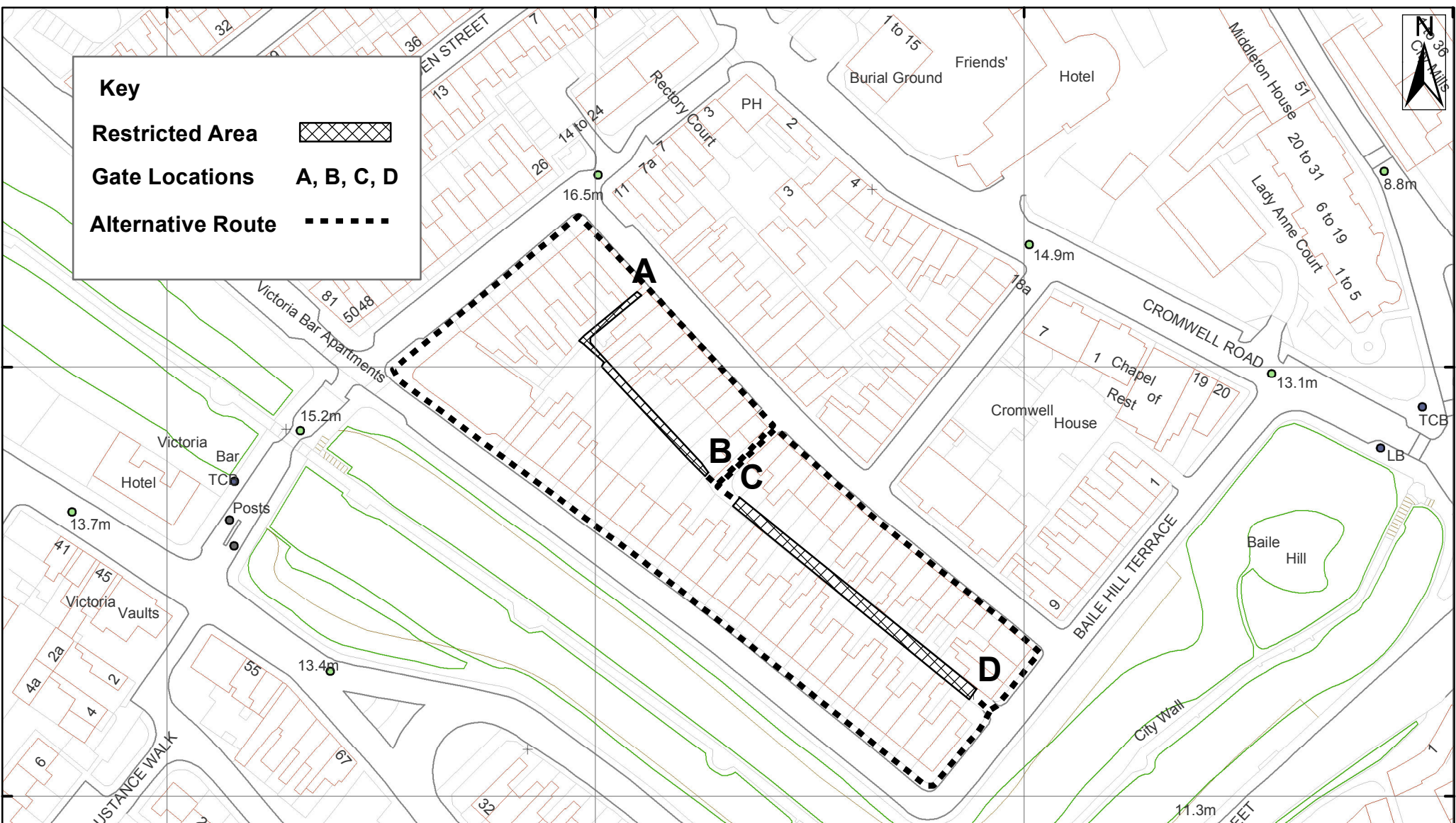


Key

Restricted Area 

Gate Locations **A, B, C, D**

Alternative Route 



West Offices, Station Rise, York,
YO1 6GA
Telephone: 01904 551550

Anti-social Behaviour, Crime & Policing Act 2014
Baile Hill Terrace/Kyme Street Public Space Protection Order 2015

| | | |
|----------------------|--------------|----------------|
| Scale 1:1,250 | Drawn By: CR | Date: 16/06/15 |
| Public Rights of Way | Reference: | Drawing No. |

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Anti-social Behaviour, Crime and Policing Act 2014

Chapter 2

Public Spaces Protection Orders

59 Power to make orders

- (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
- (2) The first condition is that-
 - (a) Activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) It is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- (3) The second condition is that the effect, or likely effect, of the activities-
 - (a) Is, or is likely to be, of a persistent or continuing nature,
 - (b) Is, or is likely to be, such as to make the activities unreasonable, and
 - (c) Justifies the restrictions imposed by the notice.
- (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) ("the restricted area") and-
 - (a) Prohibits specified things being done in the restricted area,
 - (b) Requires specified things to be done by persons carrying on specified activities in that area, or
 - (c) Does both of those things.
- (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
 - (a) To prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or
 - (b) To reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- (6) A prohibition or requirement may be framed—
 - (a) So as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;

(b) So as to apply at all times, or only at specified times, or at all times except those specified;

(c) So as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.

- (7) A public spaces protection order must—
- (a) Identify the activities referred to in subsection (2);
 - (b) Explain the effect of section 63 (where it applies) and section 67;
- (8) A public spaces protection order must be published in accordance with regulations made by the Secretary of State.

60 Duration of orders

- (1) A public spaces protection order may not have effect for a period of more than 3 years, unless extended under this section.
- (2) Before the time when a public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent—
- (a) Occurrence or recurrence after that time of the activities identified in the order, or
 - (b) An increase in the frequency or seriousness of those activities after that time.
- (3) An extension under this section—
- (a) May not be for a period of more than 3 years;
 - (b) Must be published in accordance with regulations made by the Secretary of State.
- (4) A public spaces protection order may be extended under this section more than once.

61 Variation and discharge of orders

- (1) Where a public spaces protection order is in force, the local authority that made the order may vary it—
- (a) By increasing or reducing the restricted area;
 - (b) By altering or removing a prohibition or requirement included in the order, or adding a new one.

- (2) A local authority may make a variation under subsection (1)(a) that results in the order applying to an area to which it did not previously apply only if the conditions in section 59(2) and (3) are met as regards activities in that area.
- (3) A local authority may make a variation under subsection (1)(b) that makes a prohibition or requirement more extensive, or adds a new one, only if the prohibitions and requirements imposed by the order as varied are ones that section 59(5) allows to be imposed.
- (4) A public spaces protection order may be discharged by the local authority that made it.
- (5) Where an order is varied, the order as varied must be published in accordance with regulations made by the Secretary of State.
- (6) Where an order is discharged, a notice identifying the order and stating the date when it ceases to have effect must be published in accordance with regulations made by the Secretary of State.

Restrictions on public rights of way

64 Orders restricting public right of way over highway

- (1) A local authority may not make a public spaces protection order that restricts the public right of way over a highway without considering—
 - (a) The likely effect of making the order on the occupiers of premises adjoining or adjacent to the highway;
 - (b) The likely effect of making the order on other persons in the locality;
 - (c) In a case where the highway constitutes a through route, the availability of a reasonably convenient alternative route.
- (2) Before making such an order a local authority must—
 - (a) Notify potentially affected persons of the proposed order,
 - (b) Inform those persons how they can see a copy of the proposed order,
 - (c) Notify those persons of the period within which they may make representations about the proposed order, and
 - (d) Consider any representations made.

In this subsection “potentially affected persons” means occupiers of premises adjacent to or adjoining the highway, and any other persons in the locality who are likely to be affected by the proposed order.

- (3) Before a local authority makes a public spaces protection order restricting the public right of way over a highway that is also within the area of another local authority, it must consult that other authority if it thinks it appropriate to do so.
- (4) A public spaces protection order may not restrict the public right of way over a highway for the occupiers of premises adjoining or adjacent to the highway.
- (5) A public spaces protection order may not restrict the public right of way over a highway that is the only or principal means of access to a dwelling.
- (6) In relation to a highway that is the only or principal means of access to premises used for business or recreational purposes, a public spaces protection order may not restrict the public right of way over the highway during periods when the premises are normally used for those purposes.
- (7) A public spaces protection order that restricts the public right of way over a highway may authorise the installation, operation and maintenance of a barrier or barriers for enforcing the restriction.
- (8) A local authority may install, operate and maintain barriers authorised under subsection (7).
- (9) A highway over which the public right of way is restricted by a public spaces protection order does not cease to be regarded as a highway by reason of the restriction (or by reason of any barrier authorised under subsection (7)).
- (10) In this section—
 - “dwelling” means a building or part of a building occupied, or intended to be occupied, as a separate dwelling;
 - “highway” has the meaning given by section 328 of the Highways Act 1980.

65 Categories of highway over which public right of way may not be restricted

- (1) A public spaces protection order may not restrict the public right of way over a highway that is—
 - (a) A special road;
 - (b) A trunk road;
 - (c) A classified or principal road;
 - (d) A strategic road;
 - (e) A highway in England of a description prescribed by regulations made by the Secretary of State;
 - (f) A highway in Wales of a description prescribed by regulations made by the Welsh Ministers.

- (2) In this section—

“Classified road”, “special road” and “trunk road” have the meaning given by section 329(1) of the Highways Act 1980; “Highway” has the meaning given by section 328 of that Act; “Principal road” has the meaning given by section 12 of that Act (and see section 13 of that Act); “strategic road” has the meaning given by section 60(4) of the Traffic Management Act 2004.

Validity of orders

66 Challenging the validity of orders

- (1) An interested person may apply to the High Court to question the validity of—
 - (a) A public spaces protection order, or
 - (b) A variation of a public spaces protection order.“Interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.

- (2) The grounds on which an application under this section may be made are—
 - (a) That the local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
 - (b) That a requirement under this Chapter was not complied with in relation to the order or variation.

- (3) An application under this section must be made within the period of 6 weeks beginning with the date on which the order or variation is made.
- (4) On an application under this section the High Court may by order suspend the operation of the order or variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied), until the final determination of the proceedings.
- (5) If on an application under this section the High Court is satisfied that—
 - (a) The local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied), or
 - (b) The interests of the applicant have been substantially prejudiced by a failure to comply with a requirement under this Chapter, the Court may quash the order or variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied).
- (6) A public spaces protection order, or any of the prohibitions or requirements imposed by the order (or by the order as varied), may be suspended under subsection (4) or quashed under subsection (5)—
 - (a) Generally, or
 - (b) So far as necessary for the protection of the interests of the applicant.
- (7) An interested person may not challenge the validity of a public spaces protection order, or of a variation of a public spaces protection order, in any legal proceedings (either before or after it is made) except—
 - (a) Under this section, or
 - (b) Under subsection (3) of section 67 (where the interested person is charged with an offence under that section).

Failure to comply with orders

67 Offence of failing to comply with order

- (1) It is an offence for a person without reasonable excuse—

- (a) To do anything that the person is prohibited from doing by a public spaces protection order, or
 - (b) To fail to comply with a requirement to which the person is subject under a public spaces protection order.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
 - (3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.
 - (4) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63).

68 Fixed penalty notices

- (1) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order.
- (2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.
- (3) The local authority specified under subsection (2) must be the one that made the public spaces protection order.
- (4) Where a person is issued with a notice under this section in respect of an offence—
 - (a) No proceedings may be taken for the offence before the end of the period of 14 days following the date of the notice;
 - (b) The person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.
- (5) A fixed penalty notice must—
 - (a) Give reasonably detailed particulars of the circumstances alleged to constitute the offence;
 - (b) State the period during which (because of subsection (4)(a)) proceedings will not be taken for the offence;

- (c) Specify the amount of the fixed penalty;
 - (d) State the name and address of the person to whom the fixed penalty may be paid;
 - (e) Specify permissible methods of payment.
- (6) An amount specified under subsection (5)(c) must not be more than £100.
- (7) A fixed penalty notice may specify two amounts under subsection (5)(c) and specify that, if the lower of those amounts is paid within a specified period (of less than 14 days), that is the amount of the fixed penalty.
- (8) Whatever other method may be specified under subsection (5)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under subsection (5)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).
- (9) Where a letter is sent as mentioned in subsection (8), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.
- (10) In any proceedings, a certificate that—
- (a) Purports to be signed by or on behalf of the chief finance officer of the local authority concerned, and
 - (b) States that payment of a fixed penalty was, or was not, received by the date specified in the certificate, is evidence of the facts stated.
- (11) In this section—
- “authorised person” means a person authorised for the purposes of this section by the local authority that made the order (or authorised by virtue of section 69(2));
 - “chief finance officer”, in relation to a local authority, means the person with responsibility for the authority’s financial affairs.

70 Byelaws

A byelaw that prohibits, by the creation of an offence, an activity regulated by a public spaces protection order is of no effect in relation to the restricted area during the currency of the order.

71 Bodies other than local authorities with statutory functions in relation to land

- (1) The Secretary of State may by order—
 - (a) Designate a person or body (other than a local authority) that has power to make byelaws in relation to particular land, and
 - (b) Specify land in England to which the power relates.
- (2) This Chapter has effect as if—
 - (a) A person or body designated under subsection (1) (a “designated person”) were a local authority, and
 - (b) Land specified under that subsection were within its area.But references in the rest of this section to a local authority are to a local authority that is not a designated person.
- (3) The only prohibitions or requirements that may be imposed in a public spaces protection order made by a designated person are ones that it has power to impose (or would, but for section 70, have power to impose) by making a byelaw in respect of the restricted area.
- (4) A public spaces protection order made by a designated person may not include provision regulating, in relation to a particular public space, an activity that is already regulated in relation to that space by a public spaces protection order made by a local authority.
- (5) Where a public spaces protection order made by a local authority regulates, in relation to a particular public space, an activity that a public spaces protection order made by a designated person already regulates, the order made by the designated person ceases to have that effect.
- (6) If a person or body that may be designated under subsection (1)(a) gives a notice in writing under this subsection, in respect of land in relation to which it has power to make byelaws, to a local authority in whose area the land is situated—
 - (a) No part of the land may form, or fall within, the restricted area of any public spaces protection order made by the local authority;
 - (b) If any part of the land—
 - (i) Forms the restricted area of a public spaces protection order already made by the local authority, or

(ii) Falls within such an area, the order has ceases to have effect (where sub-paragraph (i) applies), or has effect as if the restricted area did not include the land in question (where sub-paragraph (ii) applies).

72 Convention rights, consultation, publicity and notification

- (1) A local authority, in deciding—
 - (a) Whether to make a public spaces protection order (under section 59) and if so what it should include,
 - (b) Whether to extend the period for which a public spaces protection order has effect (under section 60) and if so for how long,
 - (c) Whether to vary a public spaces protection order (under section 61) and if so how, or
 - (d) Whether to discharge a public spaces protection order (under section 61), must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention.
- (2) In subsection (1) “Convention” has the meaning given by section 21(1) of the Human Rights Act 1998.
- (3) A local authority must carry out the necessary consultation and the necessary publicity, and the necessary notification (if any), before—
 - (a) Making a public spaces protection order,
 - (b) Extending the period for which a public spaces protection order has effect, or
 - (c) Varying or discharging a public spaces protection order.
- (4) In subsection (3)—

“the necessary consultation” means consulting with—

 - (a) The chief officer of police, and the local policing body, for the police area that includes the restricted area;
 - (b) Whatever community representatives the local authority thinks it appropriate to consult;
 - (c) The owner or occupier of land within the restricted area;

“the necessary publicity” means—

 - (a) In the case of a proposed order or variation, publishing the text of it;
 - (b) In the case of a proposed extension or discharge, publicising the proposal;

“the necessary notification” means notifying the following authorities of the proposed order, extension, variation or discharge—

- (a) The parish council or community council (if any) for the area that includes the restricted area;
 - (b) In the case of a public spaces protection order made or to be made by a district council in England, the county council (if any) for the area that includes the restricted area.
- (5) The requirement to consult with the owner or occupier of land within the restricted area—
- (a) Does not apply to land that is owned and occupied by the local authority;
 - (b) Applies only if, or to the extent that, it is reasonably practicable to consult the owner or occupier of the land.
- (6) In the case of a person or body designated under section 71, the necessary consultation also includes consultation with the local authority which (ignoring subsection (2) of that section) is the authority for the area that includes the restricted area.
- (7) In relation to a variation of a public spaces protection order that would increase the restricted area, the restricted area for the purposes of this section is the increased area.

