



## Agenda for a meeting of the Bradford West Area Committee to be held on Wednesday, 24 January 2018 at 6.00 pm in Committee Room 1 - City Hall, Bradford

### Members of the Committee – Councillors

Members: Labour Councillors	Alternate Members: Labour Councillors
Ahmed	Duffy
Akhtar	Arshad Hussain
Amran	Imran Hussain
Azam	Shabir Hussain
Dunbar	Lal
Mohammed	Mullaney
Nazir	Shabbir
Engel	Swallow
Shaheen	Thirkill

### Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

***Decisions on items marked \* are not Executive functions and may not be called in under Paragraph 8.7 of Part 3E of the Constitution.***

**From:**

Parveen Akhtar (City Solicitor)

Agenda Contact:

Asad Shah (Committee Secretariat)

City Hall,

Bradford BD1 1HY

Phone: 01274 432280

E-Mail: 01274 433505

**To:**

## A. PROCEDURAL ITEMS

### 1. ALTERNATE MEMBERS (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

### 2. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*Notes:*

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

### 3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports



and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Asad Shah - 01274 432280)

#### 4. PUBLIC QUESTION TIME

(Access to Information Procedure Rules – Part 3B of the Constitution)

To hear questions from electors within the District on any matter this is the responsibility of the Committee.

**Questions must be received in writing by the City Solicitor in Room 112, City Hall, Bradford, BD1 1HY, by mid-day on Monday 22 January 2018.**

(Asad Shah - 01274 432280)

### B. BUSINESS ITEMS

#### 5. HORTON GRANGE ROAD, BRADFORD - PETITION City 1 - 6

The report of the Strategic Director, Place (**Document “T”**) considers a petition requesting the conversion of an existing zebra crossing on Horton Grange Road, Bradford to a puffin crossing.

**Recommended –**

- (1) That the request for the conversion of the existing zebra crossing on Horton Grange Road (at its junction with Spencer Road) to a puffin crossing be added to the list of requests for traffic management measures to be considered as and when future Bradford West Safer Roads schemes programmes are determined.**
- (2) That a similar item for the zebra crossing Horton Grange Road at its junction with Stratford Road be added to the list.**
- (3) That the existing proposed measures to improve visibility of the two existing zebra crossings on Horton Grange Road be implemented as approved.**



**(4) That the petitioners are informed accordingly.**

(Environment and Waste Management Overview and Scrutiny Committee)

(Andrew Smith – 01274 434674)

**6. SQUIRE LANE AND LINGWOOD AVENUE AREA, BRADFORD - 7 - 14**  
**OBJECTIONS TO A PROPOSED TRAFFIC REGULATION ORDER**  
**Toller**

The report of the Strategic Director, Place (**Document “U”**) considers objections received to a recently advertised Traffic Regulation Order for the introduction of waiting restrictions and permit parking on Squire Lane and Lingwood Avenue and other residential streets in the area.

**Recommended –**

**(1) That the objections be overruled and the Traffic Regulation Order be sealed and implemented as advertised.**

**(2) That the objectors and supporters of the scheme be notified accordingly.**

(Environment and waste Management Overview and Scrutiny Committee)

(Andre Smith – 01274 434674)

**7. PETITION REQUESTING CLOSURE OF THE PUBLIC RIGHT OF 15 - 38**  
**WAY BETWEEN WHETLEY LANE AND WALKER DRIVE,**  
**MANNINGHAM**

The report of the Strategic Director, Place highlights the receipt of a petition received from residents of Regency Court and Walker Drive, Manningham requesting the closure of a public footpath which links Whetley Lane with Walker Drive. The petition was referred to this Committee by Full Council at its 12th December 2017 meeting. The Council has powers to close public rights of way for purposes of crime prevention in certain, limited, circumstances. The criteria for deciding such requests are described.

Officers have considered the petition and recommend that closure of the path for the reasons requested does not meet the necessary criteria and therefore is not within the powers available to the Council.

**Recommended –**

**That the situation on the path does not currently meet the criteria for a permanent closure of the public right of way. Option 1 is the recommended course of action. i.e. Leave the path open, request**



**further involvement of the Council's Anti-Social Behaviour Team and the Police and suggest that the residents and owners consider additional alternative means of reducing the problems.**

(Environment and Waste Management Overview and Scrutiny Committee)

(Danny Jackson – 01274 431230)

**8. DOMESTIC WASTE COLLECTION SERVICE**

The Programme Manager for Waste Services will give a verbal presentation on the implementation of an alternative week bin collection in the Bradford West area.

(Environment and Waste Management Overview and Scrutiny Committee)

(Susan Spink – 01274 434779)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER



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## Report of the Strategic Director Place to the meeting of Bradford West Area Committee to be held on 24 January 2018

**T**

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### Subject:

**HORTON GRANGE ROAD, BRADFORD - PETITION**

### Summary statement:

This report considers a petition requesting the conversion of an existing zebra crossing on Horton Grange Road, Bradford to a puffin crossing.

**Ward: 7 - City**

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Steve Hartley  
Strategic Director Place

### Portfolio:

**Regeneration, Planning and Transport**

Report Contact: Andrew Smith  
Principal Engineer  
Phone: (01274) 434674  
E-mail: [andrew.smith@bradford.gov.uk](mailto:andrew.smith@bradford.gov.uk)

### Overview & Scrutiny Area:

**Environment and Waste Management**

## **1.0 SUMMARY**

- 1.1 This report considers a petition requesting the conversion of an existing zebra crossing on Horton Grange Road, Bradford to a puffin crossing.

## **2.0 BACKGROUND**

- 2.1 Background information is given in Appendix 1

## **3.0 OTHER CONSIDERATIONS**

- 3.1 Local ward members have been consulted. Any comments received will be reported verbally to this meeting.

## **4.0 FINANCIAL & RESOURCE APPRAISAL**

- 4.1 Any recommendations for the future promotion of schemes would be subject to the allocation of an appropriate level of funding from the Safer Roads budget.

## **5.0 RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 5.1 The conversion of just one of the two existing zebra crossings on Horton Grange Road to a signalised facility would result in an inconsistency in crossing formats within a short distance on the same route. This may result in a risk of an increased casualty rate on the non-signalised crossing.

## **6.0 LEGAL APPRAISAL**

- 6.1 There are no Legal implications associated with the officer recommendations

## **7.0 OTHER IMPLICATIONS**

### **7.1 EQUALITY & DIVERSITY**

Due regard has been given to Section 149 of the Equality Act 2010 when investigating this matter.

### **7.2 SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications arising from this report.

### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

There is no impact on the Council's own and the wider District's carbon footprint and emissions from other greenhouse gases arising from this report.

### **7.4 COMMUNITY SAFETY IMPLICATIONS**

Details of recorded collisions are provided in Appendix 1.



**7.5 HUMAN RIGHTS ACT**

None

**7.6 TRADE UNION**

None

**7.7 WARD IMPLICATIONS**

Ward members have been consulted on the petition.

**7.8 AREA COMMITTEE WARD PLAN IMPLICATIONS**

None

**8.0 NOT FOR PUBLICATION DOCUMENTS**

None

**9.0 OPTIONS**

9.1 Members may propose alternative recommendations on which they will receive appropriate officer advice.

**10.0 RECOMMENDATIONS**

10.1 That the request for the conversion of the existing zebra crossing on Horton Grange Road (at its junction with Spencer Road) to a puffin crossing be added to the list of requests for traffic management measures to be considered as and when future Bradford West Safer Roads schemes programmes are determined.

