

REPORT OF SERVICE DIRECTOR, COMMUNICATIONS AND MARKETING

**AN UPDATE ON THE ALLEYWAY CONNECTING CEDARLAND CRESCENT
AND NOTTINGHAM ROAD, NUTHALL**

Purpose of the Report

1. To update members on the current situation regarding the alleyway between Cedarland Crescent and Nottingham Road, Nuthall and to recommend that, based on the latest information, this alleyway remains open. A map showing the exact location of the alleyway is shown at Appendix A

Information and Advice

2. At the Rights of Way Committee on 27th June 2012, there was a resolution that “the relevant procedures be commenced in relation to a Gating Order to close the path for 24 hours per day, 7 days per week”. Following those procedures, at the Rights of Way Committee on 6th March 2013, Members resolved that:
 - The alleyway between Cedarland Crescent and Nottingham Road, Nuthall be kept open.
 - A report be presented to the Rights of Way Committee in 6 months (from 6th March 2013) to inform members of any crime or anti-social behaviour reported in that 6 month period (between March and September 2013)
 - The situation be monitored by the local Community Safety Partnership for the next 12 months (from 6th March 2013).
3. These resolutions were based on information from:
 - Local residents, following a consultation exercise undertaken in January 2013. At that time 80% (103 people) of those that responded were in favour of the alleyway remaining open,
 - A refreshed analysis of crime, disorder and anti-social behaviour in the area. This showed no incidents in and around the alleyway had been reported to the police in the 12 months up to 11th February 2013,

- A report from officers from the County Council, who visited the alleyway in January 2013. Their report confirmed that the alleyway was in a good state of repair with adequate lighting
4. Members also received presentations at the Committee from local residents, the majority voicing their concerns about the impact of the closure of the alleyway on local life, but some expressing a wish for the alleyway to be closed.
 5. Since the resolution on 6th March 2013, for the alleyway to remain open:
 - Police records show that there have been no recorded crimes within a 100 metre radius of the alleyway
 - Two incidents of low level anti-social behaviour have been reported. These were at the same property, located immediately adjacent to the alleyway. Each of the two reports records an incident of “eggs thrown at window” in June and July 2013. In August 2013 the Police warned two juveniles about this activity and there have been no further occurrences.
 - Officers have visited the alleyway in September 2013. They confirm that the alleyway remains in a good state of repair with adequate lighting

Other Options Considered

6. The “other options” considered at the Rights of Way Committee on 6th March 2013 remain available:
 - Full closure of the alleyway
 - Partial closure of the alleyway (each night)

The County Council “Guide To The Making of Gating Orders On Highways And Public Rights Of Way”, (hereafter referred to as “the Guidance”), requires that there be evidence that “the existence of the alleyway is facilitating the persistent commission of crime or anti-social behaviour” Using the most up to date information from Nottinghamshire Police there is no evidence of this.

Reason/s for Recommendation/s

7. Since the decision by the Rights of Way Committee on 6th March 2013, “that the alleyway between Cedarland Crescent and Nottingham Road, Nuthall be kept open” there has been:
 - No reported crime in the area
 - Very little anti-social behaviour (2 incidents)

In consideration of the above, and the requirement of the Guidance that a Gating Order must evidence, “that the highway is an intrinsic contributor to the levels of crime and disorder in the locality”, it is recommended that the alleyway remains open.

The local Community Safety Partnership will continue to monitor the situation for the next 6 months to ensure that if there should be any significant increase in the

levels of crime, disorder or anti-social behaviour, facilitated by the alleyway, they can determine whether it would be appropriate to re-apply for a Gating Order

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

9. It is recommended that:

- i) Based on the absence of any information demonstrating that the alleyway between Cedarland Crescent and Nottingham Road is an intrinsic contributor to any crime and disorder in the locality, Committee resolves that the alleyway should remain open.

Name of Report Author

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Constitutional Comments (SJE 07/10/2013)

10. This decision falls within the terms of reference of the Rights of Way Committee to whom the exercise of the Authority's powers relating to gating orders (either on recommendation from another committee or as necessary) has been delegated.

Financial Comments ()

11. There are no financial implications arising from this report

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

12. Guide to the Making of Gating Orders on Highways and Public Rights of Way – Nottinghamshire County Council 2008

Electoral Division(s) and Member(s) Affected

13. Nuthall – Councillor Philip Owen

APPENDIX A

The pictures below show the location of the alleyway, which is located within the Nuthall East & Strelley ward of Broxtowe:



The alleyway links Cedarland Crescent with Nottingham Road. The picture below shows a 100m radius around the alleyway