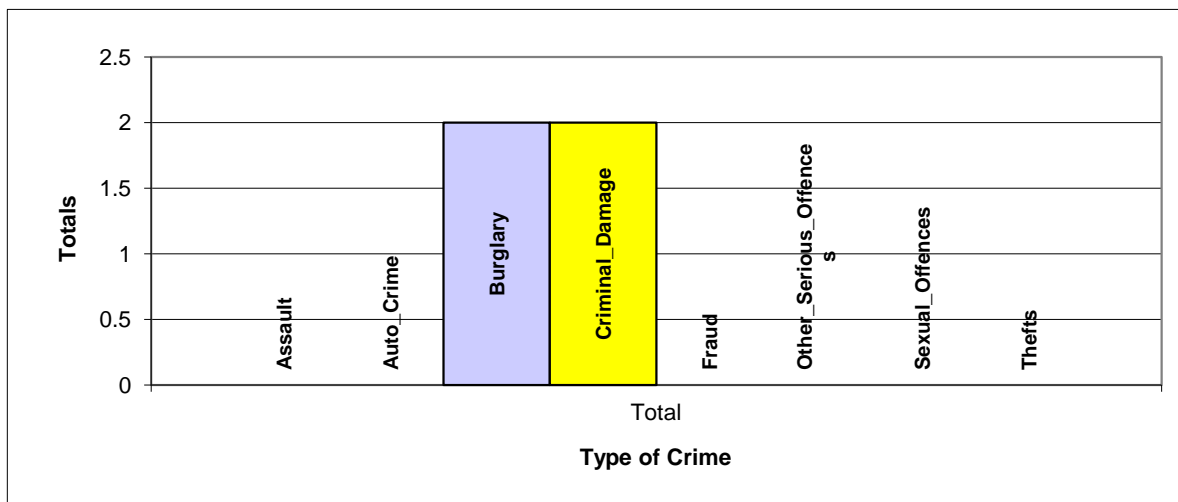
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Crime Statistics

| | | |
|-------------------------------------|---|-----------------------------|
| Crime Analysis Study Area: | = | Baile Hill Terrace Alleyway |
| Size of Study Area from Application | = | Please see map |
| Study Period Start: | = | 01/01/2015 |
| Study Period End: | = | 30/09/2015 |
| Date Study Completed | = | 18/11/2015 |
| Number of Months in Study Period | = | 9 |
| Geocoding Accuracy Rate | = | 95% |

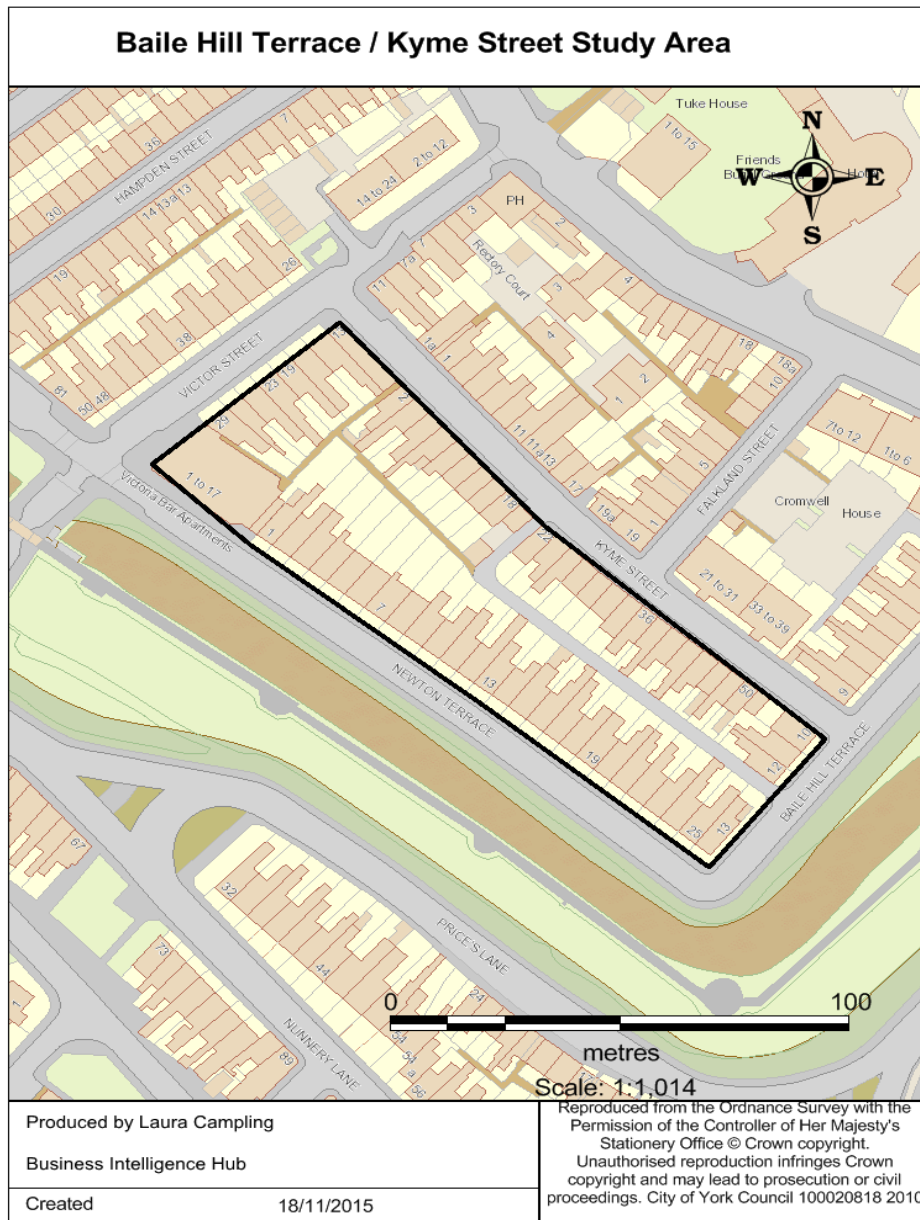
| Crime Group | Total |
|------------------------|----------|
| Assault | 0 |
| Auto_Crime | 0 |
| Burglary | 2 |
| Criminal_Damage | 2 |
| Fraud | 0 |
| Other_Serious_Offences | 0 |
| Sexual_Offences | 0 |
| Thefts | 0 |
| Grand Total | 4 |

A Table of Crime in the Study Area (Above) and corresponding Graph (Below)



A Table of Crime by Crime Group and then Crime Type

| EVENT_GROUP | HO_DESCRIPTION | Total |
|-----------------|--|-------|
| BURGLARY | BURGLARY IN A BUILDING OTHER THAN A DWELLING | 1 |
| | BURGLARY IN A DWELLING | 1 |
| CRIMINAL_DAMAGE | CRIMINAL DAMAGE TO VEHICLES | 2 |
| Grand Total | | 4 |



A Table of Crime by Month of the Year and Hour of the Day in the Study Area

| Month | Total |
|-------|-------|
| Jan | 2 |
| Feb | 0 |
| Mar | 0 |
| Apr | 0 |
| May | 1 |
| Jun | 0 |

| Month | Total |
|-------|-------|
| Jul | 0 |
| Aug | 0 |
| Sep | 1 |
| Oct | 0 |
| Nov | 0 |
| Dec | 0 |

| Crime Day | Total |
|--------------------|----------|
| Mon | 1 |
| Tue | 0 |
| Wed | 0 |
| Thu | 0 |
| Fri | 1 |
| Sat | 0 |
| Sun | 2 |
| Grand Total | 4 |

Grand Total

4

Expected Average Crime per Month =

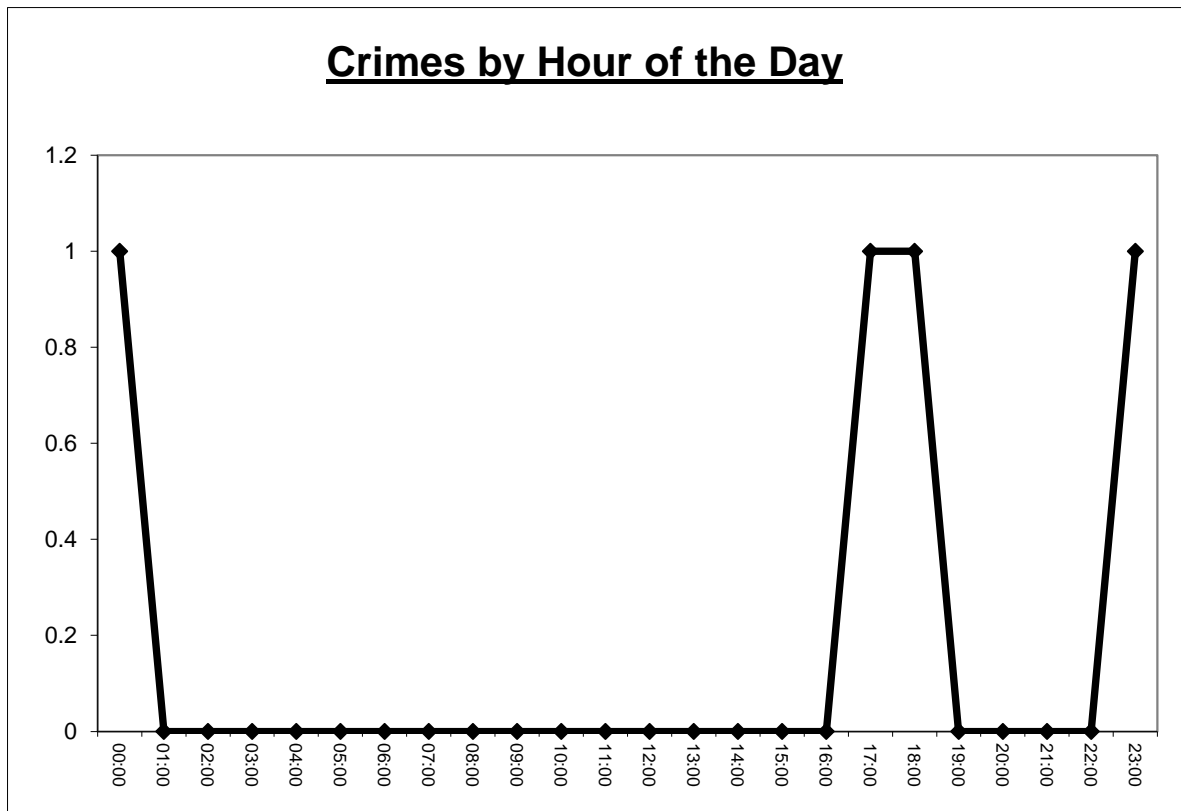
0.4

Expected Average Crime per Day =

0.6

A Table and Graph of Crime by Hour of the Day in the Study Area

| | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 4 |

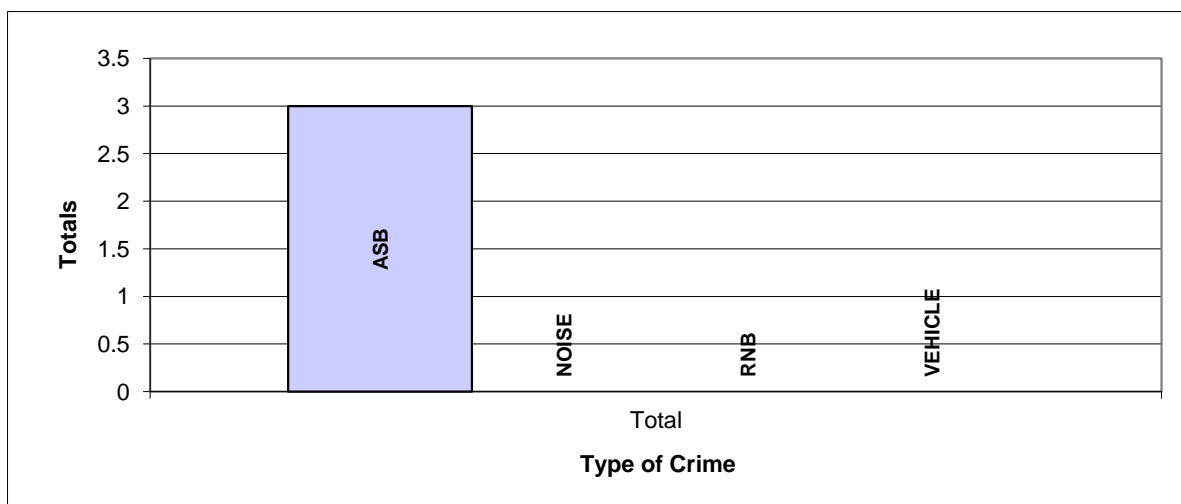


NYP ASB General Incidents Report

| | | |
|-------------------------------------|---|------------------------------------|
| ASB Analysis Study Area: | = | Baile Hill Terrace Alleyway |
| Size of Study Area from Application | = | Please See Map |
| Study Period Start: | = | 01/01/2015 |
| Study Period End: | = | 31/10/2015 |
| Date Study Completed | = | 18/11/2015 |
| Number of Months in Study Period | = | 10 |
| Geocoding Accuracy Rate | = | 95% |

| ASB Incident Group | Total |
|--------------------|----------|
| ASB | 3 |
| NOISE | 0 |
| RNB | 0 |
| VEHICLE | 0 |
| Grand Total | 3 |

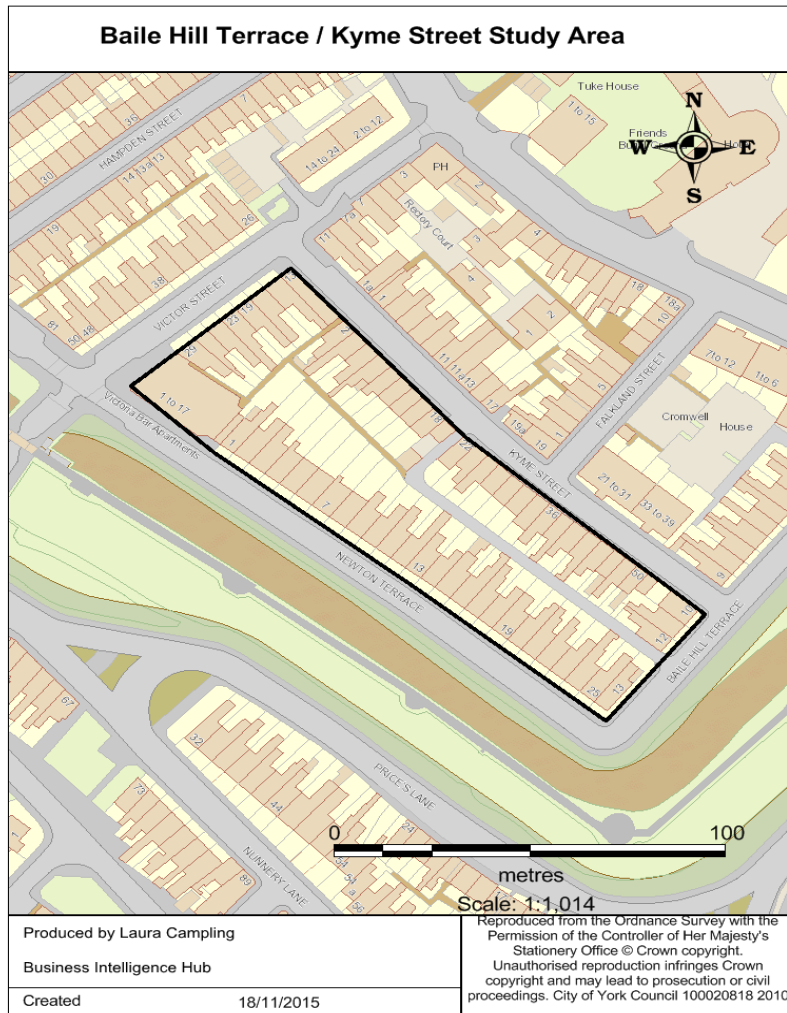
A Table of NYP ASB Incidents in the Study Area (Above) and corresponding Graph (Below)



THIS REPORT DOES NOT CONTAIN ANY NORTH YORKSHIRE POLICE ASB INCIDENTS THAT HAVE BEEN CONVERTED IN TO CRIMES

A Table of ASB by ASB Group and then Incident Heading

| EVENT_GROUP | INCIDENT_HEADING | Total |
|-------------|------------------|-------|
| ASB | ASB Nuisance | 3 |
| Grand Total | | 3 |



From 1st April 2011, all new ASB incidents are recorded by the type of harm they involve. Incidents are recorded as either: **ASB Personal** (where ASB impacts an individual rather than a group *e.g. comms*); **ASB Nuisance** (where ASB causes suffering to the community in general); and **ASB Environmental** (where ASB has an impact on their surroundings *e.g. litter*)

FURTHER DETAIL OF THE ABOVE DESCRIPTIONS ARE AS FOLLOWS: ABANDONED = ABANDONED CARS, COMMS = COMMUNICATIONS, VEHNUISANCE = VEHICLE NUISANCE, RNB = ROWDY AND NUISNCE BEHAVIOUR, SUBMIS = SUBSTANCE MISUSE

A Table of ASB Incidents by Month of the Year and Hour of the Day in the Study Area

| Month | Total |
|-------|-------|
| Jan | 0 |
| Feb | 0 |
| Mar | 0 |
| Apr | 0 |
| May | 1 |
| Jun | 0 |

| Month | Total |
|-------|-------|
| Jul | 1 |
| Aug | 0 |
| Sep | 1 |
| Oct | 0 |
| Nov | 0 |
| Dec | 0 |

| Day | Total |
|--------------------|----------|
| Mon | 1 |
| Tue | 0 |
| Wed | 0 |
| Thu | 1 |
| Fri | 1 |
| Sat | 0 |
| Sun | 0 |
| Grand Total | 3 |