10.2 That a similar item for the zebra crossing Horton Grange Road at its junction with Stratford Road be added to the list.

10.2 That the existing proposed measures to improve visibility of the two existing zebra crossings on Horton Grange Road be implemented as approved.

10.3 That the petitioners are informed accordingly.

**11.0 APPENDICES**

11.1 Appendix 1 – Horton Grange Road, Bradford – Petition background information, cover sheet and location plan.

**12.0 BACKGROUND DOCUMENTS**

12.1 None.

**Petition – Horton Grange Road, Bradford (360 signatures)**

**Background information**

1. The petitioners have requested the conversion of an existing zebra crossing on Horton Grange Road to a puffin\* crossing facility. A copy of the petition cover sheet is included within this appendix.
2. Horton Grange Road is a busy route that forms part of the outer ring road and provides a link between Great Horton Road and Legrams Lane. It is subject to a 30mph speed limit and is also a fixed Safety Camera site.
3. There are two existing zebra crossings on Horton Grange Road, at its junctions with Spencer Road and Stratford Road.
4. As part of the 2017/18 Safer Roads schemes programme, funding has been allocated to improve the visibility of the two existing crossings on Horton Grange Road. The proposed works include the replacement of existing beacons with high-visibility LED units and refurbishment of existing sign poles and white lining.
5. There have been 2 recorded collisions resulting in injuries to pedestrians at the Horton Grange Road/Spencer Road crossing in the last 5 years.
6. The conversion of just one of the existing zebra crossings to a signalised facility would not be recommended on safety grounds. This is on the basis that there would be two different formats of crossing in close proximity, and thus a conflict of control methods. Motorists who observed a signalised crossing point may then be less aware of an un-signalised crossing point within a short distance.

\* The petitioners have requested a pelican crossing but these have now generally been replaced with puffin crossings.

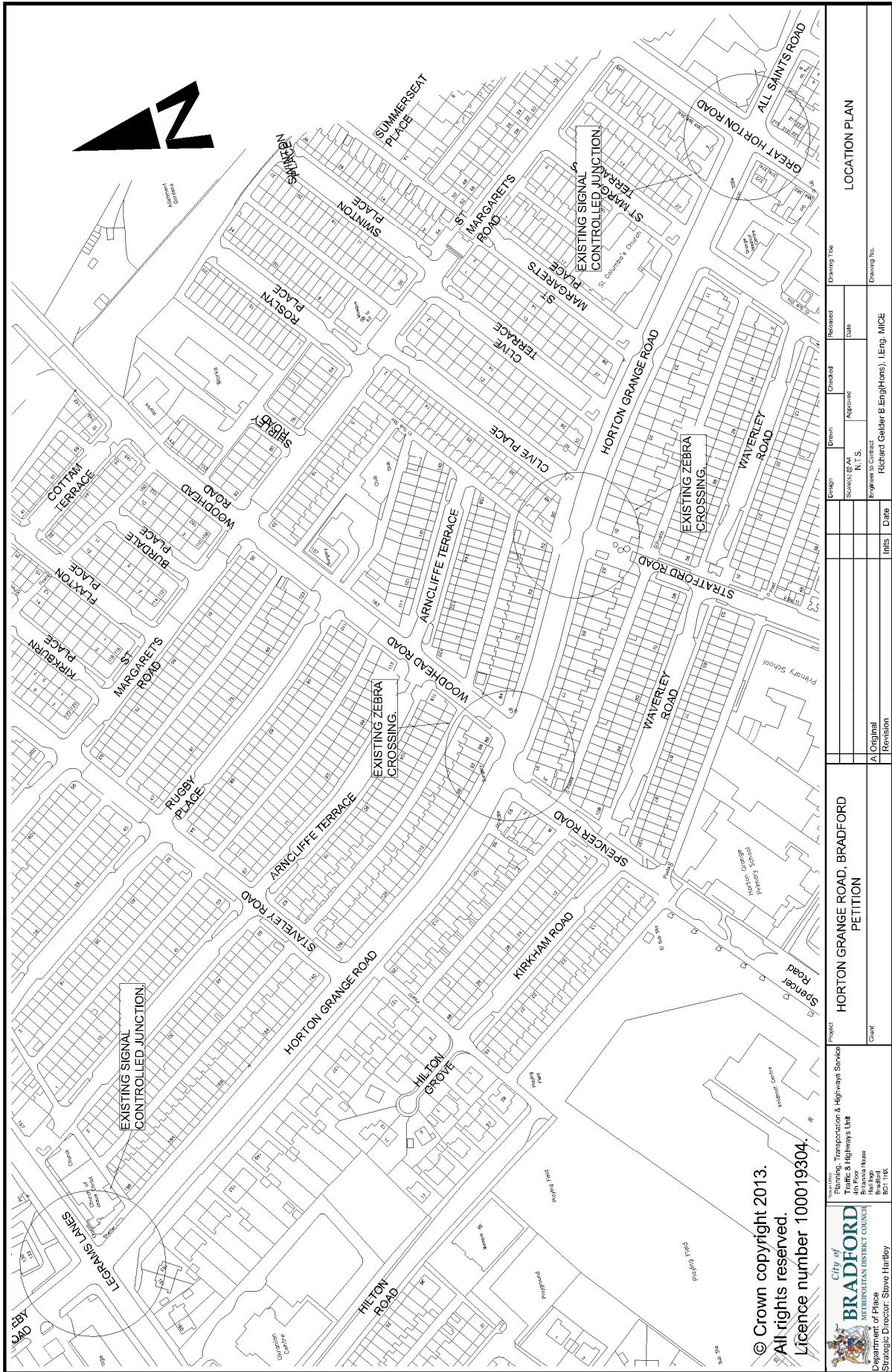
**Recommendations**

6. That the request for the conversion of the existing zebra crossing on Horton Grange Road (at its junction with Spencer Road) to a puffin crossing be added to the list of requests for traffic management measures to be considered as and when future Bradford West Safer Roads schemes programmes are determined
7. That a similar item for the zebra crossing Horton Grange Road at its junction with Stratford Road be added to the list.




Petition to request Pelican Crossing to Replace Zebra Crossing

<p><b>Petition Summary and Background</b></p>	<p>Regarding the Zebra Crossing on Horton Grange Road, just outside Master Jewellers and off Spencer Road.                  There have been a number of road traffic collisions, injuries and even more near misses at this crossing.                  There have already been a number of serious injuries and it is only a matter of time until something worse happens.                  Further, there are three Primary Schools in the immediate vicinity of the crossing. There is also a heavy footfall due to the local businesses that operate very near to the crossing.                  The residents are asking for a Pelican Crossing, as it is our belief that this will be the best tool to maximise the safety of residents.</p>
<p><b>Action petitioned for:</b></p>	<p>We, the undersigned, are concerned citizens who urge Bradford Council, and its appropriate departments, as well as our elected officials who influence its decisions, to please have due regards for our concerns, as well as our judgement and to improve the safety of the aforementioned crossing by converting the Zebra crossing in to a Pelican crossing.</p>



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 <p>City of Bradford          METROPOLITAN DISTRICT COUNCIL          Department of Place          Strategic Director: Steve Hartley</p>		<p>Project: Planning, Transportation &amp; Highways Services          Traffic &amp; Highways Unit          4th Floor, Hales Hall, Hales Hall Way, Bradford, West Yorkshire, BD1 1HK</p>	<p>Client: Horton Grange Road, Bradford          PETITION</p>	<p>Revision: A Original</p>	<p>Date: 11/11/13</p>	<p>Engineer to Contract: Richard Gelder B.Eng(ons), I.Eng, MICE</p>	<p>Engineer to Contract: N.T.S.</p>	<p>Drawn: Approved</p>	<p>Checked: Approved</p>	<p>Revised: Approved</p>	<p>Drawing Title: LOCATION PLAN</p>
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## Report of the Strategic Director, Place, to the meeting of Bradford West Area Committee to be held on 24 January 2018

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### Subject:

**SQUIRE LANE AND LINGWOOD AVENUE AREA, BRADFORD – OBJECTIONS TO A PROPOSED TRAFFIC REGULATION ORDER**

### Summary statement:

This report considers objections received to a recently advertised Traffic Regulation Order for the introduction of waiting restrictions and permit parking on Squire Lane and Lingwood Avenue and other residential streets in the area.

