

REPORT FROM: CHIEF EXECUTIVE

TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE

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PUBLIC SPACES PROTECTION ORDERS: ALLEY GATES

PURPOSE OF REPORT

To seek authority to include an alley gate scheme at Chapel Street Brierfield as a variation to the current Alley Gates Public Spaces Protection Order.

RECOMMENDATION

That the Committee considers a request from residents at Chapel Street Brierfield to include an alley gate scheme on the ginnel between Chapel Street and Halifax Road the current Alley Gates Public Spaces Protection Order.

REASON FOR RECOMMENDATION

To address the concerns of local residents that without alley gates in place the ginnel will continue to attract anti-social behaviour.

ISSUE

1. At its 10 January 2017 meeting the Brierfield and Reedley Committee agreed a Public Spaces Protection Order for the existing alley gate schemes in Brierfield. The Order was made in October 2018 and extended in October 2021.
2. Over recent months residents in the cul-de-sac at the top of Chapel Street have become increasingly concerned about the level of anti-social behaviour and crime. Part of the attraction to the area is an easy escape route through a ginnel to Halifax Road. The ginnel itself is narrow in places and includes a double dog leg obscuring the view of what or who may be ahead.
3. Residents attended a meeting of this Committee in September 2021 to promote their case for an alley gate scheme for the ginnel. This was followed by a public meeting organised by the Police later that month. Behaviour raised as a concern at the public meeting included

drinking, smoking (including cannabis), disregard for residents, stone throwing at property and people, fireworks (in the ginnel in particular), damage to property, litter and drug paraphernalia.

4. Residents are asking for locked pedestrian gates to be put up at either end of the walkway in Chapel Street and Halifax Road. There is no effect on vehicular traffic and there is an alternative pedestrian route along Montrose Street to Halifax Road.
5. Consultation letters from the Council's Community Protection Coordinator were delivered to over 200 homes in the locality by Police Community Support Officers in February. The responses received are included in Appendix 2. Although generally supportive there is opposition from some residents.
6. A consultation email was sent to partner agencies in October 2021. The Head at Marsden Heights Community College is supportive of the initiative to support the community and prevent crime.
7. The Council's Countryside Access Officer does not support the proposal because the ginnel provides a convenient walking route for local residents. Closing the ginnel would make certain journeys on foot less convenient and this has the effect of discouraging walking as a mode of transport. There is no guarantee that closing the ginnel would have the desired effect of reducing anti-social behaviour.
8. Part of the ginnel is adopted highway. Lancashire County Council Highways have been asked for their comments but have yet to reply. It is hoped to provide a verbal update at Committee.
9. The cost of the gates will be approximately £1750 and will be funded by Brierfield Town Council.
10. The siting of the gates is to be agreed however the restricted area would fall within the line marked on the map in Appendix 1 below and would be added to the current Alley Gates PSPO as a variation. The variation will stay in place until the end of the Alley Gate PSPO in October 2024. The arrangement will be subject to a further period of consultation during 2024 ahead of Members considering a further three year extension.

IMPLICATIONS

Policy: The legislation and its use reinforces the continuing role of the Council in responding to anti-social behaviour and helping to create and sustain resilient communities

Financial: The cost of the scheme can be met by Brierfield Town Council

Legal: The Council has the lead role on the use of PSPOs. Members of the public have a right of appeal on the basis the Council did not have the power to make the order or to include particular prohibitions or requirements or that one or more of the preliminaries has not been complied with (eg consultation). Appeals are heard in the High Court.

Risk Management: The legislation supports those elements of the Risk Management Plan relating to community safety; environmental crime and environmental protection.

Health and Safety: Direct intervention in the enforcement of breaches poses a risk for the staff involved which is mitigated through the Council's risk assessments, lone working policy, use of the Volcano database and working in partnership with other agencies.

Sustainability: The legislation supports those elements of the Strategic Plan relating to community safety; environmental crime and environmental protection.

Community Safety: The legislation re-enforces the continuing role of the Community Safety Partnership; the Partnership Plan and local delivery on community safety within an area and county based strategic landscape.

Equality and Diversity: The legislation was subject to a detailed government impact assessment. There may be implications for residents with mobility issues who will need to take a longer route via Montrose Street. No such issues emerged from the public consultation.



Comments opposed to the use of locked alley gates

I believe a PSPO to close the alley by using lockable gates with restricted key access, is not viable due to the following

- 1 - access is heavily used by pupils from all areas to and from Marsden Heights Community College, and is a safety net for children.
- 2- who controlled key access, all affected residents? If not then this will cause issues with residents as favouritism / preference over others would be an issue

If the proposal above goes ahead then the following will have to be taken into account

- 1 - gates remain permanently unlocked at key times, e.g. School start / end times
- 2 - alternative to above, manned live CCTV in alley
- 3- value of properties in area and overall appeal for the area could be compromised

Thank you for your letter regarding above matter. ...this closure will kill any passing trade I get from School children and residents living on Halifax Road. This alley way is a short cut for most people who go up and down Halifax Rd, the anti-social behaviour has cooled down now there were incidents in the summer. I would suggest CCTV would be a good idea to tackle ASB then culprits can be identified.

Thank you for your letter regarding the proposed closure of the alley way.