Grand Total

3

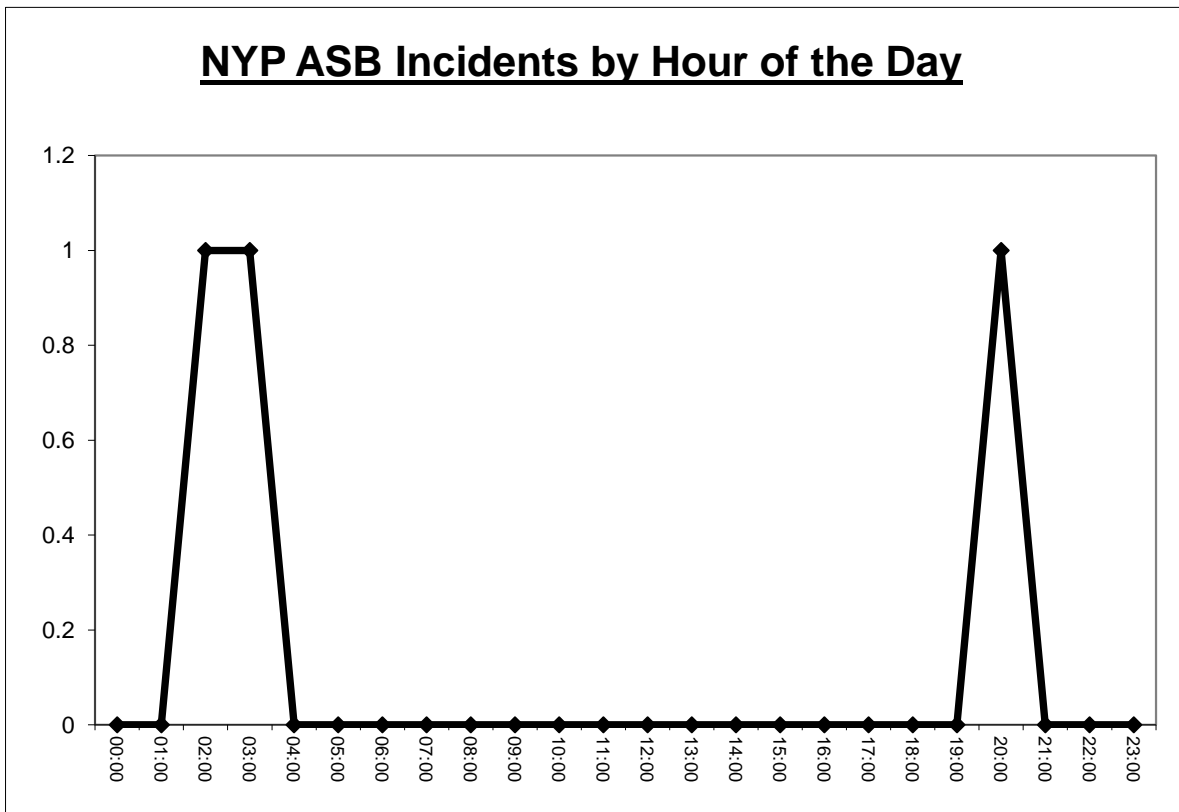
Expected Average Incidents per Month = **0.3**

Expected Average Incidents per Day = **0.4**

A Table of NYP ASB Incidents by Hour of the Day in the Study Area

| | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|----------|
| Total | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 3 |

NYP ASB Incidents by Hour of the Day

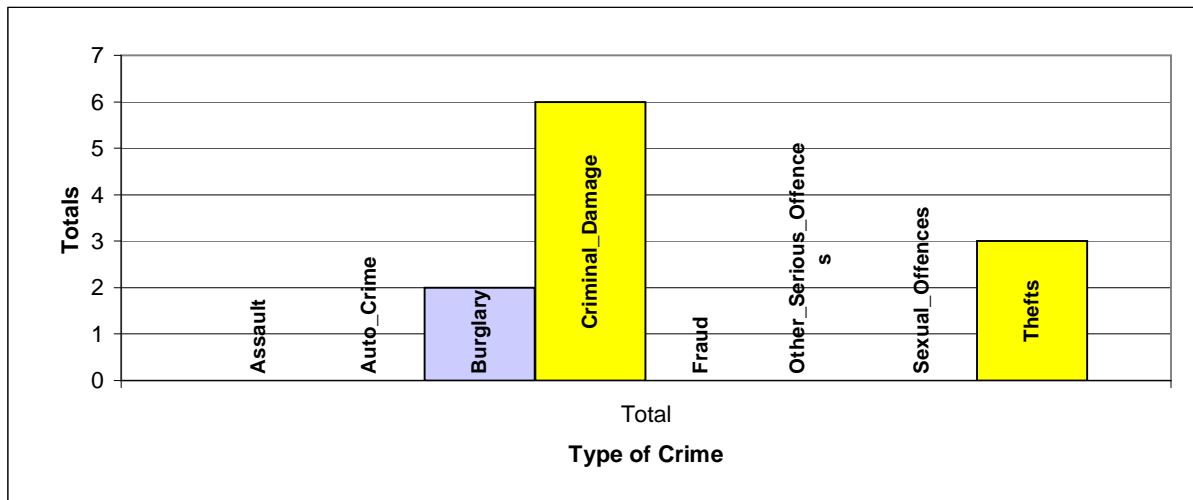


Crime Statistics

| | | |
|-------------------------------------|---|------------------------|
| Crime Analysis Study Area: | = | Kyme Street Study Area |
| Size of Study Area from Application | = | Please see map |
| Study Period Start: | = | 01/01/2013 |
| Study Period End: | = | 31/12/2014 |
| Date Study Completed | = | 28/01/2015 |
| Number of Months in Study Period | = | 24 |
| Geocoding Accuracy Rate | = | 95% |

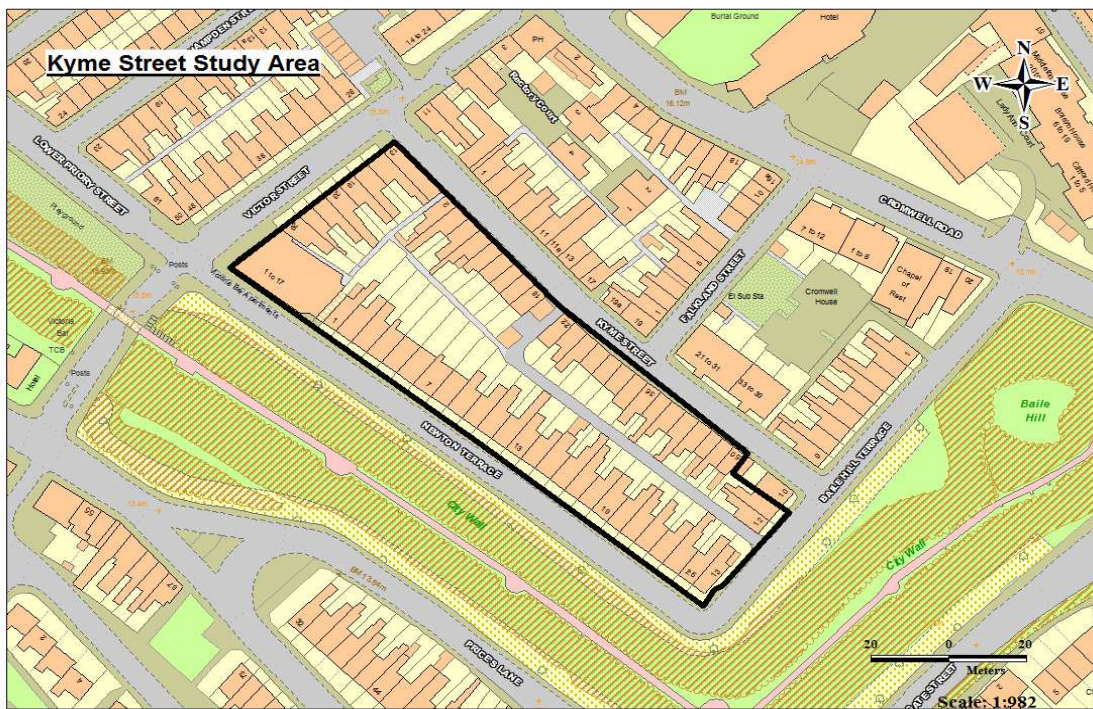
| Crime Group | Total |
|------------------------|-----------|
| Assault | 0 |
| Auto_Crime | 0 |
| Burglary | 2 |
| Criminal_Damage | 6 |
| Fraud | 0 |
| Other_Serious_Offences | 0 |
| Sexual_Offences | 0 |
| Thefts | 3 |
| Grand Total | 11 |

A Table of Crime in the Study Area (Above) and corresponding Graph (Below)



A Table of Crime by Crime Group and then Crime Type

| EVENT_GROUP | HO_DESCRIPTION | Total |
|-----------------|--|-------|
| BURGLARY | BURGLARY IN A DWELLING | 2 |
| CRIMINAL_DAMAGE | ARSON NOT ENDANGERING LIFE | 1 |
| | CRIMINAL DAMAGE TO VEHICLES | 5 |
| THEFTS | THEFT DWELLING OTHER THAN AUTO. M/C OR METER | 1 |
| | THEFT OF PEDAL CYCLE | 2 |
| Grand Total | | 11 |



A Table of Crime by Month of the Year and Hour of the Day in the Study Area

| Month | Total |
|-------|-------|
| Jan | 0 |
| Feb | 3 |
| Mar | 0 |
| Apr | 1 |
| May | 1 |
| Jun | 2 |

| Month | Total |
|-------|-------|
| Jul | 0 |
| Aug | 2 |
| Sep | 0 |
| Oct | 2 |
| Nov | 0 |
| Dec | 0 |

| Crime Day | Total |
|--------------------|-----------|
| Mon | 0 |
| Tue | 1 |
| Wed | 4 |
| Thu | 1 |
| Fri | 1 |
| Sat | 1 |
| Sun | 3 |
| Grand Total | 11 |

Grand Total

11

Expected Average Crime per Month =

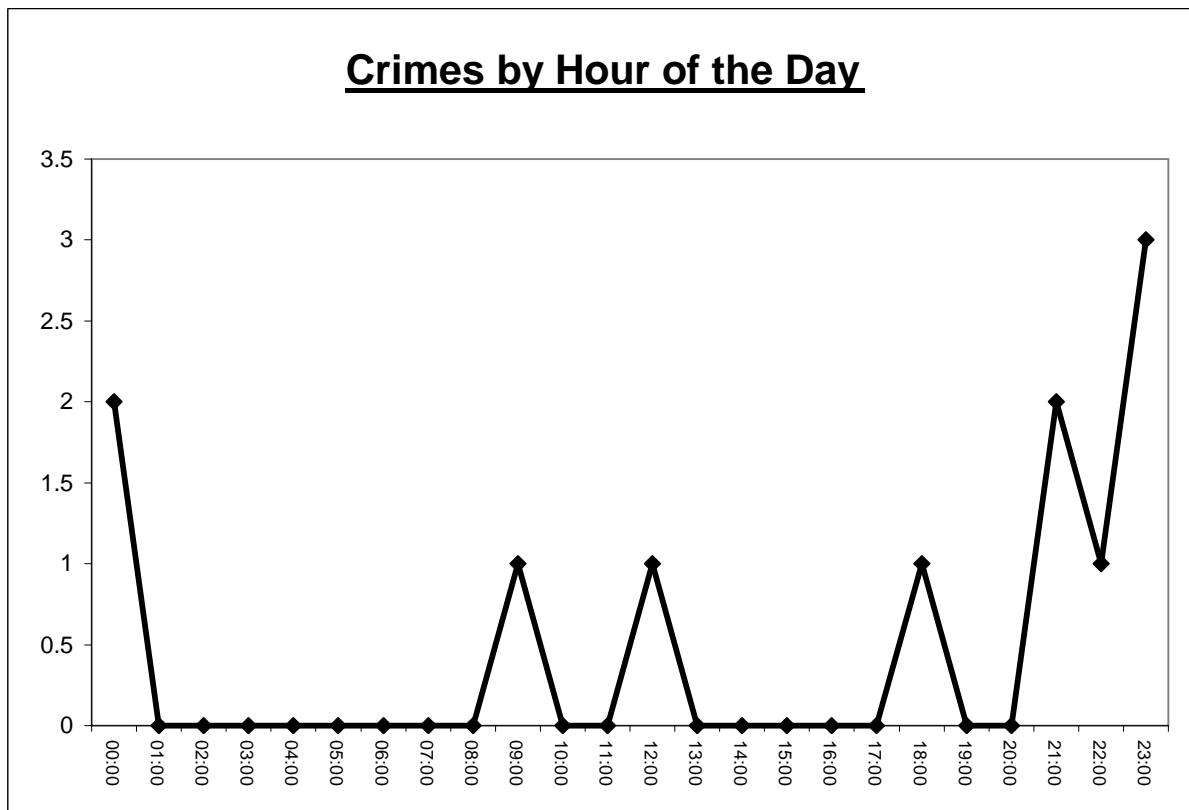
0.5

Expected Average Crime per Day =

1.6

A Table and Graph of Crime by Hour of the Day in the Study Area

| | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|--------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 | 1 | 3 | 11 |

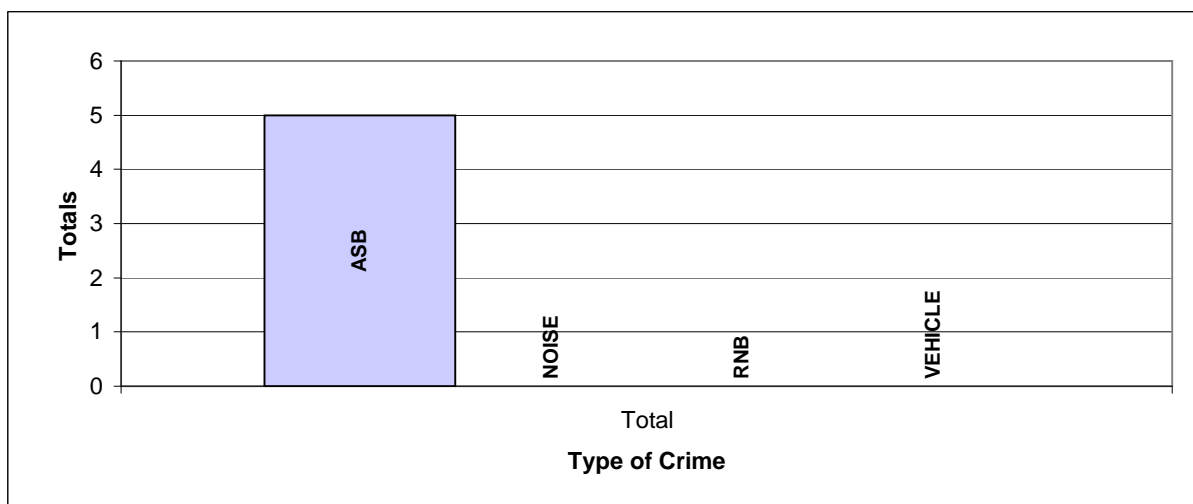


NYP ASB General Incidents Report

| | | |
|-------------------------------------|---|-------------------------------|
| ASB Analysis Study Area: | = | Kyme Street Study Area |
| Size of Study Area from Application | = | Please See Map |
| Study Period Start: | = | 01/01/2013 |
| Study Period End: | = | 31/12/2014 |
| Date Study Completed | = | 28/01/2015 |
| Number of Months in Study Period | = | 24 |
| Geocoding Accuracy Rate | = | 95% |

| ASB Incident Group | Total |
|--------------------|----------|
| ASB | 5 |
| NOISE | 0 |
| RNB | 0 |
| VEHICLE | 0 |
| Grand Total | 5 |

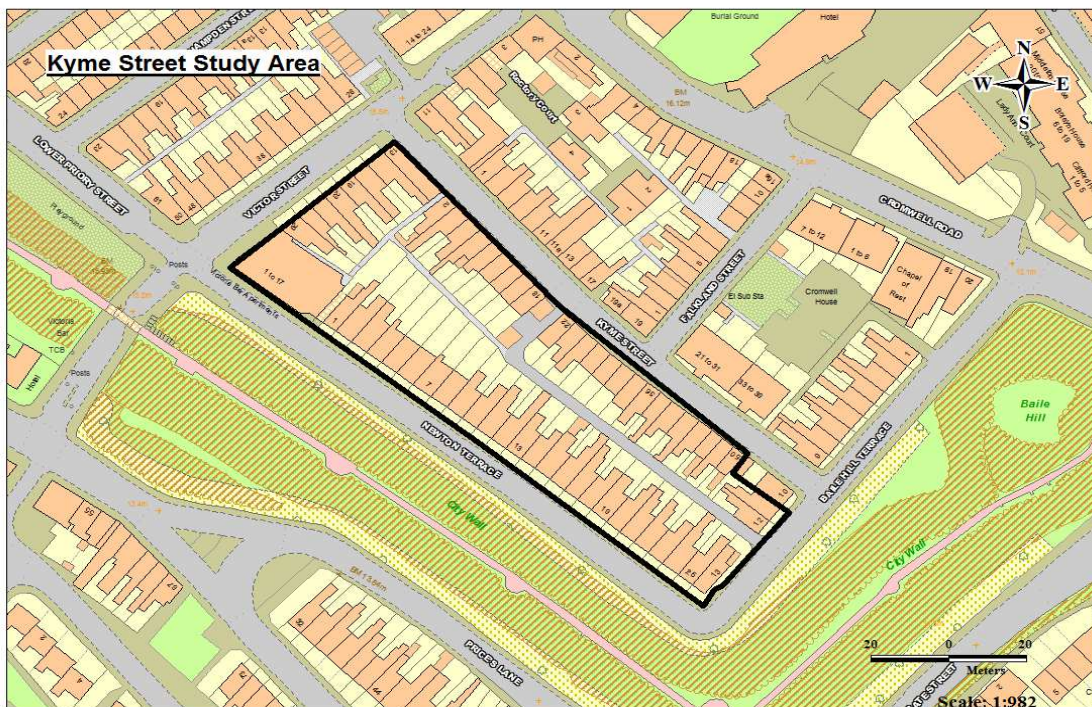
A Table of NYP ASB Incidents in the Study Area (Above) and corresponding Graph (Below)



THIS REPORT DOES NOT CONTAIN ANY NORTH YORKSHIRE POLICE ASB INCIDENTS THAT HAVE BEEN CONVERTED IN TO CRIMES

A Table of ASB by ASB Group and then Incident Heading

| EVENT_GROUP | INCIDENT_HEADING | Total |
|-------------|------------------|-------|
| ASB | ASB Nuisance | 4 |
| | ASB Personal | 1 |
| Grand Total | | 5 |



