

Annex 6 – Statutory Consultation Responses

Proposal to gate “alleyway” between Nunmill Street and Bishopthorpe Road

Given the cumulative impact gating would have on the quality and, indeed, scope, of the access we currently have to our homes, I regret that we must object to this proposal.

We also believe that the credibility of this consultation process is so seriously undermined by the Council’s unilateral, pre-emptive decision, ahead of the consultation, to move refuse collection to the front of the houses along Bishopthorpe Road because “*the streets adjacent to your property are getting alleygates*” (letter to us from CYC of 2 September 2014”) that the gating proposal should be halted.

We would also highlight that the issues faced by Bishopthorpe Road residents are so very different and more serious than those for Nunmill Street residents that we believe it would be unreasonable to give the “voice” of the latter equal weighting to that of the former.

1. Principal, Level Access

The lane between Bishopthorpe Road and Nunmill St is very different to the nearby alleyways that are to be gated. Unlike the other alleys, it provides our *de facto* main access.

It is not simply an “alleyway” that may be used by the occasional pedestrian. Unlike homes served by other gating schemes, it provides the only level access to the homes of the Bishopthorpe Road residents. This is relevant to all of us, but particularly important to anyone with any impaired mobility, be it due to age, infirmity, disability or simply burdened with shopping, buggies, bicycles and /or small children.

The alternative is via steep steps at the front of the houses that are not always easy to negotiate and can be a real hazard especially when wet, icy or covered with snow or simply when it is dark.

As such this alley plays a key role in our daily lives and is used by many of us several times a day.

2. Cycle and Vehicular access.

The alley also provides the vehicular and bicycle access to our garages, again making it very different to other alleys.

Anything that reduces the attractions of using our bikes surely runs counter to the Council’s praiseworthy policies in relation to cycling.

As we understand it, the process of taking a car through the gate would be (in all weathers):- 1. Get out of car. 2. Walk to gate. 3. Enter code. 4. Open gate. 5. Walk back to and get back into car. 6. Drive through gate. 7. Get out of car and walk between the car and the wall in order to get back to gate. 8. Close gate. 9. Walk back to car, again between the wall and the car. 10. Drive on.

Apart from the obvious time and inconvenience caused, we’d suggest that, given the space available, every opening of the car door and each getting in and out of the car may be difficult and perhaps even impossible especially for people with restricted mobility / larger frames / larger cars / less precise driving(!). This issue also applies, of course, in stages 7 and 9 when it will be necessary to squeeze between car and wall.

Any proposal that reduces the width of car that can use the lane or increases the risk of damage to the car negotiating the reduced width is an unacceptable constraint on current access and on the maximum width of car that we or future freeholders can own.

A number of us have invested quite a lot of money to improve access with automatic doors on our garages so that we do not have to waste time and suffer the inconvenience of getting out of the car. This isn't simple laziness – as some of us get older and frailer, getting in and out of a car is an increasingly fraught and difficult procedure to be reduced to the absolute minimum! If the proposal is for a simple gate to be provided as elsewhere, then it re-introduces these access difficulties.

In short, because this is not a typical “alleyway” we believe that the practicalities, especially for the mobility-impaired, mean the proposal must be rejected.

3. An inefficient use of scarce taxpayer funds.

We understand that gating schemes are being pursued because the police believe they cut crime. That may be true elsewhere but the last figures available to us show that there is no recent crime associated with this alley and allocating the money here rather than to where there is crime is surely a misuse of scarce public funds.

The lack of crime is probably thanks to the frequent comings and goings of residents (see part 1 above) and also to the CCTV on Southlands Chapel.

If the desire is to allay people's (misplaced) fears, then we would suggest that, following the precedent set by Southlands Chapel, more CCTV and some suitable “Smile you're on TV”-type signs are provided. Southlands Chapel and the “Stables” at the other end of the drive are obvious locations and other residents may also be prepared to provide physical support.

We suspect that this may be not very different in cost to gating and may, indeed, be considerably cheaper.

4. Far from deterring vandalism etc, the proposal introduces additional risks to people and property.

In trying to negotiate the process described above, drivers will inevitably leave the engine running and the car unlocked, probably with the door as wide open as it can be. While the car is on the “public” side of the gate and unoccupied it will be vulnerable to being stolen, particularly given the “blind” nature of the exits onto Nunmill Street. However, this risk exists on both sides of the gate as does the possibility of both planned and opportunistic raids on cars' contents.

There will be similar risks for cyclists who leave their bikes briefly unattended.

As the proposal creates the potential for crime precisely when a driver, cyclist, pram-pusher etc is nearby, it puts them at risk of assault particularly if they try to intervene or resist a theft.

For what it's worth, the above process will take so long that the gate will actually be open quite long enough for someone of criminal intent to get through it.

Finally, the gating may well lead, perhaps virtually force, someone to swap their garage for on-street parking, placing the car and its contents at far greater risk of criminal theft and damage.

4. Refuse collection.

We believe that the Council's decision to pre-empt this consultation by insisting on rubbish being collected from the front of our houses must be reversed and the gating proposal either halted due to the failure of due process.

Among the reasons why our refuse has always been collected from the back lane rather than from the front is that, when it was proposed to change, CYC concluded that negotiating the steep steps at the front represented an unacceptable Health and Safety risk to (trained) refuse collectors. It naturally followed that it was an equally unacceptable risk for (untrained) residents to be carrying the stuff down the steps. The arrangement also has the value of avoiding having to carry the rubbish through the house itself.

It follows that rubbish would still have to be collected from the rear, but, if refuse collectors can't come into the lane (though we don't understand why they couldn't), where would we have to take the rubbish before they arrived? It can't be left within the lane itself as that would prevent residents driving their cars in and out.

Wirth Best Wishes,

David Judson and Alison Forrester

■ Bishopthorpe Road, York. ~~YO23 1NX~~

8th September 2014

Bishopthorpe Road
York
~~YO30 1HX~~

22/08/2014

Dear Emily Tones

Nunmill Street /Bishopthorpe Road gating order 2014

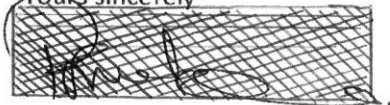
Concerning your letter dated 7 August 2014 I wish to formally object to the above gating proposal.

Many homes on Bishopthorpe Road affected by the plans have garages or in-curtilage parking areas that are used on a regular basis. This fact makes the alley unique and distinct from almost all others in the adjoining area. Access to homes on Bishopthorpe Road is difficult due to the terrace's elevated position and many steps up to front doors. Level access to these properties is available **only** from the rear.

Properties in adjoining streets enjoy much easier access from the front due to their street level position and close proximity to on-street parking. As a consequence the gating of back lanes in these streets has much less impact on accessibility. I believe the proposal to gate the Bishopthorpe Road/Nunmill Street alley will make access to homes on Bishopthorpe Road much more difficult for those who are infirm or disabled and in doing so could contravene the Equality Act 2010. As the population continues to age easy access from the rear will become an increasing lifeline for many.¹

I trust you will reflect these points in your report to the Cabinet Member for Transport meeting in the autumn.

Yours sincerely



Mr PS McCabe

¹ For many years my elderly neighbour was able to maintain access to essential services and social events by virtue of his easily accessible car. Access via the front of his property was impossible due to his infirmity, despite the installation of hand rails etc. Installation of gates in the alleyway would have completely closed off this access route and taken away what little independence he had.