Ward: 24 Toller

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Steve Hartley  
Strategic Director Place

### Portfolio:

**Regeneration, Planning & Transport**

Report Contact: Andrew Smith  
Phone: (01274) 434674  
E-mail: [andrew.smith@bradford.gov.uk](mailto:andrew.smith@bradford.gov.uk)

### Overview & Scrutiny Area:

**Environment & Waste Management**



**1.0 SUMMARY**

1.1. This report considers objections received to a recently advertised Traffic Regulation Order for the introduction of waiting restrictions and permit parking on Squire Lane and Lingwood Avenue and other residential streets in the area.

**2.0 BACKGROUND**

2.1. The Council has received many complaints from residents and other concerned parties regarding problems associated with on-street parking and congestion on Squire Lane and in the Lingwood Avenue area. Nearby are Bradford Girls Grammar School and the Bradford Royal Infirmary and both of these establishments attract many visitors from outside the area. The traffic problems are most significant at the end of the school day when it has been noted that many parents arrive well before school has finished and are a major cause of the congestion and parking problems.

2.2. At its meeting on the 5 July 2017 this committee approved funding, as part of its Traffic Management Schemes Programme, for a scheme to deter parents from parking inappropriately, stop commuters who work in the area parking all day as well as improving traffic movements around the area. The proposed measures consist of.

- No waiting on the north side of Lingwood Avenue with short lengths on the opposite side of the road to protect the driveways. No waiting on the East Side of Como Gardens with restrictions across the driveways on the opposite side.
- No waiting on part of Squire Lane and some bays with limited waiting or disabled badge holders only parking Monday to Friday, 2.30pm to 4.30pm 30 minutes with no return within 1 hour.
- Permit parking on Lingwood Terrace, Como Drive, Como Avenue, Como Grove and part of Lingwood Avenue, Lingwood Road and Springroyd Terrace.

2.3 The problems are at there worst in the afternoon in school term time therefore it is proposed that the restrictions would only be effective Monday to Friday between 2.30pm and 4.30pm from the 1 September to the 31 July. The proposals are detailed on drawing HS/TRSS/103802/CON-1B attached as appendix 1.

2.4 The Traffic Regulation Order was formally advertised between the 3 November and the 24 November 2017. Legal notices were placed around the area and a consultation letter and plan was delivered to residents affected by the proposals. This resulted in 5 objections to the proposed measures from parents of students at the local schools and 2 letters of support from local residents. The points of objections and corresponding officer comments are tabulated below:

Objectors concerns	Officer comments
Objector 1  The objector has children who attend Ladyroyd and Bradford Girls Grammar	Parking around the recreation ground will not be affected by the proposals and visitors will

<p>Schools and parks on the roads around the recreation ground located on West Park Road. He is concerned that there will be nowhere to drop off and collect his children and in the summer months visitors to the recreation ground will have nowhere to park.</p>	<p>be able to park nearby. The proposed scheme does not affect parents dropping children off in the morning. The proposed waiting restrictions are only operational in the afternoon when parking and congestion problems are at their worst. However included in the proposals will be short stay limited waiting on Squire Lane (Monday to Friday, 2.30pm to 4.30pm 30 minutes with no return within 1 hour). This will provide convenient areas for parents to collect their children.</p>
<p>Objector 2 to 5</p> <p>What arrangements have been made by the Council for the safe arrival of pupils of Bradford Girls Grammar School when parents are coming from far off areas and require transport to attend school.</p> <p>The legal notices were only present on the 23 November 2017.</p> <p>The proposed changes will mean parents will park on West Park Road and Allerton Road so congestion will be moved further away. This will leave some parents with a 30 minute round trip walk to drop children at school as children cannot be allowed to walk as there are no suitable crossings on Allerton Road or</p>	<p>The Local authority has a duty to provide free transport if the nearest suitable school is beyond 2 miles for pupils below the age of 8 and over 3 miles for pupils aged between 8 and 16. If the parents feel they are eligible for travel assistance to and from school they should contact the Council's school travel team.</p> <p>The proposed scheme does not affect parents dropping children off in the morning. The proposed waiting restrictions are only operational in the afternoon when parking and congestion problems are at their worst. However included in the proposals will be short stay limited waiting on Squire Lane (Monday to Friday, 2.30pm to 4.30pm 30 minutes with no return within 1 hour). This will provide convenient areas for parents to collect their children.</p> <p>The legal notices were placed on streets around the area on the 3 November and Taken down on the 24 November. The notices were checked weekly and any that had been removed were replaced.</p> <p>Squire Lane is one of the main routes for emergency vehicles to the Bradford Royal Infirmary and is often blocked by indiscriminate parking at school closing times. Lingwood Avenue and other streets in the area are narrow residential roads and parents often park in such a manor that blocks driveways and the roads become</p>

<p>West Park Road.</p> <p>The grass verges along West Park Road, Spring Royd Terrace and Lingwood Road could be removed to widen the road and create short stay parking during school pick up and drop off times.</p> <p>The land at the top of Squire Lane could be used as a car park prior to the leisure centre being built.</p> <p>School buses should be provided but no one is sure if it is the school or the Council that is responsible to fund them. The Council supported the application to become a free school and massively increase school numbers with students coming from a much wider area than many schools no foresight was invested to anticipate issues and discussing with parents.</p>	<p>gridlocked due to the volume of traffic. The proposed scheme would only be in operation in the afternoon therefore it does not affect parents dropping children off in the morning. The scheme will improve access for all traffic at the busiest times. There are existing pedestrian refuges on Allerton Road and West Park Road near its junction with Allerton Road. These assist pedestrians to cross both roads. The Council is also trying to recruit a School Crossing Patrol for Squire Lane.</p> <p>There are no parking issues on these roads normally problems only arise during the school term. The work involved to remove the verges would take up a large proportion of the limited budget available for highways works and would need to be approved by this committee.</p> <p>It should also be noted that for environmental reasons, there is a case against replacing porous areas with hard surfacing as this puts an increasing strain on the Council's drainage systems and is not sustainable.</p> <p>The design of the new swimming pool will start in the new year and construction will begin once planning permission has been granted. It would therefore be unfeasible to construct a car park in the interim period.</p> <p>The Local authority has a duty to provide free transport if the nearest suitable school is beyond 2 miles for pupils below the age of 8 and over 3 miles for pupils aged between 8 and 16. If the parents feel they are eligible for travel assistance to and from school they should contact the Council's school travel team.</p> <p>The school is run by a charitable trust and is funded directly from central government and operates outside local authority control. The school is responsible for drawing up its admissions criteria.</p>
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<p>One disabled space is not enough. Has an assessment been made as to how many are needed.</p>	<p>The proposed disabled parking will be provided at the request of the school. Blue badge holders may also use the limited waiting spaces also proposed for Squire Lane.</p>
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2.5 Two letters of support for the proposals have been received from residents who live in the area.