From 1st April 2011, all new ASB incidents are recorded by the type of harm they involve. Incidents are recorded as either: **ASB Personal** (where ASB impacts an individual rather than a group e.g. comms); **ASB Nuisance** (where ASB causes suffering to the comm)

FURTHER DETAIL OF THE ABOVE DESCRIPTIONS ARE AS FOLLOWS: ABANDONED = ABANDONED CARS, COMMS = COMMUNICATIONS, VEHNUISANCE = VEHICLE NUISANCE, RNB = ROWDY AND NUISNCE BEHAVIOUR, SUBMIS = SUBSTANCE MISUSE

A Table of ASB Incidents by Month of the Year and Hour of the Day in the Study Area

| Month | Total |
|-------|-------|
| Jan | 0 |
| Feb | 0 |
| Mar | 0 |
| Apr | 0 |
| May | 0 |
| Jun | 2 |

| Month | Total |
|-------|-------|
| Jul | 1 |
| Aug | 2 |
| Sep | 0 |
| Oct | 0 |
| Nov | 0 |
| Dec | 0 |

| Day | Total |
|--------------------|----------|
| Mon | 0 |
| Tue | 0 |
| Wed | 0 |
| Thu | 1 |
| Fri | 1 |
| Sat | 3 |
| Sun | 0 |
| Grand Total | 5 |

Grand Total

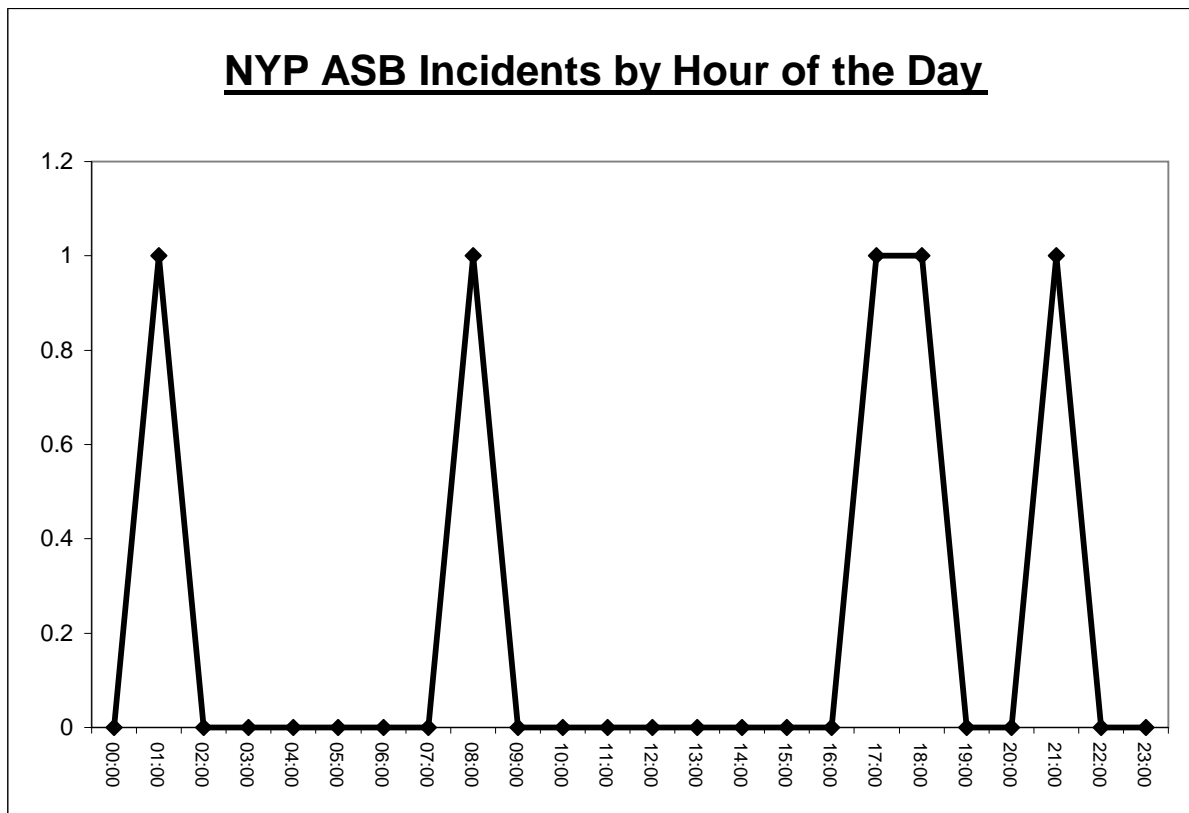
5

Expected Average Incidents per Month = **0.2**

Expected Average Incidents per Day = **0.7**

A Table of NYP ASB Incidents by Hour of the Day in the Study Area

| | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 5 |

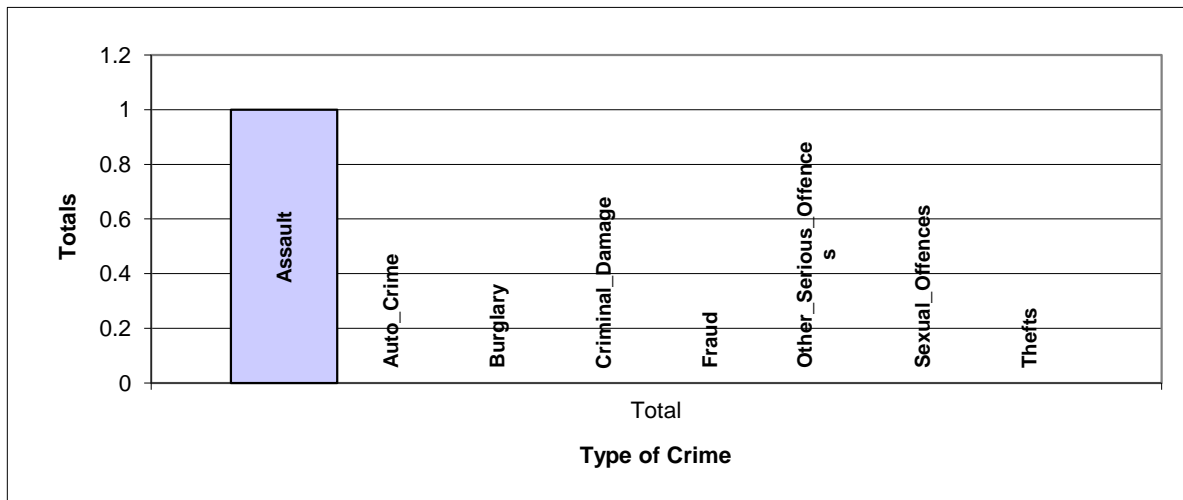


Crime Statistics

| | | |
|-------------------------------------|---|---|
| Crime Analysis Study Area: | = | Cornlands Road Park Sub Station Area |
| Size of Study Area from Application | = | Please see map |
| Study Period Start: | = | 01/01/2015 |
| Study Period End: | = | 30/09/2015 |
| Date Study Completed | = | 18/11/2015 |
| Number of Months in Study Period | = | 9 |
| Geocoding Accuracy Rate | = | 95% |

| Crime Group | Total |
|------------------------|----------|
| Assault | 1 |
| Auto_Crime | 0 |
| Burglary | 0 |
| Criminal_Damage | 0 |
| Fraud | 0 |
| Other_Serious_Offences | 0 |
| Sexual_Offences | 0 |
| Thefts | 0 |
| Grand Total | 1 |

A Table of Crime in the Study Area (Above) and corresponding Graph (Below)



A Table of Crime by Crime Group and then Crime Type

| EVENT_GROUP | HO_DESCRIPTION | Total |
|-------------|---------------------|-------|
| ASSAULT | ASSAULT WITH INJURY | 1 |
| Grand Total | | 1 |



A Table of Crime by Month of the Year and Hour of the Day in the Study Area

| Month | Total |
|-------|-------|
| Jan | 0 |
| Feb | 1 |
| Mar | 0 |
| Apr | 0 |
| May | 0 |
| Jun | 0 |

| Month | Total |
|-------|-------|
| Jul | 0 |
| Aug | 0 |
| Sep | 0 |
| Oct | 0 |
| Nov | 0 |
| Dec | 0 |

| Crime Day | Total |
|--------------------|----------|
| Mon | 0 |
| Tue | 0 |
| Wed | 0 |
| Thu | 0 |
| Fri | 0 |
| Sat | 1 |
| Sun | 0 |
| Grand Total | 1 |

Grand Total

1

Expected Average Crime per Month =

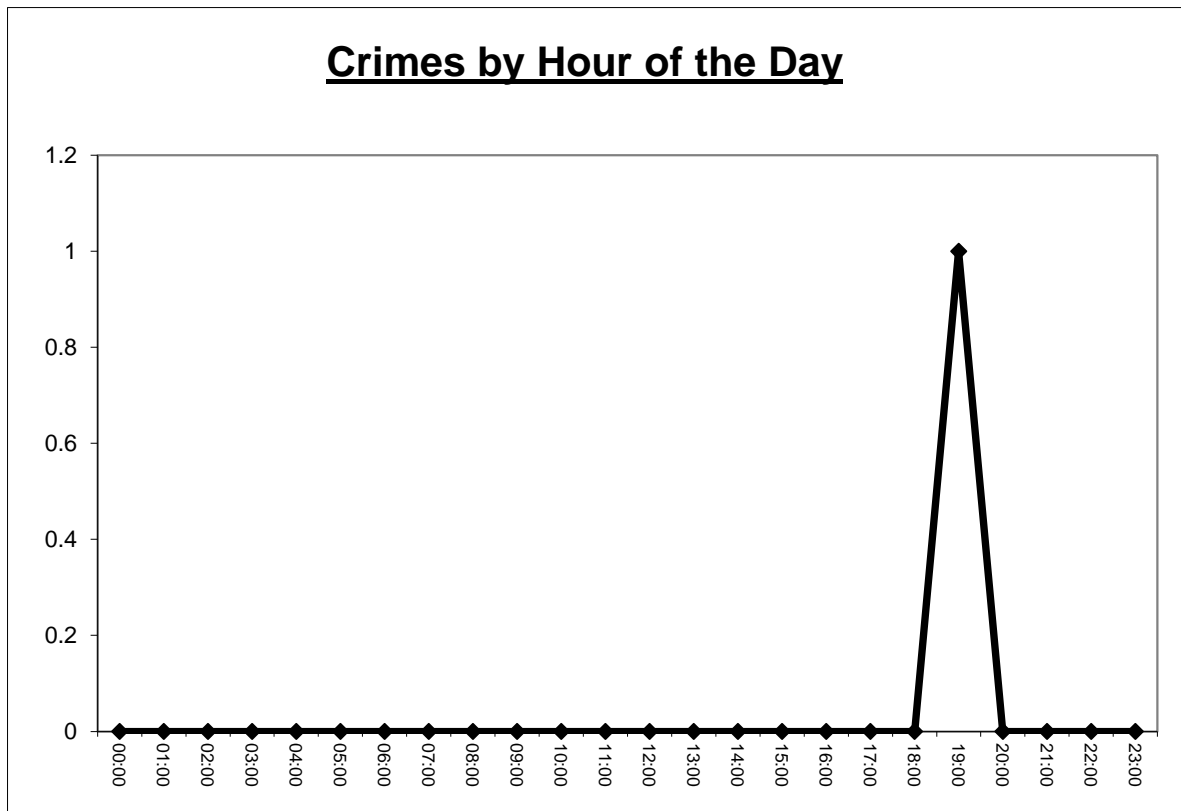
0.1

Expected Average Crime per Day =

0.1

A Table and Graph of Crime by Hour of the Day in the Study Area

| | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |

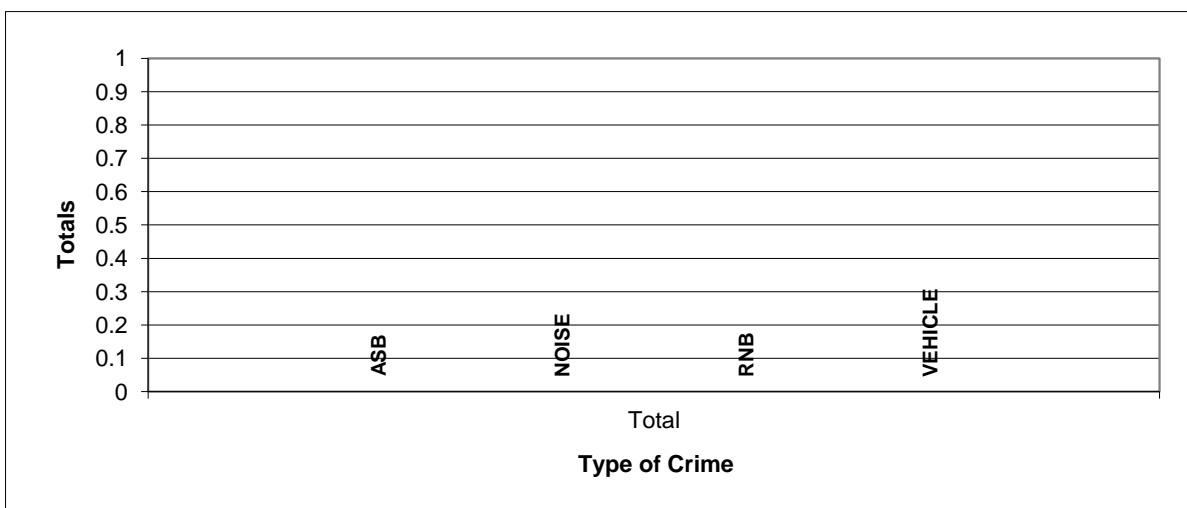


NYP ASB General Incidents Report

| | | |
|-------------------------------------|---|---|
| ASB Analysis Study Area: | = | Cornlands Road Park Sub Station Area |
| Size of Study Area from Application | = | Please See Map |
| Study Period Start: | = | 01/01/2015 |
| Study Period End: | = | 31/10/2015 |
| Date Study Completed | = | 18/11/2015 |
| Number of Months in Study Period | = | 10 |
| Geocoding Accuracy Rate | = | 95% |

| ASB Incident Group | Total |
|--------------------|----------|
| ASB | 0 |
| NOISE | 0 |
| RNB | 0 |
| VEHICLE | 0 |
| Grand Total | 0 |

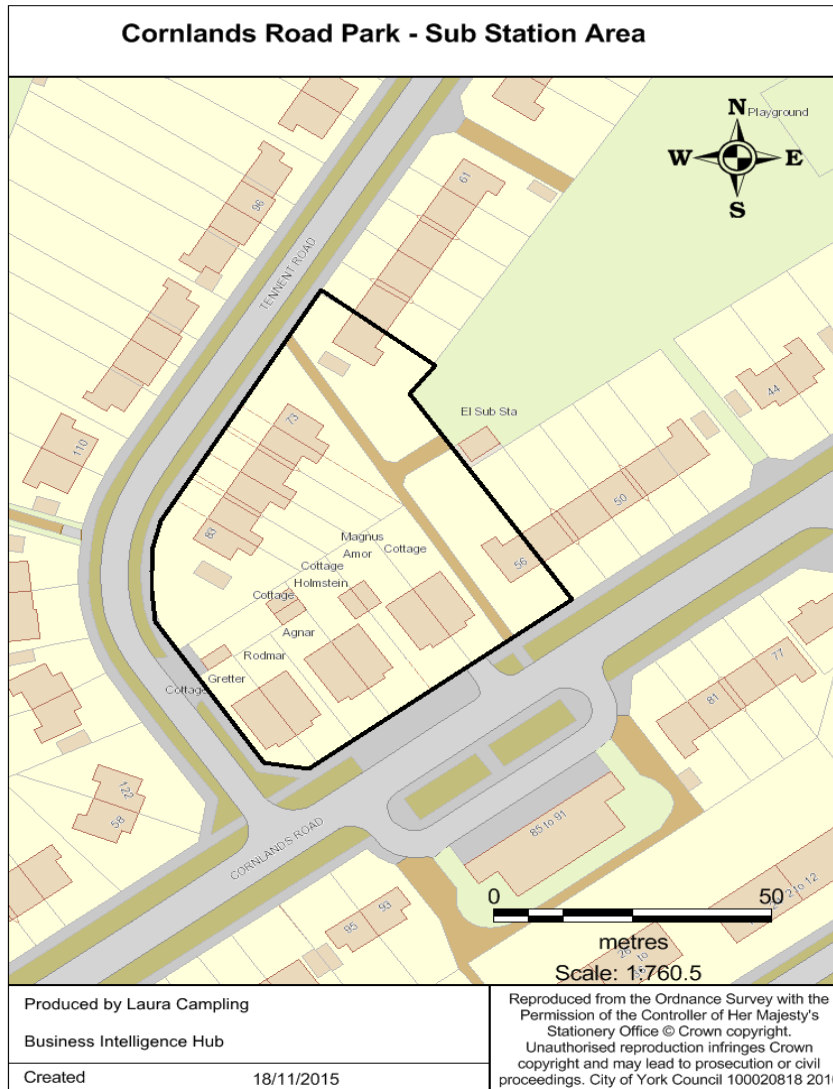
A Table of NYP ASB Incidents in the Study Area (Above) and corresponding Graph (Below)



THIS REPORT DOES NOT CONTAIN ANY NORTH YORKSHIRE POLICE ASB INCIDENTS THAT HAVE BEEN CONVERTED IN TO CRIMES

A Table of ASB by ASB Group and then Incident Heading

There are no records of ASB during this period.



