

**REPORT OF SERVICE DIRECTOR,
POLICY, PLANNING AND CORPORATE SERVICES****AN INTERIM UPDATE ON FURTHER CONSULTATION REGARDING THE
RESOLUTION THAT A GATING ORDER BE MADE TO CLOSE THE
ALLEYWAY BETWEEN CEDARLAND CRESCENT AND NOTTINGHAM
ROAD, NUTHALL****Purpose of the Report**

1. To inform Members of the additional consultation exercise that is taking place following the Resolution of the Rights of Way Committee on 27th June 2012, determining that the relevant procedures be commenced in relation to a Gating Order to close the path for 24 hours per day, 7 days a week.

Information and Advice

2. Members will recall that the Resolution to close the alleyway was based on historical data of crime, disorder and anti-social behaviour incidents in and around the alleyway in the 12 months prior to June 2012.
3. Local people had been consulted by the Community Safety Partnership in order to gain their views and of the 47 who responded 53% supported the closure of the alleyway. The local Community Safety Partnership were also in favour of closure.
4. The County Council's Gating Order Procedure required the Council to publish the intention to make a Gating Order that would, in effect, close the alleyway on a permanent basis, informing local people and interested parties. This was undertaken by notices, letters to local people, and information on the Council website and at Nuthall Library. This consultation period was in operation between 12th November and 10th December 2012.
5. During this time 42 responses from local people were received. 12% (5 respondents) were in favour of closing the alleyway. 79% (33 respondents) were against, and 9% (4 respondents) had no preference. In addition a petition to keep the alleyway open was presented to the County Council with 129 signatures from local people (some of which included the 42 people who sent in individual responses).

6. In view of this high percentage of residents against the closure of the alleyway it was deemed appropriate by officers to undertake an additional consultation exercise with all known interested parties (including contacting a wider group of local residents), offering the opportunity not only to state/reaffirm their views on closure, but also to seek specific information on how closing or keeping the path open would specifically affect them / the area, as well as views on any alternative solution, for example scheduled night time closure by volunteer key holders from the local area – a solution that has been very successful at another footpath in Broxtowe, namely Kew Gardens (albeit that the circumstances are slightly different there, so again, a direct comparison could not be drawn without further information from interested parties).
7. This additional detailed consultation exercise is running for a period of six weeks and will end on 29th January 2013. All residents on Cedarland Crescent have received an individual letter and questionnaire, notices have been placed on lamp posts adjacent to the alleyway, and information is available both on the County Council Website and at Kimberley library. Sample copies of these documents are in the **Appendix** to this Report.
8. To support this additional consultation exercise, the Community Safety Partnership has requested a refreshed analysis of the latest information on any crime, disorder and anti-social behaviour incidents in the area, and County Council officers are ensuring that refreshed, up-to-date, detailed information is obtained to inform Committee's final decision following close of the consultation period.

Interim Results from the Additional Consultation

9. As at 14th January, 32 replies have been received. Whilst no firm view can be drawn until close of the consultation period, Committee may be interested to note that of these 32 replies, 11 (34%) are in favour of closing the alleyway and 21 (66%) are against. None of the respondents feel that there is any other practical solution, and no members of the local community have expressed interest in being keyholders to open and close any gate (should one be installed) at pre-agreed times. The refreshed analysis of crime, disorder and anti-social behaviour is showing a reduction in the number of incidents over the last 6 months.
10. It is proposed that a more detailed report on the results of this additional consultation, together with the refreshed analysis of crime, disorder and anti-social behaviour incidents will be presented to the meeting of the Rights of Way Committee in March 2013.

Other Options Considered

11. Not to have undertaken this additional consultation would have deprived local residents the fullest opportunity to express their views on the expanded options for the alleyway between Cedarland Crescent and Nottingham Road.

Reason for Recommendation

12. To provide Members with an update on progress concerning the proposal to gate the alleyway between Cedarland Crescent and Nottingham Road.

Statutory and Policy Implications

13. 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

14. It is recommended that:
 - i) Members note the content of the report

Martin Done, Service Director Communications and Marketing

For any enquiries about this report please contact: Tony Shardlow, Community Safety Officer, Safer and Engaged Communities x73846.

Constitutional Comments

15. This report is for noting only. As such, no constitutional comments are required.

Financial Comments

16. There are no financial consequences relating to the content of this report.

Background Papers

17. 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

18. Nuthall - Councillor Philip Owen.