### **3.0 OTHER CONSIDERATIONS**

3.1. The scheme has been prepared with the assistance of local ward members, the Police and officers from the Bradford West Area Co-ordinators office.

### **4.0 FINANCIAL & RESOURCE APPRAISAL**

4.1. The estimated cost of the proposals is £9000 and will be met from the Safer Roads Budget approved by this committee on the 5 July 2017.

### **5.0 RISK MANAGEMENT AND GOVERNANCE ISSUES**

5.1. A failure to implement the proposed scheme would result in ongoing congestion and safety concerns on Squire Lane and the Lingwood Avenue Area.

### **6.0 LEGAL APPRAISAL**

6.1. There are no specific issues arising from this report. The course of action proposed is in general accordance with the Councils power as Highway Authority and Traffic Regulation Authority.

### **7.0 OTHER IMPLICATIONS**

#### **7.1. EQUALITY & DIVERSITY**

There are no issues arising from the Council's Equality & Diversity Strategy.

#### **7.2. SUSTAINABILITY IMPLICATIONS**

There are no significant Sustainability implications arising from this report.

#### **7.3. GREENHOUSE GAS EMISSIONS IMPACTS**

There is no impact on the Council's own and the wider District's carbon footprint and emissions from other greenhouse gases arising from this report.

#### **7.4. COMMUNITY SAFETY IMPLICATIONS**

The introduction of the proposed measures would be beneficial in terms of road safety.

**7.5. HUMAN RIGHTS ACT**

None

**7.6. TRADE UNION**

None

**7.7. WARD IMPLICATIONS**

Ward members have been consulted on the advertised proposals and support the measures.

**7.8. AREA COMMITTEE ACTION PLAN IMPLICATIONS**

None

**8.0 NOT FOR PUBLICATION DOCUMENTS**

None

**9.0 OPTIONS**

9.1. That the objections be overruled and the Traffic Regulation Order be sealed and implemented as advertised.

9.2. That the objections be upheld and the Traffic Regulation Order be abandoned.

9.3. Councillors may propose an alternative course of action.

**10.0 RECOMMENDATIONS**

10.1. That the objections be overruled and the Traffic Regulation Order be sealed and implemented as advertised.

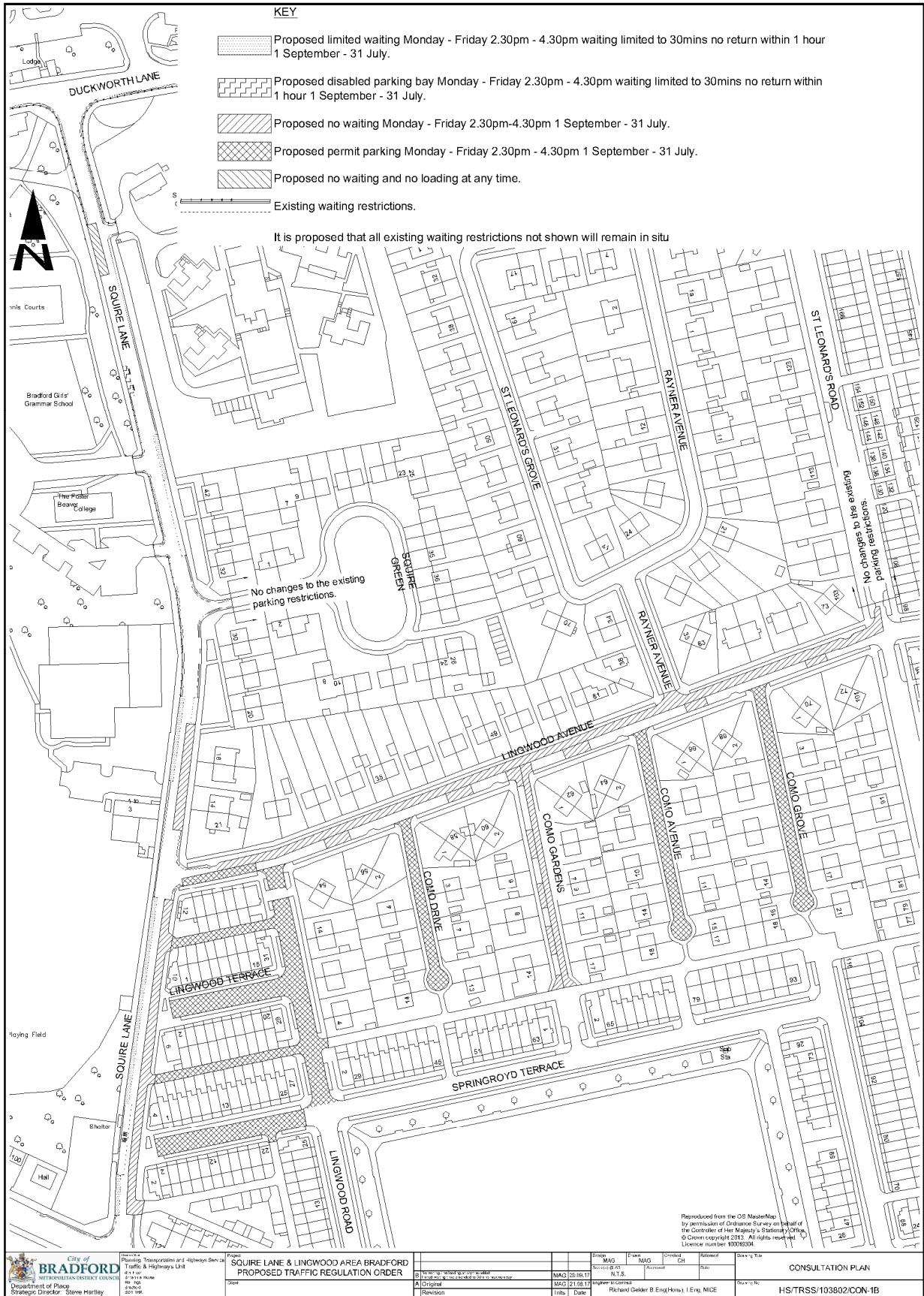
10.2. That the objectors and supporters of the scheme be notified accordingly.

**11.0 APPENDICES**

Appendix 1 – Drawing HS/TRSS/103802/CON-1B.

**12.0 BACKGROUND DOCUMENTS**

12.1. none



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## Report of the Assistant Director, Planning Service, to the meeting of Bradford West Area Committee to be held on 24<sup>th</sup> January 2018

V

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**Subject: Petition requesting closure of the public right of way between Whetley Lane and Walker Drive, Manningham**

### Summary statement:

A petition has been received from residents of Regency Court and Walker Drive, Manningham requesting the closure of a public footpath which links Whetley Lane with Walker Drive. The petition was referred to this Committee by Full Council at its 12th December 2017 meeting. The Council has powers to close public rights of way for purposes of crime prevention in certain, limited, circumstances. The criteria for deciding such requests are described.