From 1st April 2011, all new ASB incidents are recorded by the type of harm they involve. Incidents are recorded as either: **ASB Personal** (where ASB impacts an individual rather than a group *e.g. comms*); **ASB Nuisance** (where ASB causes suffering to the community in general); and **ASB Environmental** (where ASB has an impact on their surroundings *e.g. litter*)

FURTHER DETAIL OF THE ABOVE DESCRIPTIONS ARE AS FOLLOWS: ABANDONED = ABANDONED CARS, COMMS = COMMUNICATIONS, VEHNUISANCE = VEHICLE NUISANCE, RNB = ROWDY AND NUISNCE BEHAVIOUR, SUBMIS = SUBSTANCE MISUSE

A Table of ASB Incidents by Month of the Year and Hour of the Day in the Study Area

| Month | Total |
|-------|-------|
| Jan | 0 |
| Feb | 0 |
| Mar | 0 |
| Apr | 0 |
| May | 0 |
| Jun | 0 |

| Month | Total |
|-------|-------|
| Jul | 0 |
| Aug | 0 |
| Sep | 0 |
| Oct | 0 |
| Nov | 0 |
| Dec | 0 |

| Day | Total |
|--------------------|----------|
| Mon | 0 |
| Tue | 0 |
| Wed | 0 |
| Thu | 0 |
| Fri | 0 |
| Sat | 0 |
| Sun | 0 |
| Grand Total | 0 |

Grand Total

0

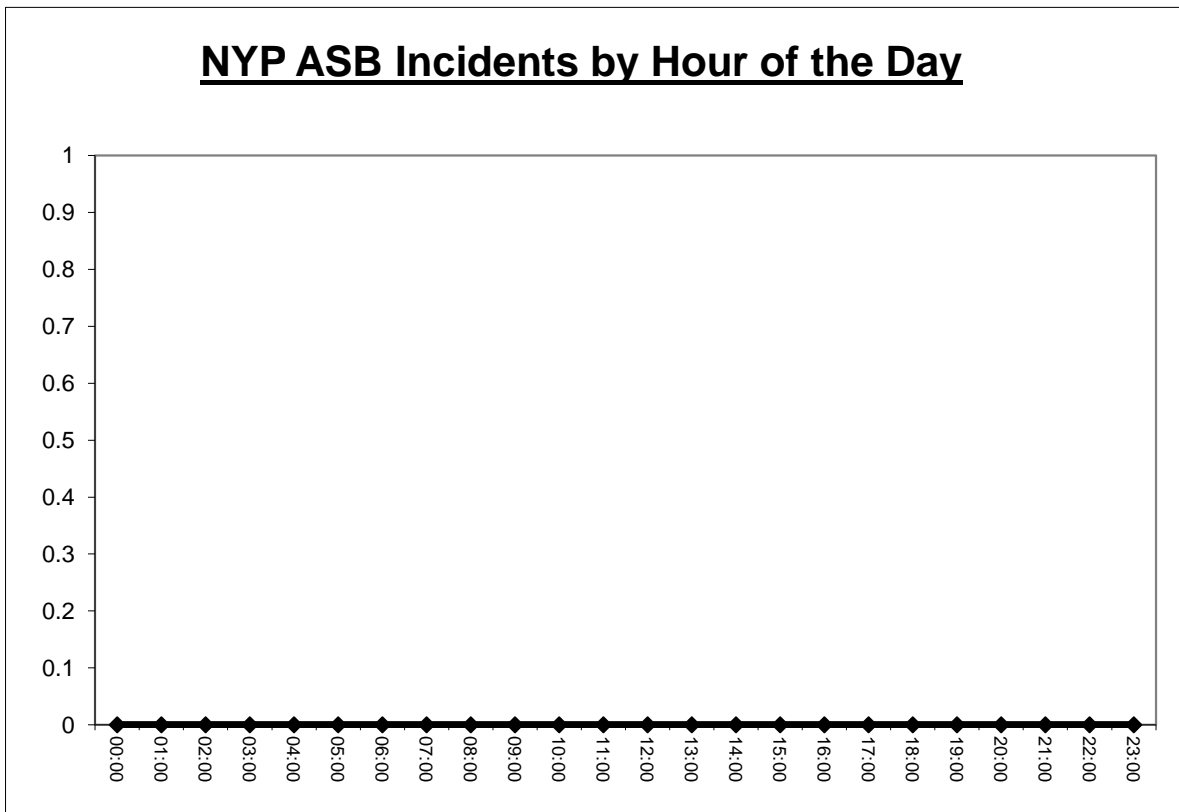
Expected Average Incidents per Month = **0.0**

Expected Average Incidents per Day = **0.0**

A Table of NYP ASB Incidents by Hour of the Day in the Study Area

| | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

NYP ASB Incidents by Hour of the Day

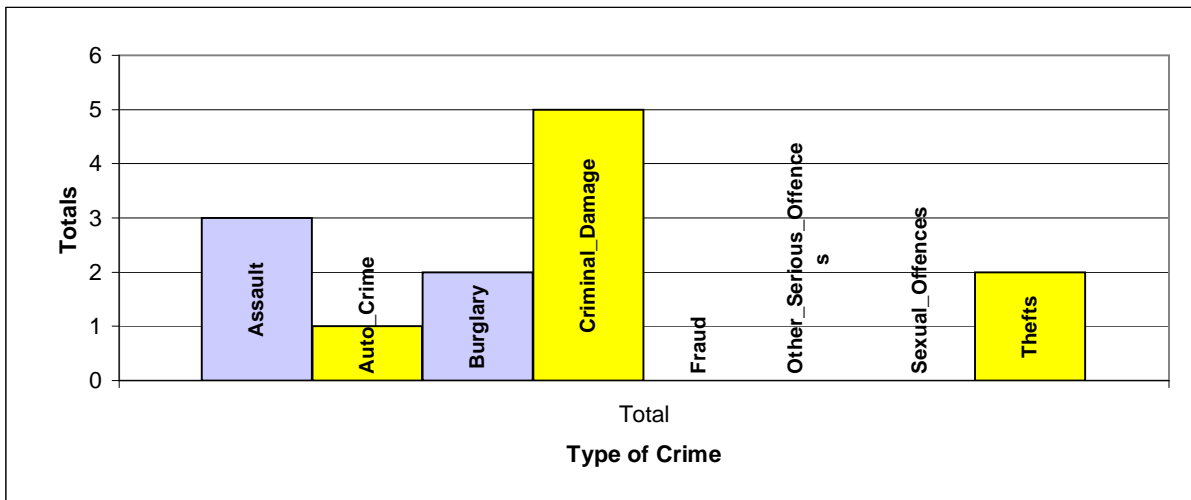


Crime Statistics

| | | |
|-------------------------------------|---|---------------------------------------|
| Crime Analysis Study Area: | = | Cornlands Road Park Study Area |
| Size of Study Area from Application | = | Please see map |
| Study Period Start: | = | 01/01/2013 |
| Study Period End: | = | 31/12/2014 |
| Date Study Completed | = | 11/02/2015 |
| Number of Months in Study Period | = | 24 |
| Geocoding Accuracy Rate | = | 95% |

| Crime Group | Total |
|------------------------|-----------|
| Assault | 3 |
| Auto_Crime | 1 |
| Burglary | 2 |
| Criminal_Damage | 5 |
| Fraud | 0 |
| Other_Serious_Offences | 0 |
| Sexual_Offences | 0 |
| Thefts | 2 |
| Grand Total | 13 |

A Table of Crime in the Study Area (Above) and corresponding Graph (Below)



A Table of Crime by Crime Group and then Crime Type

| EVENT_GROUP | HO_DESCRIPTION | Total |
|-----------------|-----------------------------|-------|
| ASSAULT | ASSAULT WITH INJURY | 2 |
| | ASSAULT WITHOUT INJURY | 1 |
| AUTO_CRIME | THEFT FROM VEHICLE | 1 |
| BURGLARY | BURGLARY IN A DWELLING | 2 |
| CRIMINAL_DAMAGE | ARSON NOT ENDANGERING LIFE | 1 |
| | CRIMINAL DAMAGE OTHER | 1 |
| | CRIMINAL DAMAGE TO VEHICLES | 3 |
| THEFTS | THEFT OF PEDAL CYCLE | 2 |
| Grand Total | | 13 |



A Table of Crime by Month of the Year and Hour of the Day in the Study Area

| Month | Total |
|-------|-------|
| Jan | 2 |
| Feb | 0 |
| Mar | 1 |
| Apr | 1 |
| May | 1 |
| Jun | 1 |

| Month | Total |
|-------|-------|
| Jul | 0 |
| Aug | 1 |
| Sep | 0 |
| Oct | 6 |
| Nov | 0 |
| Dec | 0 |

| Crime Day | Total |
|--------------------|-----------|
| Mon | 3 |
| Tue | 0 |
| Wed | 2 |
| Thu | 3 |
| Fri | 1 |
| Sat | 1 |
| Sun | 3 |
| Grand Total | 13 |

Grand Total

13

Expected Average Crime per Month =

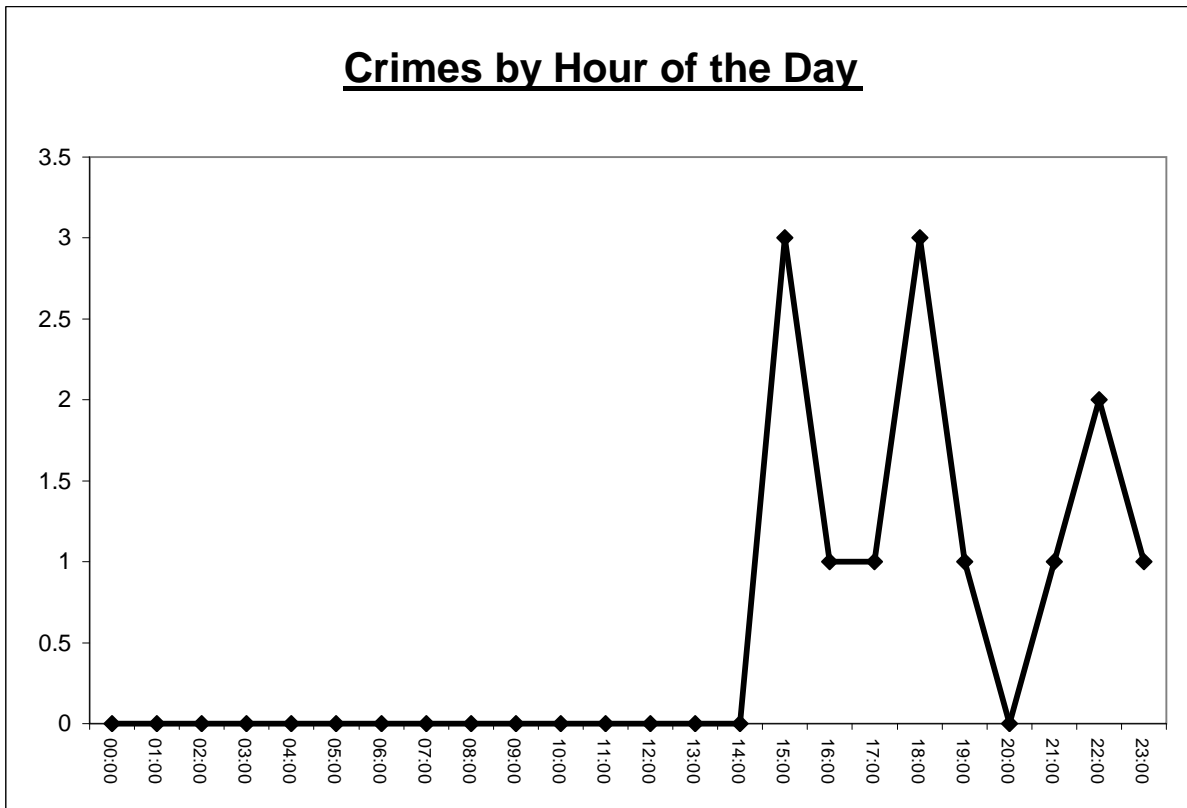
0.5

Expected Average Crime per Day =

1.9

A Table and Graph of Crime by Hour of the Day in the Study Area

| | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 1 | 1 | 3 | 1 | 0 | 1 | 2 | 1 | 13 |

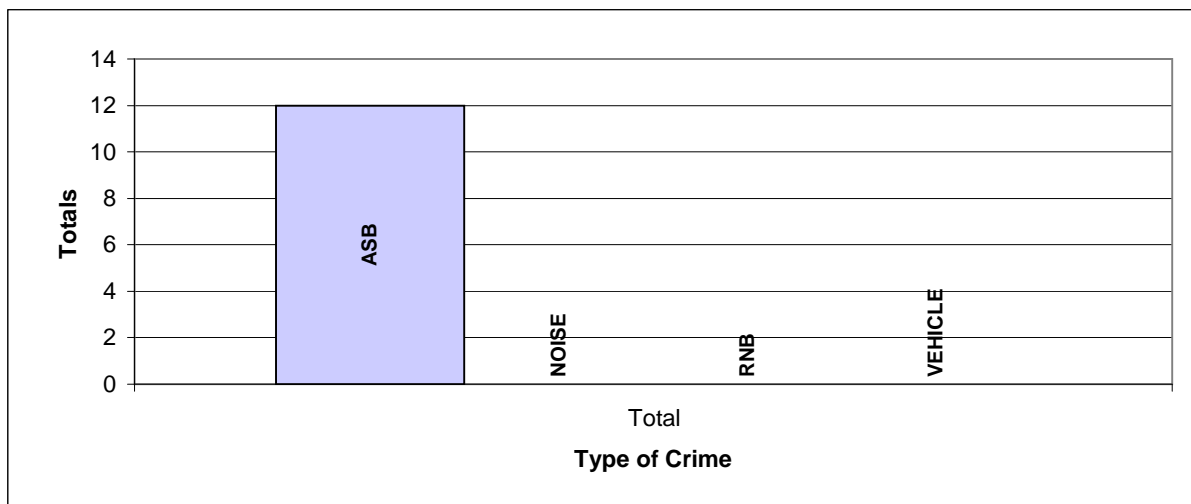


NYP ASB General Incidents Report

| | | |
|-------------------------------------|---|---------------------------------------|
| ASB Analysis Study Area: | = | Cornlands Road park Study Area |
| Size of Study Area from Application | = | Please See Map |
| Study Period Start: | = | 01/01/2013 |
| Study Period End: | = | 31/12/2014 |
| Date Study Completed | = | 11/02/2015 |
| Number of Months in Study Period | = | 24 |
| Geocoding Accuracy Rate | = | 95% |

| ASB Incident Group | Total |
|--------------------|-----------|
| ASB | 12 |
| NOISE | 0 |
| RNB | 0 |
| VEHICLE | 0 |
| Grand Total | 12 |

A Table of NYP ASB Incidents in the Study Area (Above) and corresponding Graph (Below)



THIS REPORT DOES NOT CONTAIN ANY NORTH YORKSHIRE POLICE ASB INCIDENTS THAT HAVE BEEN CONVERTED IN TO CRIMES

A Table of ASB by ASB Group and then Incident Heading

| EVENT_GROUP | INCIDENT_HEADING | Total |
|-------------|------------------|-------|
| ASB | ASB Nuisance | 11 |
| | ASB Personal | 1 |
| Grand Total | | 12 |



From 1st April 2011, all new ASB incidents are recorded by the type of harm they involve. Incidents are recorded as either: **ASB Personal** (where ASB impacts an individual rather than a group e.g. *comms*); **ASB Nuisance** (where ASB causes suffering to the comm)

FURTHER DETAIL OF THE ABOVE DESCRIPTIONS ARE AS FOLLOWS: ABANDONED = ABANDONED CARS, COMMS = COMMUNICATIONS, VEHNUISANCE = VEHICLE NUISANCE, RNB = ROWDY AND NUISNCE BEHAVIOUR, SUBMIS = SUBSTANCE MISUSE

A Table of ASB Incidents by Month of the Year and Hour of the Day in the Study Area

| Month | Total |
|-------|-------|
| Jan | 0 |
| Feb | 1 |
| Mar | 3 |
| Apr | 0 |
| May | 2 |
| Jun | 1 |

| Month | Total |
|-------|-------|
| Jul | 0 |
| Aug | 2 |
| Sep | 0 |
| Oct | 0 |
| Nov | 3 |
| Dec | 0 |

| Day | Total |
|--------------------|-----------|
| Mon | 4 |
| Tue | 1 |
| Wed | 3 |
| Thu | 2 |
| Fri | 1 |
| Sat | 1 |
| Sun | 0 |
| Grand Total | 12 |

