

# Report to Service Director of Highways



## GATING ORDER – OWTHORPE ROAD TO WOULD'S FIELD ALLEYWAY, COTGRAVE

### Purpose of Report

1. To consider objections received and whether to make the Gating Order in Cotgrave.

### Delegated Authority

2. Scheme of Delegation CM 5.2 To exercise all functions in relation to the management of the county's highway network, including maintenance and traffic management.
3. The Council's 'Guide to the making of Gating Orders on highways and public rights of way' December 2006 states that the responsibility for the day-to-day management of procedures for providing, varying and revoking Gating Orders is delegated by the Cabinet Member for Transport & Highways to the Corporate Director for Communities/Service Director for Highways.

### Background Information

4. The Rushcliffe Crime & Disorder Reduction Partnership applied for a Gating Order on the alleyway between Owthorpe Road and Would's Field on 17/5/07. They cited the area as suffering from high levels of crime and anti-social behaviour and stated that they had previously tried all other feasible alternatives including additional patrols, youth schemes and incident recording techniques. They supplied incident data from Nottinghamshire Police detailing 10 incidents occurring between June 2006 and April 2007. They also hold resident's own report logs of incidents at varying times of day which were mostly not reported to the Police. Incidents reported include verbal abuse, vandalism and drug use.
5. The alleyway is not enclosed as it runs alongside an open area of residents driveways. Subsequently, only one point would need to have barrier(s) erected to close the alleyway where it emerges onto Owthorpe Road.
6. The route is used as a 'rat run' between Owthorpe Road and Gripps Common. The Police have also stated that there is the potential problem of criminals using the route to escape, whereas introducing the Gating Order would mean there would be only one route out of the immediate area.

7. The alternative route from one side of the proposed barrier(s) to the other side measures approximately 265 metres, although most pedestrians would be likely to divert from the Woulds Field/Gripps Common junction. The alternate route from this junction to the point of the proposed barrier(s) is along Gripps Common and Owthorpe Road and measures approximately 150 metres. The existing route from this junction via Woulds Field measures approximately 110 metres. Therefore, the effective additional distance would only be 40 metres for the majority of pedestrians.
8. The Gating Order is proposed to be introduced on a 24 hour basis. Although the majority of incidents occur in the evening, some do occur at other times. In addition, research was done regarding the cost of introducing a part-time Order. Estimates included the cost of two staff attending twice a day, personal protective equipment, travel expenses and public liability insurance and amounted to approximately £15,000p.a. Subsequently, it was felt that the maintenance costs of operating a part-time closure were not justified in comparison to the level of inconvenience caused by the alternative proposed 24 hour closure.
9. As the Gating Order is proposed to operate on a 24 hour basis, a Stopping Up Order was considered as an alternative measure. However, a Stopping Up Order requires a magistrate to deem the alleyway to be 'unnecessary'. This would be inappropriate as continued access along the alleyway is required for maintenance purposes by one resident and also by Rushcliffe Borough Council who own 'The Warren' Nature Conservation Area on the adjacent land. The emergency services may also require access.

### **Gating Order**

10. The Gating Order would be implemented by erecting a barrier(s) which can be locked/unlocked as necessary. A number of parties are exempted and can gain access by contacting the key holder. These parties are the emergency services, residents who have a frontage onto the alleyway, those undertaking building/maintenance work, utilities and refuse collecting services. Cotgrave Town Council will be the key holder for the barrier(s) and their contact number will be advertised on the barrier(s).

### **Consultation**

11. Detailed consultation letters showing the draft scheme design were sent out and a Public Notice was advertised on 11/8/08. Public consultation ended on 15/9/08 with 3 objections received from the Open Spaces Society, the Ramblers' Association and the Nottinghamshire Local Access Forum. The details are discussed in the 'Responses to grounds for objection' document. However, on balance it is considered that the Gating Order should be made as proposed. Councillor Butler has taken an interest in the proposal and is keen to see it introduced.

### **Statutory and Policy Implications**

12. This report has been compiled after consideration of implications in respect of Finance, Equal Opportunities, Personnel, Crime and Disorder and those using the service. Where such implications are material, they have been brought out in the text of the report. Attention is, however, drawn to specifics as follows:

**Financial Implications**

13. The cost of introducing the Gating Order is approximately £2,000 funded from the Gating Orders Revenue Budget 2008/09.

**Crime and Disorder Implications**

14. The proposal was initiated by the Crime & Disorder Reduction Partnership and should help in reducing incidents of anti-social behaviour, vandalism and drug use in the area.

**Recommendation**

15. It is RECOMMENDED that approval be give for the Gating Order be made.

I have considered this report and I do. approve the recommendation.

Signed



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Bob Hart  
Service Director Highways

Date

13.11.08  
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**Background Papers Available for Inspection**

1. Correspondence from the Open Spaces Society, the Ramblers' Association and the Nottinghamshire Local Access Forum.
2. Responses to grounds for objection.
3. Copy of the proposed Notice, Gating Order and plan.

**Electoral Divisions Affected**

Cotgrave                      Councillor Richard Butler