Officers have considered the petition and recommend that closure of the path for the reasons requested does not meet the necessary criteria and therefore is not within the powers available to the Council.

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Steve Hartley  
Strategic Director of Place

**Portfolio:**  
**Regeneration, Planning and Transport**

Report Contact: Danny Jackson,  
Countryside and Rights of Way  
Manager

**Overview & Scrutiny Area:**  
**Environment and Waste Management**

Phone: (01274) 431230

E-mail: [danny.jackson@bradford.gov.uk](mailto:danny.jackson@bradford.gov.uk)

## 1. Summary

A petition has been received from residents of Regency Court and Walker Drive, Manningham requesting the closure of a public footpath which links Whetley Lane with Walker Drive. The Council has powers to close public rights of way for purposes of crime prevention in certain, limited, circumstances. The criteria for deciding such requests are described.

## 2. Background

- 2.1 The path under consideration is shown in the Appendix 1. It is a delineated tarmac path running through the car park of Regency Court, before leading onto a wide flight of steps. It connects Whetley Lane to Walker Drive.
- 2.2 The path was retained as a public footpath when other highways in the area were closed during the redevelopment of Regency Court in 1986.
- 2.3 It provides a pedestrian link from Whetley Lane, through Regency Court to Walker Drive, and vice versa. Many people then continue on to Thornton Road via the path through to Hockney Road.
- 2.4 In November 2013, the Rights of Way Section received a complaint about anti-social behaviour connected with this path and a request for the path to be closed. Officers made a site visit and 38 people were seen using the path in a one hour period. A similar visit in January 2018 noted 24 people using the path in a one hour period.
- 2.5 The request was recorded in a list of all similar requests for closures across the district for further consideration if a decision is taken to consider further such closures. The complainant was advised to ensure all criminal and antisocial behaviour was reported to the police.
- 2.6 There are currently 225 requests for path closures for crime prevention reasons across the district, 41 of them in the Bradford West area. Five paths requested for closure have been permanently closed, one in the Bradford West area.
- 2.7 In May 2015 the owners of Regency Court reported ongoing anti-social behaviour, drug dealing and prostitution, particularly in the area of the steps. The owners also indicated they would like to make Regency Court a gated community. Officers advised the owners on methods of gating the estate without the need for any highway or footpath closures, and also to report any incidents of antisocial or criminal behaviour to the police. No progress has been made on the proposals to gate the estate.
- 2.8 In April 2017 a petition was received requesting closure of the path to reduce the level of crime and antisocial behaviour in the area. The petition was signed by 62 residents of 55 addresses, mainly in Regency Court but including nine addresses in Walker Drive. The Petition reproduced in Appendix 2.
- 2.9 Under the Highways Act 1980 it is possible to permanently close a public right of way in certain circumstances: **(a)** If it can be proven that it is not needed for public

use, or **(b)** For crime prevention, by Special Extinguishment Order, in certain designated areas and in school grounds. The application of both of these powers has been considered for the path at Regency Court.

- 2.10 The situation does not fit the necessary criteria for option **(a)**. Officers have observed the path on a number of occasions (most recently on the 8<sup>th</sup> January 2018) and noted frequent use by pedestrians of all ages using the route on journeys from the Whetley Lane area, via Walker Drive, to and from bus stops and other facilities in the Thornton Road area. As many people use the path it is highly likely there would be objections to its closure. One objection stating that the path was needed would mean that an order to close the path would not be able to be implemented.
- 2.11 The power to close paths for crime prevention, described in option **(b)**, was added to the Highways Act 1980 by the Countryside and Rights of Way Act 2000. Specific criteria must be met before an order can be made for such closure. These are described in Appendix 3. Such closures are considered to be a last resort in situations where other measures have been considered and permanent complete removal of the public right of way is the only option to resolve persistent levels of serious crime (burglary, theft, criminal damage, vehicle crime).
- 2.12 An initial assessment using these criteria is applied to all requests to close paths for crime prevention reasons to establish whether the request falls into one of three broad categories: a) High priority and likely to be successful for closure; b) Possibly successful; c) very unlikely to be successful. These criteria have been applied to the path in question as shown in Appendix 4.
- 2.13 The path does not fall within a current Designated High Crime Area, and available information about crime in the area shows that there are very few reported issues at Regency Court and those were not in relation to issues in the snicket. Following the initial submission of the petition a PCSO discussed the issues with residents. Some of the residents did state that there are youths that sometimes loiter in the snicket. The vast majority of the residents that raised the issue stated that they either didn't report it or told the security guard employed by the owners of Regency Court. The people loitering in the snicket are generally teenagers, many of whom live in Regency Court.
- 2.14 All the local PCSOs have been asked to pay more attention to the area and particularly the path as it leads down the steps. Since May the issue has not been raised again. There does not, therefore, appear to be sufficient evidence to ensure a successful application for a Designated Area Status.
- 2.15 This path is not considered to be a high priority for closure as there is no evidence of high levels of serious crime directly associated with the path. In addition there are clearly well established high levels of legitimate use.
- 2.16 To close a path by Special Extinguishment Order, funding would be required to research, prepare and submit an application to the Secretary of State for Designated Area status. If this is successful, officer time would then have to be allocated to consulting, negotiating and preparing a legal order. In addition, funding would be needed for the advertising costs for the order, practical works to physically block the path and removal of any statutory undertakers equipment. The

minimum total of such costs would be £3,000, with considerably more officer time needed if objections led to a public inquiry.

- 2.17 There is currently no funding allocated to pursuing closures of paths for crime prevention reasons. Funding has been previously allocated by the council for projects to gate alleyways. However, this funding was targeted for use only where no public rights exist – i.e. bin runs and back alleys.
- 2.18 If funding were to be identified for path closures, the relative priority of the request at Regency Court would have to be considered in relation to the 230 other requests received so far. Initial information suggests that this route has lower levels of immediately adjacent problems and much higher levels of legitimate public use than many of the other paths on the list.
- 2.19 The possibility of closing this path has been considered in detail, as described above, in response to the petition. However, closure of a path by Special Extinguishment Order is normally considered to be the last resort in a hierarchical series of possible actions in response to reports of criminal or anti-social activity associated with a public right of way.
- 2.20 The different option is to consider improvements to the existing situation without removing or reducing public rights. This could include practical environmental improvements such as cutting back surrounding trees to increase visibility over the steps, improve street lighting, and increased Police and anti-social behaviour team involvement.
- 2.21 A private security guard is employed at Regency Court, he has at times approached people loitering on the steps. The Council's Cleansing Services keep the path and steps clear of litter. There is no evidence that practical measures, which the landowners could take to increase visibility over the path or reduce littering/tipping on land adjacent to the steps have been attempted. Police have increased patrols in the area since the petition was submitted. However the most recent police records show no requests for service associated with the path and very few calls to Regency Court in general.
- 2.22 A further option is to consider the suitability of the path for a Public Space Protection Order. In some parts of the country, anti-social behaviour and criminal activity associated with public footpaths has been reduced by the construction of gates across the path, restricting use to certain permitted users, or allowing the route to be open at certain times of day with a designated person being responsible for locking and unlocking the gates. This process requires a legal order that is subject to public consultation, with costs of £5000.
- 2.23 Guidance from the Local Government Association suggests it may be more appropriate to draft an Order focussed on the problem behaviour instead of restricting public access. Consideration of how the order would be enforced would also be needed. More detailed investigation into current levels and times of legitimate use of the path and detailed information on the disruption caused by anti-social behaviour would be necessary if a public space protection order were to be considered.