Grand Total

12

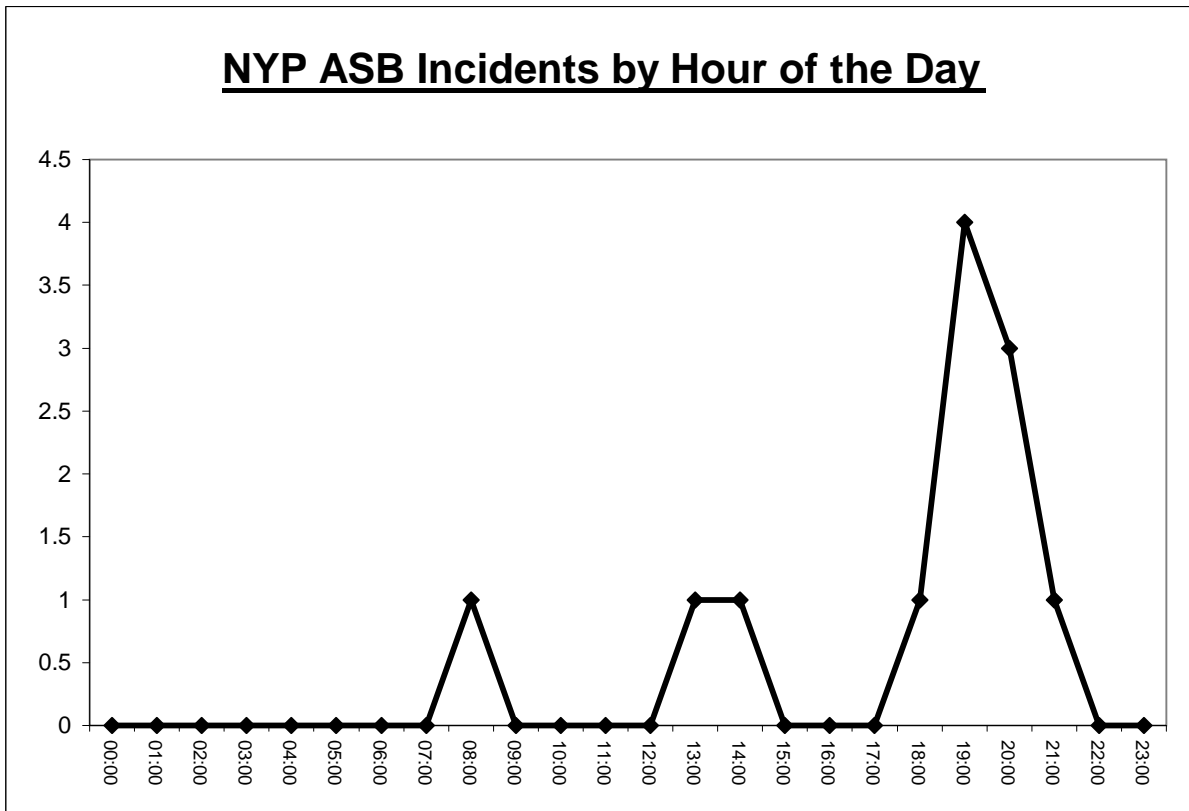
Expected Average Incidents per Month = **0.5**

Expected Average Incidents per Day = **1.7**

A Table of NYP ASB Incidents by Hour of the Day in the Study Area

| | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 4 | 3 | 1 | 0 | 0 | 12 |

NYP ASB Incidents by Hour of the Day



Annex 5 Baile Hill Kyme

| Yes | No | Comments |
|-----|----|--|
| YES | | |
| | NO | |
| Yes | | C would be better for me personally, but I suppose B would on average be better for all, being centrally located. |
| YES | | |
| Yes | | |
| Yes | | It would be of interest to us to know how often the gates would be maintained by yourselves. We would be happy for refuse collectors to have access to the alleyway. |
| | NO | My reasons are as follows: There is so little crime/anti social behaviour in this street, the expense of alleygating cannot be justified. I do not want to live in an (alley) gated community. I have a log delivery to the rear of my property approx 1xmonth in winter, which is essential to my heating and gates would interfere with this. I have had an anti-landfill sale at the rear of my property, and would like to be able to have more community events like that - alleygating would make this impossible. |
| Yes | | |
| | No | We strongly object to the proposal for the following reasons; it is not acceptable that refuse has to be taken through the house for collection; what happens to the wheelie bins? If bags are left at the front it will attract vermin such as rats and foxes. It will also cause problems for people walking along the footpath if bags are left in front of the houses. If the alleyway is gated it will make it impossible for workmen carrying out repairs to the rear of these old properties to carry out this work without going through the houses causing unnecessary disruption, damage and dirt within the house. No to gating the alleyway! |
| | NO | |
| Yes | | Disabled |
| YES | | |
| Yes | | We do not feel strongly about this issue but are happy to support it if others in the area want this. We do not want to carry bins through house and upstairs to the front but are happy to carry them to current Kyme Street collection point, outside the proposed gates at point B |
| | NO | I don't agree with gating a public right of way. I do not want extra disruption when putting out bin bags etc. I do not want to have to go through gates with my bicycle etc. |
| | No | The problem is residents are putting out their rubbish too early and wheelie bins are being left out in the alleyway, instead of residents storing them in their yards/gardens. Although there is some vandalism and anti-social behaviour, this would be reduced/mitigated if residents kept their rubbish and wheelie bins on their property until the collection day. Putting rubbish out at the front will mean carrying through our home and then an unsightly pile of bags/bins etc on what is a beautiful road next to the historic walls of the city of York. If the gating goes ahead - not in favour - collection of rubbish should remain at the rear or the properties. |
| | NO | Expenditure is unnecessary. Barriers would be ineffectual to those of malevolent intent. |
| | No | I live at no 9 Newton Terrace and have vehicular access through the proposed gate position at point B onto Kyme Street. I am concerned that your proposal to construct a gate at this access will end up with an accumulation of wheelie bins and rubbish bags around this gate blocking the route through and would like to know what facilities you have made for positioning wheelie bins on collection days to avoid blocking access. I have complained in the past about the number of wheelie bins in this back lane which are not taken back home after collection day, these can be used as a stepping stone to help a burglar climb over the alley walls into residents back gardens. Removal of bins after collection is not enforced at the moment and I doubt things would change if the gates were built. I would also imagine that if the bins are left in the vicinity of the gates before or after collection days they will be used to climb over the gates. In the last year I have also witnessed a number of different youths searching through bins in this back alley. This is presumably because they are being used as drop off points by the local drug community now that the last drop off point at the public bin on Victor Street has been removed. If the council took proper measures to enforce the rules on leaving rubbish and wheelie bins out this would be less of a problem. Personally I think it won't be long before the passcode becomes common knowledge and that a security camera system to see who is passing through Bishophill would be more of a deterrent. |

| | | |
|-----|----|---|
| | NO | We are not aware of any need for gates. The only problem we experience is residents leaving rubbish, which could well be exacerbated by the gates. The proposed gate at B would deny us vehicular access to our rear gate. The three gates would also make it impossible to place bins outside at the rear other than in Kyme Street. It is not possible to take our bin through the house to Newton Terrace. It is unreasonable to expect a considered response without a clear indication of how rubbish disposal would be provided for. |
| YES | | My house is close to where Gate B would be sited. On several occasions I have had unnerving experiences at night because of men coming to urinate in the allyway and twice the house next door to me has had bicycles taken from their yard. It is not not difficult for an able bodied man to climb over the walls if he has an accomplice. On other occasions while walking my dog at night, I have been frightened by men hiding at the entrances to the Kyme Street alley. I would very much welcome the added security offered by the gates - I was burgled last year. |
| | NO | If a gate is erected at Point B it will block access to our garage. Our car is 2.1m in diameter. The alley at this point is 2.9m wide. The posts we believe are 40cm wide. Therefore it would not be possible to reverse the car into the garage. |
| | No | At the moment refuse collection is at either end of the alley - gating would prevent this from continuing. Taking refuse through the house to the front is totally impractical. The alley is wide enough for vehicular access which is very useful for tradesmen such as window cleaners, gardeners, builders etc and stops them blocking Newton Terrace - if you gate the alley how is a window cleaner going to get access to clean the rear windows? |
| Yes | | |
| | | To be effective, all entrances at A, B & C need to be gated - rather than just the ones at B&C. I/we would not be in favour if refuse collections were to be made from the front of properties in Newton Terrace/Kyme Street. |
| YES | | |
| YES | | |
| | | The gate will be at the back of my house. I am ONLY in favour if the access from our backyard is into the gated section of the alley. There is a very bad rubbish problem with bins that people don't remove and flytipping in an area where children play. This must be solved by finding a different area for bins and better enforcement against people leaving their bins there. |
| Yes | | |
| YES | | The alleyway is seldom maintained and needs a closer inspection |

15 in favour
13 against
Waste collection issues subsequently resolved at site meeting with PROW, councillors, residents and Waste Strategy

Cornlands Road Park

| | | |
|-----|----|--|
| YES | | Near the electricity building there is a gap where rubbish is dumped, I have informed yourselves of this on numerous occasions. There have also been fires set at the side of the electricity building. Can a metal fence be fitted to stop this happening? The electricity building also needs addressing - fires, fly tipping, kids climbing on roof. |
| YES | | |
| YES | | |
| | NO | |
| Yes | | |
| | NO | The reasons for me opposing the closing of the snicket is because the majority of Tennent Road residents use the snicket including most school children. If the snicket does become closed, the council will need to put in place a footpath across the park for residents who live further back from the snicket otherwise they would often walk round to the end of Tennent Road. Plus the path (park?) gets quite muddy in bad weather. |
| YES | | |
| YES | | |
| YES | | |
| | | (no response indicated) |
| Yes | | |

9 in favour
2 against

| Consultee | Comments |
|-------------------------|--|
| Chief Officer of Police | Thank you for your correspondence of the 28 th November and 1 st December 2014 with regards to the gating off of alleyways between Kyme Street and Newton Terrace and Cornlands Road, York. I have studied the proposals and on behalf of the Chief Officer of North Yorkshire Police offer the following observations: No comment. Steve Burrell. |
| CityFibre | Locations: Baile Hill Terrace/Kyme Street and Cornlands Road/Tennent Road. You recently requested information pertaining to the above location and in relation to CityFibre Holdings Ltd plant. I can confirm that at this current time we have NO PLANT which may be affected by your proposed works. However, due to the nature of our works this could change dependent on the roll out of the programmes. The validity of this response is 6 weeks, after such time a new enquiry would need to be made. |
| Yorkshire Water | Yorkshire Water have no clean water apparatus which is likely to be affected by the proposed gating in Baile Hill Terrace/Kyme Street. |
| Harrogate Bridleways | I have viewed this proposal on behalf of Harrogate Bridleways Association and can advise that we have no objections or observations to make. |
| Northern Gas Networks | Plans received - no apparatus. |
| Ramblers (David Nunns) | We are not shown the data behind this proposed scheme in respect of recent crime and anti-social behaviour, so cannot comment as to whether the requirements of the legislation is met. The Alley shown from Point A actually appears to extend to the rear of 29 Victor Street and Victoria Bar Apartments. Your proposal could be considered in 2 parts, namely the 2 footpaths between Victor Street and Kyme Street to where they meet the Back Lane B-C and the Back Lane itself. Wheelie bins, black bags and recycling boxes, wherever possible, should not be left at the front of houses without forecourts in this area, as the footways are very narrow to negotiate if obstacles are present. Your points B&C are set back to allow either vehicles to move off the nearby carriageways, prior to opening the gates, or provide sufficient means to hold wheelie bins, black bags and recycling boxes on collection days. We believe the same should apply at Point A, although Point B may suffice due to 13-29 Victor Street having small forecourts. It may be that fear of crime and ASB is the reason for this request, rather than actual activity at the rear of the properties. Better locks on gates accessing these alleyways/lanes may reduce crime, rather than closure. As a result of your consultation you may find a narrow gate behind 8 Newton Terrace, together with one near Point A may be a proportionate measure for the lower numbered houses, leaving B-C open. |
| Atkins/Vodafone | No Objection |

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Annex 6: Community Impact Assessments

Annex 6

SECTION 1: CIA SUMMARY



Community Impact Assessment: Summary

1. Name of service, policy, function or criteria being assessed:

Kyme Street/Baile Hill Terrace Alleygating Proposal 2015/2016

2. What are the main objectives or aims of the service/policy/function/criteria?

A Public Spaces Protection Order (PSPO) allows the council to restrict access to a public place (such as a rear alleyway), where the activities which are associated with that place are, or are likely to be, having a detrimental effect on the quality of life of those in the locality.

This recommendation proposes the restriction/closure of the alleyway between Kyme Street/Baile Hill Terrace/Newton Terrace and Victor Street.

3. Name and Job Title of person completing assessment:

Claire Robinson, Assistant Rights of Way Officer

4. Have any impacts been Identified? (Yes/No)

Yes

Community of Identity affected:

Age; Disability, Carers

Summary of impact:

One positive and six negative impacts have been identified involving mobility and access issues. One of the negative issues is seen as critical (design of locks / handles etc). This is mitigated by design / installation and alternative access options. Alleygates are reviewed regularly and/or on demand which may accommodate any change in circumstances.

The positive impact of additional security to residents, increasing peace of mind and providing a safe area to the rear of their properties, justifies the negative impacts.

5. Date CIA completed: 26 January 2015

6. Signed off by:

7. I am satisfied that this service/policy/function has been successfully impact assessed.

Name:

Position:

Date:

8. Decision-making body:

OIC Director

City and Environmental Services

Date:

3 February 2015

Decision Details:

Send the completed signed off document to ciasubmission@york.gov.uk. It will be published on the intranet, as well as on the council website.

Actions arising from the Assessments will be logged on Verto and progress updates will be required

Community Impact Assessment (CIA)

Community Impact Assessment Title:
Kyme Street/Baile Hill Terrace Alley-gating Proposal 2015/2016

What evidence is available **to suggest that the proposed service, policy, function or criteria could have a negative (N), positive (P) or no (None) effect** on quality of life outcomes? (Refer to guidance for further details)

Can negative impacts be justified? **For example: improving community cohesion; complying with other legislation or enforcement duties; taking positive action to address imbalances or under-representation; needing to target a particular community or group e.g. older people.** NB. Lack of financial resources alone is NOT justification!

Community of Identity: Age

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|--|---|--|--------------------------------|----------------------------|
| Informal consultation has been undertaken with all affected residents and statutory bodies (Police, emergency services, utility companies, The Ramblers) | | Physical security; Standard of living Access to services; Individual, family and social life | Positive & Negative | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| 1. Positive: A Public Spaces Protection Order may be made by the council, under Section 59 of the Anti-social Behaviour, Crime | | <ul style="list-style-type: none"> As a proportionate means to achieve a legitimate aim | | |

| | | | | |
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| <p>and Policing Act 2014, if they are satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space;</p> <ul style="list-style-type: none"> • have had, or are likely to have, a detrimental effect on the quality of life of those in the locality; • is, or is likely to be, persistent or continuing in nature; • is, or is likely to be, unreasonable; and • justifies the restrictions imposed. <p>There is a generally agreed perception that older people are more fearful of crime and anti-social behaviour (ASB) so the installation of gates to reduce crime and to deter groups of ‘undesirables’ gathering in alleyways would have a beneficial effect. People who live adjacent to the alleyways subject to a PSPO will particularly benefit from reduced anti-social behaviour for example, drinking in the passages, graffiti, urination etc. A PSPO gives additional security to residents, increasing peace of mind and provides a safe area to the rear of their properties.</p> | | <ul style="list-style-type: none"> • In support of improving community cohesion • There are alternative pavement routes that can be safely used with only reasonable increases in walking distances. • Waste Services offer additional assistance to customers meeting set criteria. • A small number of consultation responses indicated customers were of age and would have difficulty. We will proactively signpost these residents to this service. • The letter which confirms the Public Spaces Protection Order, will also signpost residents to this service. | <p>C Robinson</p> <p>C Robinson</p> | <p>When the PSPO is made operative</p> <p>When the PSPO is made operative</p> |
|---|--|---|-------------------------------------|---|

Negative: Restricting the use of the alleyway can have a negative impact on specific age groups.

Older people/under 17s:

Non-drivers are less likely use a car, therefore more likely to regularly use alleyways to access local shops, bus stops, schools etc.

Older people and under 17s are likely to be non-drivers. People who have mobility problems welcome short-cuts and walks that are away from busy traffic and may be hesitant or unable to use alternative routes to essential services.

Children:

Parents with young children use alleyway routes to take them to school. Older children going to school on their own may use alleyway routes to arrive at school safely

When a PSPO is made and gates installed, it is necessary for refuse to be collected from the front of properties or a central collection point instead of from rear alleyways. This means that in most cases, refuse bags will have to be carried through the home to

| | | | | |
|--|--|--|--|--|
| present it on the public highway at the front. This could have a negative impact on older people who may be unable to lift and carry due to mobility issues/frailty. | | | | |
|--|--|--|--|--|

Community of Identity: Carers of Older or Disabled People

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|------------------------------------|--|----------------------------|---------------------------------|
| Informal consultation has been undertaken with all affected residents and statutory bodies (Police, emergency services, utility companies, Ramblers) | | Access to services; Standard of living; Individual, family and social life | Negative | None |
| Details of Impact | Can negative impacts be justified? | Reason/Action | Lead Officer | Completion Date |
| Residents are able to provide independent access to carers should alleygates be installed. Carers may wish to change working hours to facilitate refuse disposal (as detailed above) but this is optional and dependant on personal preference. | Yes | <ul style="list-style-type: none"> As a proportionate means to achieve a legitimate aim Waste services offer additional assistance to customers meeting set criteria. Residents have the choice of using this service instead of changing carers' working patterns. | C Robinson | When the PSPO is made operative |

Community of Identity: Disability

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|------------------------------------|---|-------------------------------|--|
| Informal consultation has been undertaken with all affected residents and statutory bodies (Police, emergency services, utility companies, Ramblers) | | Access to services; Standard of living; Individual, family and social life | Negative | None |
| Details of Impact | Can negative impacts be justified? | Reason/Action | Lead Officer | Completion Date |
| <p>Some alleyways are used by drivers to access garages at the rear of properties. People with impaired mobility may rely on this access as their most convenient way to access their property. A gate may impede this access or impact on the ease with which access is currently enjoyed.</p> <p>Restrictions to the highway can have a negative impact on disabled people. Wheelchair users and people with impaired mobility may rely on the back entrances to their properties and alleyways as the most convenient, or possibly their only, means of accessing their property.</p> <p>The design of the gates is critical. Width and height of locks and handles must provide ease of use for wheelchair users and people</p> | Yes | <ul style="list-style-type: none"> As a proportionate means to achieve a legitimate aim Only reasonable additional effort is involved in using the gates. Results from the consultations to date show no current residents have indicated they have mobility issues. New Legislation requires gates to be reviewed at least every three years or earlier, on request, if necessary. Any changes in customer mobility would be considered in this review with gates removed if necessary. Installation of gates does not impede access to the rear of the property as access codes are given to all residents. | C Robinson | When the PSPO is made operative and at subsequent 3 year reviews |

| | | | | |
|---|--|---|--|--|
| with dexterity issues e.g. people with arthritis. | | <ul style="list-style-type: none"> • Care is taken on the installation of individual gates to ensure ease of access to the locking mechanism. • All locks on this scheme will be fitted with a key override facility. This allows gates to be opened without the need to turn a handle. Keys are provided free of charge on request. • The letter which confirms the PSPO, will also signpost residents to this service. | | |
|---|--|---|--|--|

Community of Identity: Gender

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|-----------------------------------|---------------------------------------|------------------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Gender Reassignment

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|-------------------------------|----------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Marriage & Civil Partnership

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|-------------------------------|----------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Pregnancy / Maternity

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|-------------------------------|----------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Race

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|-------------------------------|----------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive | | | | |

| | | | | |
|---|--|--|--|--|
| or negative impact on this community of identity group. | | | | |
|---|--|--|--|--|

Community of Identity: Religion / Spirituality / Belief

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|----------------------------|-------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Sexual Orientation

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|-------------------|---|----------------------------|----------------------------|-------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |

There is not expected to be either a positive or negative impact on this community of identity group.