Please note that this will affect hundreds of school children who use this alley way daily. My children also access this I think this will be an inconvenience to many of the public.

If there is anti social behaviour then why does the council not install CCTV to reduce this rather than installing gates and restricting access.

I am not happy about this proposal.

Ginnel is used for visiting relatives; used by dog walkers; used by school children so they do not have to walk on main road; had personal abuse for objecting to the plans; gather because it is a dead end not because of the ginnel;

Comments in favour of the use of locked alley gates

I am in favour locking gates to this alley. It is a rat run for drug dealers and local youth congregating in the cul de sac. It is full of drug paraphernalia and other rubbish. I have not been able to use it for a long time to walk my dogs as it is also full of broken glass.

We ask if you can support our request, to keep open the alley in the cul de sac at the top of Chapel St Brierfield that leads to Halifax Rd.

Our reasons for keeping the alley open and accessible to all are:-

- 1. We have all used the alley on a regular basis for many years... helps avoid the busier roads and to keep healthier and fitter.
- 2. Local schoolchildren, elderly and those with mobility problems use the alley. It's safer than walking along and crossing the busy roads to school, or visiting Pendle View Drs close by.
- 3. We have found most of those visiting the cul de sac and alley are harmless. Some have a quick cigarette then leave, avoiding sight of family and community. More blatant trouble makers stay in the cul de sac, not the alley, however this situation has improved. Some objections to using the alley and cul de sac appear to be racially motivated, from what has been heard, aimed at those of Asian heritage. Pro-closure neighbours boast higher house values if the alley was closed.
- 4. The Council, we believe, maintain the alley path as a right of way. A kind man voluntarily picks up litter from the alley and Chapel St quite often.

5. An alley was closed nearby, off Limefield Ave and Montrose St near flats where elderly live. Lost quicker access to Drs surgery.
6. We have never seen any of the Police patrols of the area mentioned at the community meeting. A long time ago, there used to be horse back patrols. is at home most of the time and most of the weekend and evening. We have not seen or heard of anyone using the alley as a criminal escape route, nor Police evidence of this.

Could you please pass our comments to the appropriate person or team for consideration?

I think it is a great idea to close off this alleyway for several reasons:-

1. It attracts local youths who gather near the entrance littering and causing a nuisance till the early hour, if the police turn up they have an easy escape up the alley.
2. It attracts drug dealers who do the business at the entrance or inside the alley, again this allows for a quick getaway if required.
3. There is clear evidence of discarded drug paraphernalia i.e. needles and small plastic bags amongst the profusion of litter, broken glass, used condoms etc which is all over the floor. I don't think the council ever clean down there, I have certainly never seen them there. I don't think parents would send their kids up and down this alley if they realized what a poor state it is in and especially in winter, it is poorly lit, it surely makes better sense to walk along the main road where there is adequate street lighting and the kids are safer

In favour, lots of problems with people gathering in ginnel; threats to kill; phoned 999; Police did not arrive; litter left by children; fireworks set off in ginnel;

Thank you for the correspondence re the proposed closure of the alley way that links Chapel St. to Halifax Rd.

As you are no doubt aware this has been a source of aggravation to the local residents for some considerable time now.

Over the years it has been a collecting point for groups of youths both during daylight hours and at night time. There has been occasions of damage to property and vehicles and it was a location for the sale and exchange of drugs on a regular basis. We also have had instances of someone using the WALKWAY riding a mini motorbike and the latest is the use of electric scooters.

Personally I gave up using the alleyway sometime ago, given that I didn't consider it a safe passage. It is continually full of litter, the path is badly damaged in places by tree roots (a safety hazard?). One of the last times I used it I was confronted by a man with his trousers round his knees relieving himself in the bushes and he was quite clearly in cloud cuckoo land.

I realise this route is well used by students on their way to Marsden Heights however there are at least two easy alternative routes they could take. Whilst the students aren't totally responsible for the amount of litter that appears, it does ease when the school is on holiday.

They tend to call in the corner shop on Chapel St for snacks, and by the time they get up towards the alley the snacks are eaten and the wrapper or bag is usually dropped to the ground, either in Chapel St or in the alley way.

The closure of the alley will no doubt inconvenience some of the residents but I feel it is a small price to pay for the potential improvement to the area. Those local residents who feel they need access to maintain their property should have a key to the gates, personally I would have no need of one, the fewer keys available the less chance of the gate being left unlocked!

This area was once a sought after location, and was home to several local business people, sadly, despite the efforts of many of the residents to look after their property and improve the area, it was in steady decline. Now though some are making serious investments in their

property that is improving the area. The closure of the alley will potentially improve the area even more.

As residents of Limefield Ave, Brierfield, we are in favour of the closure of this alley. Our issues are:- it is a haven for anti social behaviour, it is poorly lit and poorly maintained. It is also a way through for school children who call at the corner shop on Montrose street on their way to school and leave a trail of litter behind them.

I live at ... chapel st and I'm all for putting up the gates to restrict the access this will help with the issues we have with the youths smoking drugs, drinking giving verbal abuse when we ask them to move on it will also stop motorbikes coming down the alley

I live at number ... Chapel st and this alley causes us great problems with youths drinking, drugs and them sitting on our cars and littering. I'm all in favour for putting gates on this alley way to reduce the problems in this area.