2.24 It is acknowledged that the Council has a duty under Section 17 of the Crime and Disorder Act 1998 to consider the possible effects of crime and disorder in its activities. This duty should be considered in the context of the Council's duty under the Highways Act 1980, section 130, to 'assert and protect the right of the public to the use and enjoyment of any highway' in the district.

### **3. Other considerations**

3.1 Guidance for Local Highway Authorities on the use of powers to close public rights of way for crime prevention reasons has been issued by Defra in Circular 1/2003.

3.2 This states, in paragraph 3.5, "Assurances were given during the passage of these provisions through Parliament that the intention was for the closure orders to be used sparingly by local highway authorities, and not as a first response to crime."

3.3 Paragraph 3.6 of the same circular states "Where the new powers are used the closure should significantly reduce the opportunity to commit offences and increase the security and well being of residents. The powers should be particularly helpful in areas where high levels of crime are undermining attempts to address wider problems within the neighbourhood."

3.4 Once a path is legally closed it is virtually impossible to reopen it. The public's right to use it will be lost permanently.

3.5 Consultations carried out prior to preparation of the Council's Rights of Way Improvement plan lead to the conclusion that appropriate improvements should be sought before any restriction on public rights is considered.

3.6 The relevant chapter of the Rights of Way Improvement Plan is in Appendix 5

### **4. Financial And Resource Appraisal**

4.1 There is currently no funding allocated to making orders to close paths for crime prevention purposes.

### **5. Risk Management And Governance Issues**

5.1 There are no significant risks arising out of the implementation of the proposed recommendations.

### **6. Legal appraisal**

6.1 There are no legal implications at present.

**7. Other implications**

**7.1 Equality & Diversity**

There are no implications for equal rights.

**7.2 Sustainability implications**

The path provides a traffic free pedestrian link between Whetley Lane and Walker Drive.

**7.3 Greenhouse Gas Emissions Impacts**

The path offers a carbon free transport option.

**7.4 Community safety implications**

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to consider the possible effects of crime and disorder in its activities. As many of the people loitering on the steps are residents of Regency Court closing the path is unlikely to resolve the concerns.

**7.5 Human Rights Act**

There are no implications for human rights.

**7.6 Trade Unions**

There are no implications for the trade unions.

**7.7 Ward Implications**

There are no Ward implications

**7.1 Area Committee Ward Plan 2016/17 Implications**

There are no Ward Plan implications

**8. Not for publication documents**

None.

**9. Options**

9.1 Option 1 Leave the path open, request further involvement of the Council's Anti-Social Behaviour Team and the Police and suggest that the landowners consider additional alternative means of reducing the problems. For example, cutting back nearby trees would stop the area around the steps being as secluded and removing the fly tipping from the land adjacent to the steps would improve the surrounding environment.

- 9.2 Option 2 Consider applying for designated area status from the Secretary of State on the area around the path, with the intention of making a Special Extinguishment order to close the path. This is unlikely to be successful, as the circumstances of the area around the path do not meet the necessary legal tests.
- 9.3 Option 3 Consider making a public space protection order for the path to allow residents with keys to use the path or to allow public access at certain times of day or preventing certain behaviours. Currently there are no funds allocated for this type work. If funding were to become available the levels and timing of legitimate use would be investigated and the relative priority of this path in relation to other requests would be assessed. The details of who would take responsibility for closing (and locking) and opening the gates at the agreed times would also need to be established.

## 10 **Recommendations**

- 10.1 That the situation on the path does not currently meet the criteria for a permanent closure of the public right of way. Option 1 is the recommended course of action. i.e. Leave the path open, request further involvement of the Council's Anti-Social Behaviour Team and the Police and suggest that the residents and owners consider additional alternative means of reducing the problems.

## 11 **Appendices**

Appendix 1 – Map showing location of the path

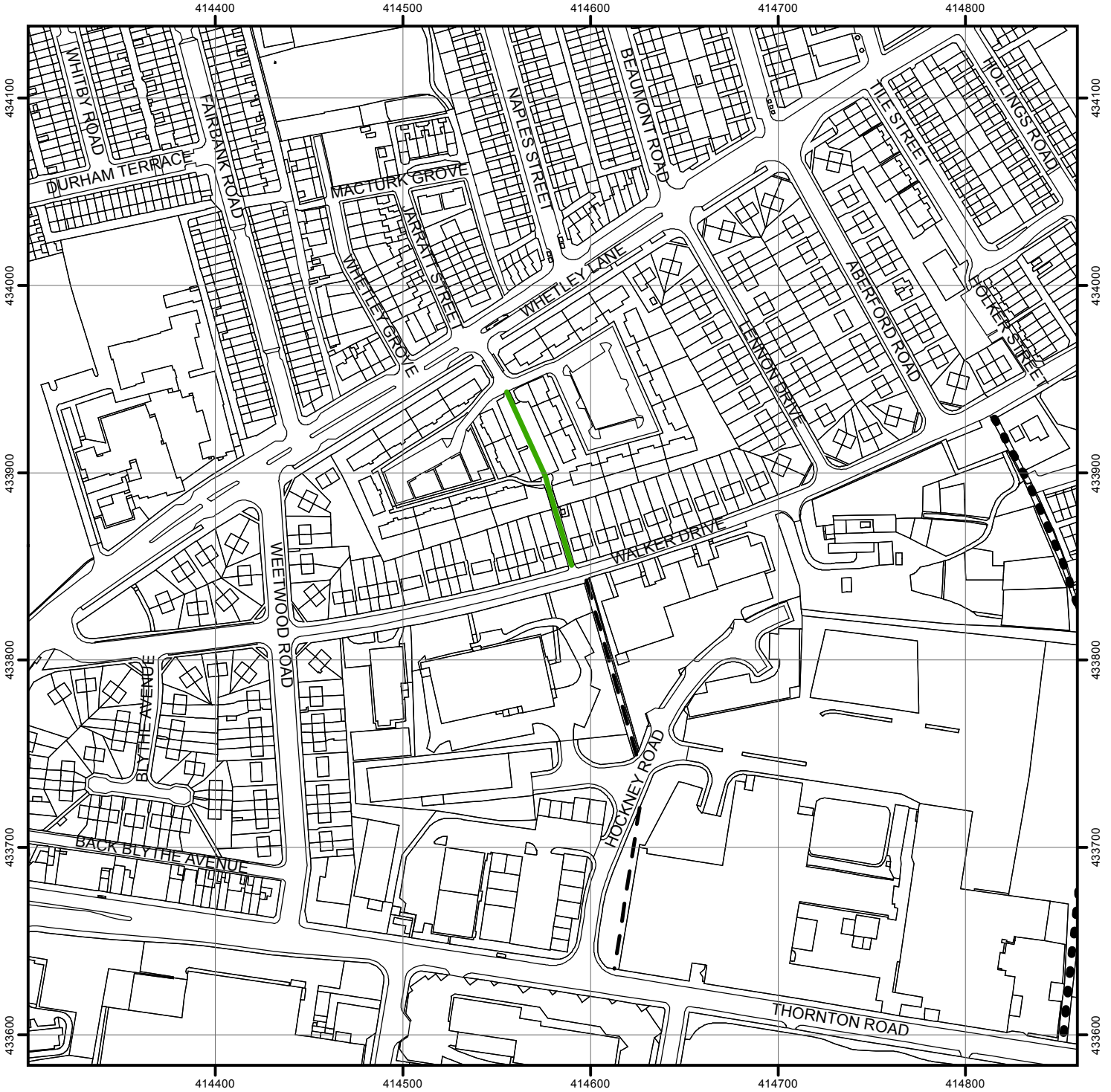
Appendix 2 – Petition

Appendix 3 – Criteria for assessing requests for path closures to reduce crime



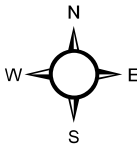

Appendix 4 – Assessment of the Regency Court path against criteria.