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Annex 6

SECTION 1: CIA SUMMARY



Community Impact Assessment: Summary

1. Name of service, policy, function or criteria being assessed:

Cornlands Road Park Alleygating Proposal 2015/2016

2. What are the main objectives or aims of the service/policy/function/criteria?

A Public Spaces Protection Order (PSPO) allows the council to restrict access to a public place (such as a rear alleyway) where the activities which are associated with that place are, or are likely to be, having a detrimental effect on the quality of life of those in the locality.

This recommendation proposes the restriction/closure of the alleyway in Cornlands Road Park, Westfield Ward.

3. Name and Job Title of person completing assessment:

Claire Robinson, Assistant Rights of Way Officer

4. Have any impacts been Identified? (Yes/No)

Yes

Community of Identity affected:

Age; Disability,
Carers

Summary of impact:

One positive and six negative impacts have been identified involving mobility and access issues. One of the negative issues is seen as critical (design of locks / handles etc). This is mitigated by design / installation and alternative access options. Alleygates are reviewed regularly and/or on demand which accommodates any change in circumstances.

The positive impact of additional security to residents, increasing peace of mind and providing a safe area to the rear of their properties justifies the negative impacts.

5. Date CIA completed: 4 February 2015**6. Signed off by:**

7. I am satisfied that this service/policy/function has been successfully impact assessed.

Name:

Position:

Date:

8. Decision-making body:
OIC

Date:
17 February
2015

Decision Details:

Send the completed signed off document to ciasubmission@york.gov.uk. It will be published on the intranet, as well as on the council website.

Actions arising from the Assessments will be logged on Verto and progress updates will be required

Community Impact Assessment (CIA)

Community Impact Assessment Title:

Cornlands Road Park Alleygating Proposal 2015/2016

What evidence is available **to suggest that the proposed service, policy, function or criteria could have a negative (N), positive (P) or no (None) effect** on quality of life outcomes? (Refer to guidance for further details)

Can negative impacts be justified? **For example: improving community cohesion; complying with other legislation or enforcement duties; taking positive action to address imbalances or under-representation; needing to target a particular community or group e.g. older people.** NB. Lack of financial resources alone is NOT justification!

Community of Identity: Age

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|--|---|--|--------------------------------|----------------------------|
| Informal consultation has been undertaken with all affected residents and statutory bodies (Police, emergency services, utility companies, The Ramblers) | | Physical security; Standard of living Access to services; Individual, family and social life | Positive & Negative | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| 1. Positive: A Public Spaces Protection Order may be made by the council, under Section 59 of the Anti-social Behaviour, Crime | | <ul style="list-style-type: none"> As a proportionate means to achieve a legitimate aim | | |

| | | | | |
|---|--|--|------------|---|
| <p>and Policing Act 2014, if they are satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space;</p> <ul style="list-style-type: none"> • have had, or are likely to have, a detrimental effect on the quality of life of those in the locality; • is, or is likely to be, persistent or continuing in nature; • is, or is likely to be, unreasonable; and • justifies the restrictions imposed. <p>There is a generally agreed perception that older people are more fearful of crime and anti-social behaviour (ASB) so the installation of gates to reduce crime and to deter groups of 'undesirables' gathering in alleyways would have a beneficial effect. People who live adjacent to the alleyways subject to a PSPO will particularly benefit from reduced anti-social behaviour for example, drinking in the passages, graffiti, urination etc. A PSPO gives additional security to residents, increasing peace of mind and provides a safe area to the rear of their properties.</p> | | <ul style="list-style-type: none"> • In support of improving community cohesion • There are alternative pavement routes that can be safely used with only reasonable increases in walking distances. | C Robinson | <p>When the PSPO is made operative</p> <p>When the PSPO is made operative</p> |
|---|--|--|------------|---|

| | | | | |
|--|--|------------------------------------|--|--|
| <p>Negative: Restricting the use of the alleyway can have a negative impact on specific age groups.</p> <p>Older people/under 17s: Non-drivers are less likely use a car, therefore more likely to regularly use alleyways to access local shops, bus stops, schools etc. Older people and under 17s are likely to be non-drivers. People who have mobility problems welcome short-cuts and walks that are away from busy traffic and may be hesitant or unable to use alternative routes to essential services.</p> <p>Children: Parents with young children may use alleyway routes to take them to school. Older children going to school on their own may use alleyway routes to arrive at school safely</p> <p>When a PSPO is made and gates installed, it is necessary for refuse to be collected from the front of properties or a central collection point instead of from rear alleyways. This means that in most cases, refuse bags will have to be carried through the home to</p> | | <p>Not applicable in this case</p> | | |
|--|--|------------------------------------|--|--|

| | | | | |
|--|--|--|--|--|
| present it on the public highway at the front. This could have a negative impact on older people who may be unable to lift and carry due to mobility issues/frailty. | | | | |
|--|--|--|--|--|

Community of Identity: Carers of Older or Disabled People

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|------------------------------------|--|----------------------------|---------------------------------|
| Informal consultation has been undertaken with all affected residents and statutory bodies (Police, emergency services, utility companies, Ramblers) | | Access to services; Standard of living; Individual, family and social life | Negative | None |
| Details of Impact | Can negative impacts be justified? | Reason/Action | Lead Officer | Completion Date |
| Residents are able to provide independent access to carers should the alleygates be installed. Carers may wish to change working hours to facilitate refuse disposal (as detailed above) but this is optional and dependant on personal preference. | Yes | <ul style="list-style-type: none"> As a proportionate means to achieve a legitimate aim Waste Services offer additional assistance to customers meeting set criteria. Residents have the choice of using this service instead of changing carers' working patterns. | C Robinson | When the PSPO is made operative |

Community of Identity: Disability

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|------------------------------------|---|-------------------------------|--|
| Informal consultation has been undertaken with all affected residents and statutory bodies (Police, emergency services, utility companies, Ramblers) | | Access to services; Standard of living; Individual, family and social life | Negative | None |
| Details of Impact | Can negative impacts be justified? | Reason/Action | Lead Officer | Completion Date |
| <p>Some alleyways are used by drivers to access garages at the rear of properties. People with impaired mobility may rely on this access as their most convenient way to access their property. A gate may impede this access or impact on the ease with which access is currently enjoyed.</p> <p>Restrictions to the highway can have a negative impact on disabled people. Wheelchair users and people with impaired mobility may rely on the back entrances to their properties and alleyways as the most convenient, or possibly their only, means of accessing their property.</p> <p>The design of the gates is critical. Width and height of locks and handles must provide ease of use for wheelchair users and people</p> | Yes | <ul style="list-style-type: none"> As a proportionate means to achieve a legitimate aim Only reasonable additional effort is involved in using the gates. Results from the consultations to date show that no residents have declared disabilities/issues with gates. New Legislation requires alleygates to be reviewed at least every three years or earlier, on request, if necessary. Any changes in customer mobility would be considered in this review with gates removed if necessary. Installation of gates does not impede access to the rear of the property as access codes are given to all residents. | C Robinson | When the PSPO is made operative and at subsequent 3 year reviews |

| | | | | |
|---|--|---|--|--|
| with dexterity issues e.g. people with arthritis. | | <ul style="list-style-type: none"> • Care is taken on the installation of individual gates to ensure ease of access to the locking mechanism. • All locks on this scheme will be fitted with a key override facility. This allows gates to be opened without the need to turn a handle. Keys are provided free of charge on request. • The letter which confirms the PSPO, will also signpost residents to this service. | | |
|---|--|---|--|--|

Community of Identity: Gender

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|-----------------------------------|---------------------------------------|------------------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Gender Reassignment

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|-------------------------------|----------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Marriage & Civil Partnership

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|-------------------------------|----------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Pregnancy / Maternity

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|-------------------------------|----------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Race

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|-------------------------------|----------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive | | | | |

| | | | | |
|---|--|--|--|--|
| or negative impact on this community of identity group. | | | | |
|---|--|--|--|--|

Community of Identity: Religion / Spirituality / Belief

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|---|---|----------------------------|----------------------------|-------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |
| There is not expected to be either a positive or negative impact on this community of identity group. | | | | |

Community of Identity: Sexual Orientation

| Evidence | | Quality of Life Indicators | Customer Impact (N/P/None) | Staff Impact (N/P/None) |
|-------------------|---|----------------------------|----------------------------|-------------------------|
| Not applicable | | Not applicable | None | None |
| Details of Impact | <i>Can negative impacts be justified?</i> | Reason/Action | Lead Officer | Completion Date |

There is not expected to be either a positive or negative impact on this community of identity group.

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**Decision Session - Executive Member for
Transport and Planning**

3rd December 2015

Report of the Acting Director of City and Environmental Services

**Public Rights of Way – Presentation of Petition for the closure of
two alleyways to the rear of properties on Bachelor Hill and Gale
Lane and Batchelor Hill**

Summary

1. This report presents a petition (Annex 1) submitted by Cllr Sue Hunter, Ward Member for Westfield Ward, requesting the alleyways between 30-38 Gale Lane, 1-9 Bachelor Hill and to the rear of 11-15 Bachelor Hill (Annex 2) be gated for reasons of security. The Executive Member is asked to consider not progressing the request at this time, but to add the request to the list of other requests for Alley-gating so that it may be prioritised accordingly.

Background

2. The Council has powers available to it under the Anti-social Behaviour, Crime and Policing Act 2014 to make a Public Spaces Protection Order (PSPO) which allows gates to be fitted to an alleyway so that public access may be restricted, if it is satisfied that certain legislative requirements can be met.
3. The petition, which is signed by 10 residents was presented to Council on 8th October 2015 and requests that the above 2 alleyways be gated for security reasons. The first alleyway runs between 30-38 Gale Lane and 1-9 Bachelor Hill the second runs to the rear of 11-15 Batchelor Hill and is bounded to the south-west by high security fencing.

4. The alleyway between 30-38 Gale Lane and 1-9 Bachelor Hill is recorded on the Council's List of Streets Maintainable at the Public Expense (adopted). The alleyway running to the rear of 11-15 Bachelor Hill is not adopted. Both alleyways are located on land owned by the Council (managed by Housing Services) and therefore both will require a Public Spaces Protection Order to be made to restrict public access.
5. It should be noted that the petition does not include the nearby alleyways connecting Gale Lane to Haddon Close/Tennent Mews due to them being a short cut for residents and the possibility of objections being received should they have been included in the petition request.
6. Crime and anti-social behaviour (ASB) statistics have been requested for both alleyways (Annex 3).
7. Alleyway between 30-38 Gale Lane and 1-9 Bachelor Hill - For the period between 01/10/14 and 30/09/15, there were no recorded incidents of crime and/or ASB.
8. Alleyway to the rear of 11-15 Bachelor Hill – For the period between 01/10/14 and 30/09/15, there were no recorded incidents of crime and/ ASB.
9. Both the above crime/ASB study areas also include the short-cut alleyways mentioned in paragraph 3 above. There are no reported incidents of crime and/or ASB associated with these alleyways either.

Consultation

10. The purpose of this report is to request a decision as to whether to progress the petition request to gate the 2 alleyways. Should it be decided to progress the request, informal consultation with Prescribed Bodies i.e. residents, police etc would be carried out at this time.

Options

11. Option 1: Progress the petition request and begin informal consultation.
12. Option 2: Do not progress the petition request at this time, but add the two alleyways in question to the list of other alley-gating requests to be prioritised accordingly.

Analysis

13. Option 1: Before an alleyway can be considered for a PSPO it must be demonstrated that it meets all the requirements of the legislation (Annex 4).
14. The petition request gives the reason for wanting gates to be installed as providing greater security for the alleyways.
15. Crime and ASB statistics produced by the CYC Business Intelligence Unit, show that there were no recorded incidents of crime and ASB that may have had a detrimental affect on the quality of life of those in the locality, for the period between 01/10/14 and 30/09/15.
16. Given the above one year timeframe when no recorded incidents of crime or ASB were recorded, it is perhaps unlikely that in the future such activities will be carried on within the alleyways in question, or that if they do, they are unlikely to be of a persistent or continuing nature.
17. It is therefore considered that the requirements of the legislation are not currently being met in this instance and to continue the request on this basis may bring about an appeal to the High Court.
18. Option 2: Although there are currently no recorded incidents of crime and ASB associated with the two alleyways in question, the request to gate them could be added to the list of other requests to be prioritised accordingly, as and when resources allow.

Council Plan

19. The Council Plan is built around 3 key priorities – A Prosperous City for All, A Focus on Frontline Services and A Council that Listens to Residents.

These schemes support the following aims of the plan:

- Residents are protected from harm, with low risk of crime
- Focus on cost and efficiency to make the right decisions in a challenging financial environment
- Use evidence based decision making

Implications

20. **Financial:** There are no financial implications associated with this report.
21. **Human Resources (HR):** There are no HR Implications.
22. **Equalities:** There are no Equalities implications.
23. **Legal:** Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 enables the Council to make a Public Spaces Protection Order on the grounds that two conditions are met. The first being that;
- a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect
- and the second condition is the effect, or likely effect, of the activities;
- a) is, or is likely to be, of a persistent or continuing nature,
 - b) is, or is likely to be, such as to make the activities unreasonable, and
 - c) justifies the restrictions imposed by the notice.

A PSPO may not have effect for a period of more than 3 years, unless extended.

Before making such an order the Council must also consider the likely effect of the order on adjoining and adjacent owners and other persons in the locality. Where the highway constitutes a through route the Council must consider the availability of a reasonably convenient through route.

24. **Crime and Disorder:** Other than those mentioned within the report there are no further Crime and Disorder implications.
25. **Information Technology (IT):** There are no IT implications.
26. **Property:** Other than those mentioned in the report (Para 4) there are no further Property implications.
27. **Other:** There are no other implications.

Risk Management

28. This section should be the penultimate one in the report (before Recommendations) and should include an assessment of risks associated with any recommendation to be made below. Further advice is available from the Risk & Insurance Manager in Resources. If there are no known risks, it should say so.

Recommendations

29. The Executive Member is asked to consider:

Option 2: Do not progress the petition request at this time, but add the two alleyways in question to the list of other alley-gating requests to be prioritised accordingly.

Reason: The requirements of the legislation are not currently being met in this instance.

Contact Details

Author:

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Rights of Way Officer
Transport Service
Tel No. 01904 551481

Chief Officer Responsible for the report:

Neil Ferris
Acting Director City and Environmental Services

Report Approved



Date 20.11.15

Wards Affected: Westfield

All

For further information please contact the author of the report

Background Papers:

- Anti-social Behaviour, Crime and Policing Act 2014

Annexes

- Annex 1: Petition
- Annex 2: Location Plan
- Annex 3: Crime and ASB Statistics
- Annex 4: Legislation

Glossary

ASB – Anti-Social Behaviour

CYC – City of York Council

PROW – Public Right of Way

PSPO – Public Spaces Protection Order

Draft

LIBERAL
DEMOCRATS

**Westfield
Ward
Focus Team**



**Cllr Andrew Waller
Cllr Sheena Jackson Cllr Sue Hunter**

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Ref:SnicketClosures

Date:12/08/15

Petition to for snicket security

Residents have asked if the small snickets directly behind the houses on Gale Lane and Bachelor Hill, and between the green area in front of the bungalows and Bachelor Hill



In other parts of the city snickets which are secluded behind properties, and are not a major thoroughfare have been gated for security with keys/combinations being provided to residents. Whilst this does provide additional security from behind properties it does prevent general sweeping and cleaning which would have to be done by the householders concerned – however, the likelihood of fly tipping is reduced.

Due to the likely objections to closure of snickets which are a shortcut for residents this does not involve the snicket connecting Gale Lane to Haddon Close/Tennent Mews

We will call to collect the petition on Sunday afternoon or else you can return to the letter box at number 7 Bachelor Hill

The petition will be handed in at the earliest meeting and the council will have to produce a report to the Executive Member for Planning and Transport. We will keep residents informed of progress.