Appendix 5 – Rights of Way Improvement Plan Policy Statement: Crime Related Issues.

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Appendix 1  
Plan showing path from Whetley Lane to Walker Drive

<b>Legend</b>   Path subject to petition   Other paths		Scale	1:3000
		OS Sheet	SE 1433
		Drawn By	FP
		Checked By	TB
		Date	11/01/2018

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127 signatures  
62

# Regency Court

## PETITION TO BRADFORD MBC

We the undersigned petition Bradford Metropolitan District Council regarding our wish to close the through fare between Regency Court and Walker Drive.

The steps leading from Regency Court to Walker Drive and vice versa are used as a congregating are for people who have no association with Regency Court or Walker Drive. The thoroughfare is seldom used after hours as it poses risks to unsuspecting members of the public. On many occasions those congregating on the steps and around the area have intimidated and bullied passers-by. In some serious cases people have been attacked and mugged. Criminals have also used the thoroughfare to escape between Walker Drive and Whetley Lane.

A substantial number of youths who are intimidating, rowdy, drink alcohol in this area and smoke illegal substances congregate on the steps from Regency Court to Walker Drive. There is a considerable amount of litter deposited on the steps which consists of drinks cans, fast food cartons, used syringes and many other items. This area is particularly dangerous at night and a health hazard for children playing in the area.

There have also been a number of young females in this area with whom it is believed sexual activity has taken place and even the possibility of grooming them to provide sexual services to third parties. The thoroughfare is used by criminals to further their causes in this most despicable of crimes.

The quality of life is being impaired and safety compromised for people who live in the area particularly the vulnerable which includes the elderly, those with mental health issues and young children.

The walkway between Regency Court and Walker Drive has attracted undesirable who are intent on causing a nuisance for some considerable time and we, the local residents would like to see the walkway closed.

At present the Regency Court site safety/security officer has no jurisdiction in this area. If the through fare was closed it would prevent many of the issues and problems noted above and would provide a safe living environment.

It should be pointed out that access to Whetley Lane from Walker Drive could be easily obtained via the very near Lenton Drive on the one hand and Westwood Drive on the other. There is no valid reason to keep the walkway open given the problems highlighted in this petition.

Regency Court Management (Bradford) Ltd, Company No. 04049563 (England and Wales)  
Correspondence address: C/O Venture Block Management Ltd, Suite 1, 184 Harrogate Road, Leeds, LS7 4NZ  
(Registered address: Site Office, 91 Regency Court, Bradford, West Yorkshire, BD6 9HT)

# Regency Court

PRINT NAME	ADDRESS	SIGNATURE
V. Baker S.LAD	29 Regency Court	Baker
	27 " "	(S)id
V Bloom	30 Regency Court	(V) Bloom
Ruhul Miah	54 Regency "	(R)uhul
Imyja VERA PUNAKOVA	64 Regency Court	(I)myja
DEBASHISH DASH	86 REGENCY COE	(D)ash
Deependra Rathore	87 Regency Court	(D)ash
IMELIA MAKULA Ryan Fox	37 Regency COE	(R)yan
	104 Regency Court	(R)yan Fox
Daniel Rowan	104 Regency Court	(D)Rowan

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# Regency Court

PRINT NAME	ADDRESS	SIGNATURE
FAIZA BI	148 REGENCY COURT	<i>[Signature]</i>
KINACOVA MARTINA	90 REGENCY COURT	<i>[Signature]</i>
Aled Jenkins	80 REGENCY COURT	<i>[Signature]</i>
AMY CLONIN	80 REGENCY COURT	<i>[Signature]</i>
Soumi Patel	74 REGENCY COURT	<i>[Signature]</i>
AM NARLANGU	75 REGENCY COURT	<i>[Signature]</i>
RAY. MANOR	72 REGENCY COURT	<i>[Signature]</i>
CELAMANN	72 REGENCY COURT	<i>[Signature]</i>
DINESH SHAH	131 REGENCY COURT	<i>[Signature]</i>
MADHU & DINESH SHAH	116 Regency Court	<i>[Signature]</i>
Dinari Shah	130 Regency Court	<i>[Signature]</i>
SYED MONIS AHMAD	12 Regency Court	<i>[Signature]</i>
Antonia Hill	14 Regency Court	<i>[Signature]</i>

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# Regency Court

PRINT NAME	ADDRESS	SIGNATURE
MR. SHAMS UL - HAQ	110 Regency Court	<i>[Signature]</i>
ZANETA KOPKOVA	111 Regency Court	<i>[Signature]</i>
VERA KINCOMY	134 Regency Court	<i>[Signature]</i>
J.S. KHANNA	10 Regency	<i>[Signature]</i>
ULIANA MAN	123 Regency Court	<i>[Signature]</i>
Asad Nasser	125 Regency Court	<i>[Signature]</i>
LADISLAV ZALOG	139 Regency Court	<i>[Signature]</i>
Patryk Smolczak	175 Regency Court	<i>[Signature]</i>
DEIVIDAS IMBRAS	174 Regency Court	<i>[Signature]</i>
MTAMBALA POPY KASHANI	92 Regency Court	<i>[Signature]</i>
VERONICA KASHANI	92 Regency Court	<i>[Signature]</i>
Saffiana Khan	123 Regency Court	<i>[Signature]</i>

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# Regency Court

PRINT NAME	ADDRESS	SIGNATURE
Saleena Rasah	65 Walker drive	
Sandru Horvathica	69 Walker Drive	
NASEEM HUSSAIN	67 Walker Drive	
NAZAR DIN	93 Walker Drive	
Shabnam Ayyaz	53 Walker Drive	N. Din
A-SHER	45 Walker Drive BDS 9ES	
R. Hum	39 Walker Drive	A-SHER
M. SHAHZAD	27 Walker Drive	R. Hum
	25 Walker Drive	M. Sha

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# Regency Court

PRINT NAME	ADDRESS	SIGNATURE
G. STRINGER	98 REGENCY COURT	G. Stringer
V. STRINGER	98 REGENCY COURT	V. Stringer
H. KHATUN	99 REGENCY COURT	H. Khatun
A. ALI	99 REGENCY COURT	A. Ali
<del>101</del> EUNHAKIM	101 " "	Eunhakim
S.M. AHMAD	12 REGENCY COURT	S.M. Ahmad
T. ROBSON	92 " "	T. Robson
J.S. KHANM	10 " "	J.S. Khanm
MRS E PRADIAW	28 " "	E Pradiaw
RUPINDER KHAIRA	8 Regency Court	Rupinder Khaira
CLIVE JOELS	74 REGENCY COURT	Clive Joels
M. BAINSTON	16 Regency Court	M. Bainston
Dinesh Shah	116 Regency Court	D. Shah
Dinesh Shah	131 Regency Court	D. Shah
Dial Shah	130 Regency Court	D. Shah
R. BAINSTON	16 " "	R. Bainston
Z. AHMED	79 " "	Z. Ahmed
S. BURDEN	102 Regency Court	S. Burden
J. BURDEN	102 Regency Court	J. Burden

### **Appendix 3. Criteria for considering requests for Public Rights of Way Closure for Crime Prevention.**

A Special Extinguishment Order may only be made for closure of a path if it is within an area designated by the Secretary of State for Environment, Food and Rural Affairs as a high crime area under Section 118B (10(a) of Highways Act 1980.