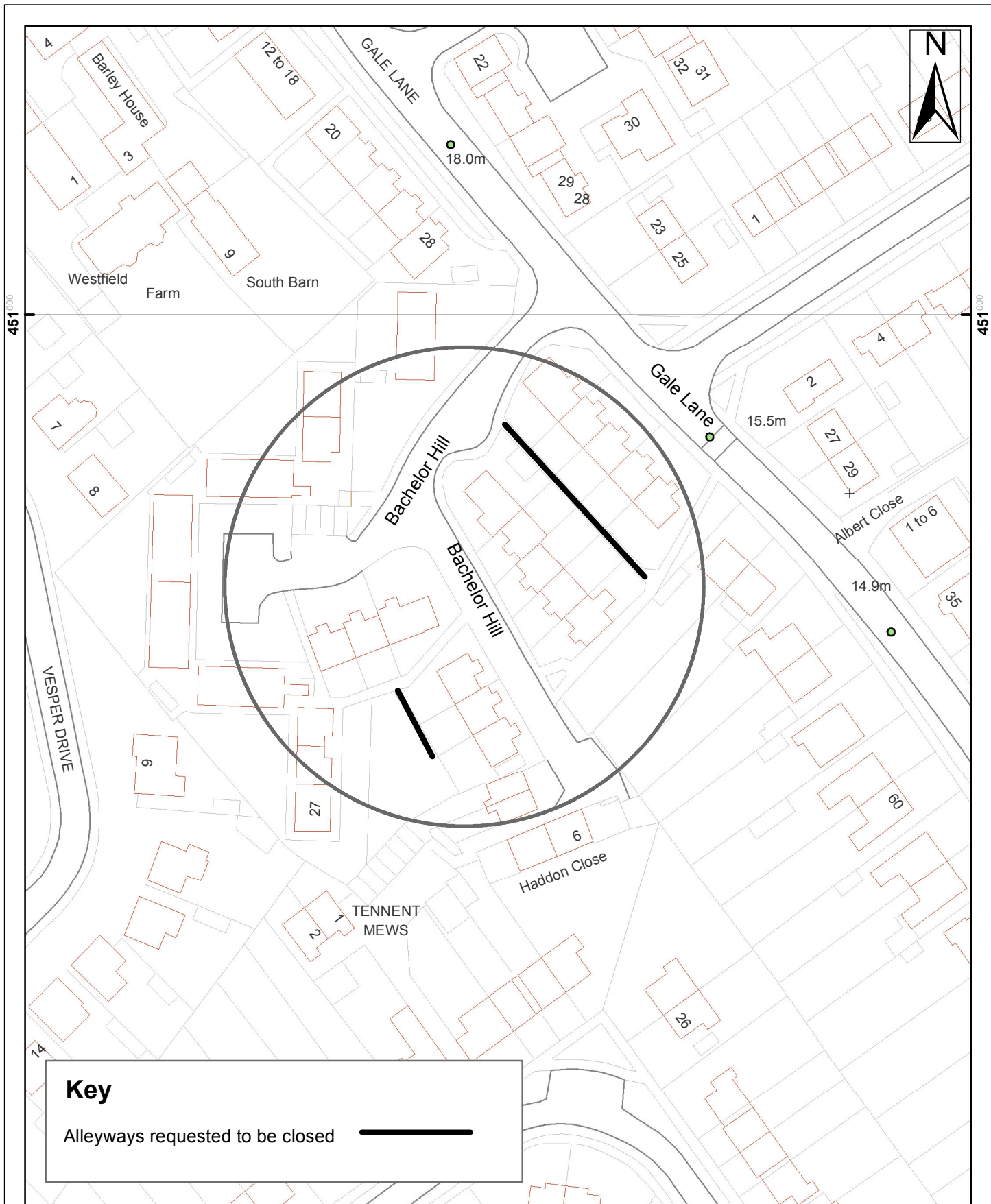
PETITION

We the undersigned ask that City of York Council gate the snickets between the backs of 30-38 Gale Lane, and 1-9 Bachelor Hill, and behind 11-15 Bachelor Hill backed by the green metal fencing.

Name (please print)

Signature

Address



West Offices, Station Rise, York,
YO1 6GA
Telephone: 01904 551550

Location Plan

Scale 1:1,000

Drawn By:

Date:

Public Rights of Way

Reference:

Drawing No.

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Annex 4: Legislation

Anti-social Behaviour, Crime and Policing Act 2014

Chapter 2

Public Spaces Protection Orders

59 Power to make orders

- (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
- (2) The first condition is that-
 - (a) Activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) It is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- (3) The second condition is that the effect, or likely effect, of the activities-
 - (a) Is, or is likely to be, of a persistent or continuing nature,
 - (b) Is, or is likely to be, such as to make the activities unreasonable, and
 - (c) Justifies the restrictions imposed by the notice.
- (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) ("the restricted area") and-
 - (a) Prohibits specified things being done in the restricted area,
 - (b) Requires specified things to be done by persons carrying on specified activities in that area, or
 - (c) Does both of those things.
- (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
 - (a) To prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or
 - (b) To reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- (6) A prohibition or requirement may be framed—
 - (a) So as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;

Annex 4: Legislation

(b) So as to apply at all times, or only at specified times, or at all times except those specified;

(c) So as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.

- (7) A public spaces protection order must—
- (a) Identify the activities referred to in subsection (2);
 - (b) Explain the effect of section 63 (where it applies) and section 67;
- (8) A public spaces protection order must be published in accordance with regulations made by the Secretary of State.

60 Duration of orders

- (1) A public spaces protection order may not have effect for a period of more than 3 years, unless extended under this section.
- (2) Before the time when a public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent—
- (a) Occurrence or recurrence after that time of the activities identified in the order, or
 - (b) An increase in the frequency or seriousness of those activities after that time.
- (3) An extension under this section—
- (a) May not be for a period of more than 3 years;
 - (b) Must be published in accordance with regulations made by the Secretary of State.
- (4) A public spaces protection order may be extended under this section more than once.

61 Variation and discharge of orders

- (1) Where a public spaces protection order is in force, the local authority that made the order may vary it—
- (a) By increasing or reducing the restricted area;
 - (b) By altering or removing a prohibition or requirement included in the order, or adding a new one.

Annex 4: Legislation

- (2) A local authority may make a variation under subsection (1)(a) that results in the order applying to an area to which it did not previously apply only if the conditions in section 59(2) and (3) are met as regards activities in that area.
- (3) A local authority may make a variation under subsection (1)(b) that makes a prohibition or requirement more extensive, or adds a new one, only if the prohibitions and requirements imposed by the order as varied are ones that section 59(5) allows to be imposed.
- (4) A public spaces protection order may be discharged by the local authority that made it.
- (5) Where an order is varied, the order as varied must be published in accordance with regulations made by the Secretary of State.
- (6) Where an order is discharged, a notice identifying the order and stating the date when it ceases to have effect must be published in accordance with regulations made by the Secretary of State.

*Restrictions on public rights of way***64 Orders restricting public right of way over highway**

- (1) A local authority may not make a public spaces protection order that restricts the public right of way over a highway without considering—
 - (a) The likely effect of making the order on the occupiers of premises adjoining or adjacent to the highway;
 - (b) The likely effect of making the order on other persons in the locality;
 - (c) In a case where the highway constitutes a through route, the availability of a reasonably convenient alternative route.
- (2) Before making such an order a local authority must—
 - (a) Notify potentially affected persons of the proposed order,
 - (b) Inform those persons how they can see a copy of the proposed order,
 - (c) Notify those persons of the period within which they may make representations about the proposed order, and
 - (d) Consider any representations made.

Annex 4: Legislation

In this subsection “potentially affected persons” means occupiers of premises adjacent to or adjoining the highway, and any other persons in the locality who are likely to be affected by the proposed order.

- (3) Before a local authority makes a public spaces protection order restricting the public right of way over a highway that is also within the area of another local authority, it must consult that other authority if it thinks it appropriate to do so.
- (4) A public spaces protection order may not restrict the public right of way over a highway for the occupiers of premises adjoining or adjacent to the highway.
- (5) A public spaces protection order may not restrict the public right of way over a highway that is the only or principal means of access to a dwelling.
- (6) In relation to a highway that is the only or principal means of access to premises used for business or recreational purposes, a public spaces protection order may not restrict the public right of way over the highway during periods when the premises are normally used for those purposes.
- (7) A public spaces protection order that restricts the public right of way over a highway may authorise the installation, operation and maintenance of a barrier or barriers for enforcing the restriction.
- (8) A local authority may install, operate and maintain barriers authorised under subsection (7).
- (9) A highway over which the public right of way is restricted by a public spaces protection order does not cease to be regarded as a highway by reason of the restriction (or by reason of any barrier authorised under subsection (7)).
- (10) In this section—
 - “dwelling” means a building or part of a building occupied, or intended to be occupied, as a separate dwelling;
 - “highway” has the meaning given by section 328 of the Highways Act 1980.

Annex 4: Legislation**65 Categories of highway over which public right of way may not be restricted**

- (1) A public spaces protection order may not restrict the public right of way over a highway that is—
- (a) A special road;
 - (b) A trunk road;
 - (c) A classified or principal road;
 - (d) A strategic road;
 - (e) A highway in England of a description prescribed by regulations made by the Secretary of State;
 - (f) A highway in Wales of a description prescribed by regulations made by the Welsh Ministers.
- (2) In this section—
- “Classified road”, “special road” and “trunk road” have the meaning given by section 329(1) of the Highways Act 1980;
 - “Highway” has the meaning given by section 328 of that Act;
 - “Principal road” has the meaning given by section 12 of that Act (and see section 13 of that Act);
 - “strategic road” has the meaning given by section 60(4) of the Traffic Management Act 2004.

*Validity of orders***66 Challenging the validity of orders**

- (1) An interested person may apply to the High Court to question the validity of—
- (a) A public spaces protection order, or
 - (b) A variation of a public spaces protection order.
- “Interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.
- (2) The grounds on which an application under this section may be made are—
- (a) That the local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
 - (b) That a requirement under this Chapter was not complied with in relation to the order or variation.

Annex 4: Legislation

- (3) An application under this section must be made within the period of 6 weeks beginning with the date on which the order or variation is made.
- (4) On an application under this section the High Court may by order suspend the operation of the order or variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied), until the final determination of the proceedings.
- (5) If on an application under this section the High Court is satisfied that—
 - (a) The local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied), or
 - (b) The interests of the applicant have been substantially prejudiced by a failure to comply with a requirement under this Chapter, the Court may quash the order or variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied).
- (6) A public spaces protection order, or any of the prohibitions or requirements imposed by the order (or by the order as varied), may be suspended under subsection (4) or quashed under subsection (5)—
 - (a) Generally, or
 - (b) So far as necessary for the protection of the interests of the applicant.
- (7) An interested person may not challenge the validity of a public spaces protection order, or of a variation of a public spaces protection order, in any legal proceedings (either before or after it is made) except—
 - (a) Under this section, or
 - (b) Under subsection (3) of section 67 (where the interested person is charged with an offence under that section).

Failure to comply with orders

67 Offence of failing to comply with order

- (1) It is an offence for a person without reasonable excuse—

Annex 4: Legislation

- (a) To do anything that the person is prohibited from doing by a public spaces protection order, or
 - (b) To fail to comply with a requirement to which the person is subject under a public spaces protection order.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.
- (4) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63).

68 Fixed penalty notices

- (1) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order.
- (2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.
- (3) The local authority specified under subsection (2) must be the one that made the public spaces protection order.
- (4) Where a person is issued with a notice under this section in respect of an offence—
- (a) No proceedings may be taken for the offence before the end of the period of 14 days following the date of the notice;
 - (b) The person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.
- (5) A fixed penalty notice must—
- (a) Give reasonably detailed particulars of the circumstances alleged to constitute the offence;
 - (b) State the period during which (because of subsection (4)(a)) proceedings will not be taken for the offence;

Annex 4: Legislation

- (c) Specify the amount of the fixed penalty;
 - (d) State the name and address of the person to whom the fixed penalty may be paid;
 - (e) Specify permissible methods of payment.
- (6) An amount specified under subsection (5)(c) must not be more than £100.
- (7) A fixed penalty notice may specify two amounts under subsection (5)(c) and specify that, if the lower of those amounts is paid within a specified period (of less than 14 days), that is the amount of the fixed penalty.
- (8) Whatever other method may be specified under subsection (5)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under subsection (5)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).
- (9) Where a letter is sent as mentioned in subsection (8), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.
- (10) In any proceedings, a certificate that—
- (a) Purports to be signed by or on behalf of the chief finance officer of the local authority concerned, and
 - (b) States that payment of a fixed penalty was, or was not, received by the date specified in the certificate, is evidence of the facts stated.
- (11) In this section—
- “authorised person” means a person authorised for the purposes of this section by the local authority that made the order (or authorised by virtue of section 69(2));
 - “chief finance officer”, in relation to a local authority, means the person with responsibility for the authority’s financial affairs.

70 Byelaws

A byelaw that prohibits, by the creation of an offence, an activity regulated by a public spaces protection order is of no effect in relation to the restricted area during the currency of the order.

Annex 4: Legislation**71 Bodies other than local authorities with statutory functions in relation to land**

- (1) The Secretary of State may by order—
 - (a) Designate a person or body (other than a local authority) that has power to make byelaws in relation to particular land, and
 - (b) Specify land in England to which the power relates.

- (2) This Chapter has effect as if—
 - (a) A person or body designated under subsection (1) (a “designated person”) were a local authority, and
 - (b) Land specified under that subsection were within its area.But references in the rest of this section to a local authority are to a local authority that is not a designated person.

- (3) The only prohibitions or requirements that may be imposed in a public spaces protection order made by a designated person are ones that it has power to impose (or would, but for section 70, have power to impose) by making a byelaw in respect of the restricted area.

- (4) A public spaces protection order made by a designated person may not include provision regulating, in relation to a particular public space, an activity that is already regulated in relation to that space by a public spaces protection order made by a local authority.

- (5) Where a public spaces protection order made by a local authority regulates, in relation to a particular public space, an activity that a public spaces protection order made by a designated person already regulates, the order made by the designated person ceases to have that effect.

- (6) If a person or body that may be designated under subsection (1)(a) gives a notice in writing under this subsection, in respect of land in relation to which it has power to make byelaws, to a local authority in whose area the land is situated—
 - (a) No part of the land may form, or fall within, the restricted area of any public spaces protection order made by the local authority;
 - (b) If any part of the land—
 - (i) Forms the restricted area of a public spaces protection order already made by the local authority, or

Annex 4: Legislation

(ii) Falls within such an area, the order has ceased to have effect (where sub-paragraph (i) applies), or has effect as if the restricted area did not include the land in question (where sub-paragraph (ii) applies).

72 Convention rights, consultation, publicity and notification

- (1) A local authority, in deciding—
 - (a) Whether to make a public spaces protection order (under section 59) and if so what it should include,
 - (b) Whether to extend the period for which a public spaces protection order has effect (under section 60) and if so for how long,
 - (c) Whether to vary a public spaces protection order (under section 61) and if so how, or
 - (d) Whether to discharge a public spaces protection order (under section 61), must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention.
- (2) In subsection (1) “Convention” has the meaning given by section 21(1) of the Human Rights Act 1998.
- (3) A local authority must carry out the necessary consultation and the necessary publicity, and the necessary notification (if any), before—
 - (a) Making a public spaces protection order,
 - (b) Extending the period for which a public spaces protection order has effect, or
 - (c) Varying or discharging a public spaces protection order.
- (4) In subsection (3)—

“the necessary consultation” means consulting with—

 - (a) The chief officer of police, and the local policing body, for the police area that includes the restricted area;
 - (b) Whatever community representatives the local authority thinks it appropriate to consult;
 - (c) The owner or occupier of land within the restricted area;

“the necessary publicity” means—

 - (a) In the case of a proposed order or variation, publishing the text of it;
 - (b) In the case of a proposed extension or discharge, publicising the proposal;

Annex 4: Legislation

“the necessary notification” means notifying the following authorities of the proposed order, extension, variation or discharge—

- (a) The parish council or community council (if any) for the area that includes the restricted area;
 - (b) In the case of a public spaces protection order made or to be made by a district council in England, the county council (if any) for the area that includes the restricted area.
- (5) The requirement to consult with the owner or occupier of land within the restricted area—
- (a) Does not apply to land that is owned and occupied by the local authority;
 - (b) Applies only if, or to the extent that, it is reasonably practicable to consult the owner or occupier of the land.
- (6) In the case of a person or body designated under section 71, the necessary consultation also includes consultation with the local authority which (ignoring subsection (2) of that section) is the authority for the area that includes the restricted area.
- (7) In relation to a variation of a public spaces protection order that would increase the restricted area, the restricted area for the purposes of this section is the increased area.

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Executive Member Decision Session Transport & Planning

3rd December 2015 2pm

Written Comments Annex

| Agenda item | Received from | Comments |
|-----------------------------------|---|---|
| 4. PROW – Cornlands Rd/Tennent Rd | Cllr Hunter on behalf of Westfield Ward Councillors | We support the snicket closure proposed, however, we feel that there is a need for public consultation on more extensive closures to tackle anti social behaviour in the longer snickets between Tennent Road and Cornlands Road. |
| 5. PROW Bachelor Hill | Cllr Hunter on behalf of Westfield Ward Councillors | An amendment requested by residents was that the southern gate in the alleyway between Gale Lane and Bachelor Hill should be positioned after the streetlight (see photo) walking from the junction with Bachelor Hill with Gale Lane due to low walls of the surrounding properties. We would urge support for Option 1, however, if |

| | | |
|-----------------------|--|--|
| | | Option 2 were adopted we would request that this would be reviewed in the light of any future reported incidents. |
| 5. PROW Bachelor Hill | Mr & Mrs Willis, residents of Bachelor Hill | With regard to Bachelor Hill, as a resident at Bachelor Hill for over 18 years we feel we would benefit from having a gate at the back. Over the years we have had bikes stolen, our shed broken into. Last year we had intruders in our garden trying to break in while we were sat in our conservatory. We have had people doing drugs down the alleyway outside of our gate plus a fire and items dumped such as fridges and bikes. All these have been reported to the police. As we both work and work different shifts we want to feel safe when alone at home. Other houses feel the same as they have children and are on the end of the alley. We ars residents are willing to look after the alley. There is no need to walk down the alleyway except to access the rear of the houses so we are |

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| | | asking for help from the Council, to put in place a gate. |
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