The Council may make an application to the Secretary of State for, an area to be designated as a high crime area if:

- a) there are rights of way in the area that are demonstrable causes of a persistent crime problem; and
- b) the realistic alternative options to tackle the causes of problems have been examined, prior to the decision to make a submission to the Secretary of State.

Once an area has been designated, any path that is selected for closure must have a low level of legitimate use, a reasonable convenient alternative, high levels of persistent serious crime (i.e. theft, burglary, etc.) directly adjacent to the path and it must also be shown that other methods of crime reduction have been considered.

Officers in the Rights of Way Section have worked with officers in the Anti-Social behaviour team to consider requests for path closures using variables that link in with the statutory requirements for the processing of a special extinguishment order. A scoring system has been developed to assess requests using the following criteria.

- 1. Is there a cluster of crime near the path?** For sites where crime statistics are available, the level of reported crimes, including burglaries (both of domestic dwellings and other buildings), vehicle crime (including theft of and theft from a vehicle), criminal damage, interference with a vehicle, tampering with a vehicle and theft in a dwelling, have been taken into consideration.

A definite cluster of crimes near the path indicates a possible higher association of crimes with the path and stronger reason for closing the path.

- 2. What is the level of crime in the area?**  
Where crime statistics are available, the level of key crimes per 1000 population is considered against the district average. A rate greater than double the district average gives greatest support for path closure. The weighting given to this variable is lower than 1 (above) as it is the levels of crime at properties adjacent to the path that is significant. However these figures give an indication of how much crime is disrupting the community near the path.

- 3. Where is the nearest alternative route on a Right of Way? –**  
The source of this data is the Rights of Way Section's maps and records of rights of way. If a detour of more than 350 metres would be necessitated by the path closure, it is considered that the closure could significantly inconvenience path users.

A right of way is a route used by pedestrian, cyclists or horse riders that is separate from a road used by traffic. There are exceptions to this where a right of way is contiguous with a private access road.
- 4. Where is the nearest alternative route by roadside footway?**  
Such routes are generally less desirable alternatives for path users for reasons of pedestrian safety. However, if there is a roadside footway (pavement) nearby that would involve a detour of less than 100 metres, this may not be a significant detour.
- 5. What is the level of legitimate use?**  
This is measured by officer impression on a site visit. If the path had little apparent use, the chances of a successful closure are higher than if there is frequent apparent use the path. This is a rapid assessment of use. If the path scores highly on other factors a more detailed study of use is recommended.
- 6. Does the path have any strategic value?**  
This is based on knowledge and experience of the relevant Area Rights of Way Officer, the Strategic Routes Officer and the Safe Routes to School Officers for their knowledge of the path. The route is also assessed on a site visit looking for links to shops, schools, train and bus stops.
- 7. Are any schemes planned for the path?**  
This is assessed as 6.
- 8. Is the path physically closable?**  
This is a practical consideration as some paths cross open ground which would make them very difficult / expensive to physically close

## **Appendix 4. Application of Criteria for considering requests for Public Rights of Way Closure for Crime Prevention to the Path from Whetley Lane to Walker Drive**

Designated area – the path is not in a current Designated Area.

- 1. Is there a cluster of crime near the path?** According to recent data received from the Police, there is no cluster of crime immediately adjacent to the path.
- 2. What is the level of crime in the area?** Police records indicate levels below the district average of recorded crime in the area surrounding Regency Court (Manningham Ward). It is also possible that offenders regularly use the path in question to travel between the Whetley Lane and Thornton Road areas.
- 3. Where is the nearest alternative route on a Right of Way?** There is no alternative route on public rights of way.
- 4. Where is the nearest alternative route by roadside footway?** It is possible to follow a route on road-side footways along Whetley Lane, Weetwood Road and Walker Drive without crossing additional roads. Whetley Lane is a busy arterial route with a footway of reasonable width in good condition separated from traffic by a grass verge. Weetwood Road is a busy residential street with a good unobstructed footway. Walker Drive is an unadopted road, when inspected the footway was obstructed by parked cars, wheelie bins and fly tipped rubbish making walking difficult. The additional length of route from Whetley Lane to Walker Drive is approximately 230 metres. Using the path through Regency Court is a direct journey of about 120 metres which would be increased to over 350 metres and would take approximately 3 minutes longer to walk.
- 5. What is the level of legitimate use?** There is significant use of the path by people of all ages including elderly and school children, both accompanied and unaccompanied. Users are apparently using the route to link from North of Whetley Lane to Thornton Road area where there are businesses and bus stops. Users were using the path to cross Walker Lane and access the path to Hockney Road and on to Thornton Road as well as accessing properties on Walker Lane. It is estimated that over 400 pedestrian trips are made along the path each day.
- 6. Does the path have any strategic value?** Yes, the path appears to be well used by school pupils and by people using services on Thornton Road.
- 7. Are any schemes planned for the path?** No
- 8. Is the path physically closable?** The area from the car park of Regency Court and down the steps could be blocked. However the individuals would probably find other areas in and around Regency Court to loiter. YE would also need access to the substation.

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## **4.7 POLICY STATEMENT: CRIME RELATED ISSUES**

### **4.7.1 Introduction**

The Crime and Disorder Act 1998 (Section 17) required local authorities to consider the impact that their services have on crime and disorder. Preventing crime and disorder should be a core part of the Local Authority's business and be integrated or mainstreamed in to all services, policies, administration, financial planning and decision-making wherever appropriate.

Since 2003 over 116 requests for closure of public rights of way for crime related reasons have been received by the Countryside and Rights of Way Service.

The Countryside and Rights of Way Act 2000 gave highway authorities a power to consider the closure of public rights of way, if it could be shown that there is a clear relationship between the existence of the right of way and high local crime levels.

The use of this power needs to be balanced against the duty to assert and protect public rights of way.

The Act requires that, before such closures can take place, the area around the path must be a designated crime area – which requires an application to Secretary of State. A number of local authorities have made such applications, including Bradford, and have successfully designated crime areas. In Bradford a part of Little Horton former Priority Policing Area

was designated and one path has been extinguished for reasons of high crime.

As part of the considerations, the Act requires the local authority to show that options, other than closure, have at least, been considered. Therefore, the CROW Act powers are the **last** resort in a hierarchical series of possible actions and considerations in response to reports of criminal or anti-social activity associated with a public right of way;

- 1) No action needed / possible.
- 2) Police / Anti-Social Behaviour Team Involvement / Environmental Improvements (e.g. better lighting)
- 3) Suitability of Gating Order (public rights retained, path can be opened at certain times of day/order revoked when problem abated).
- 4) CROW Act closure in designated areas – permanent deletion of Public Right of Way.

#### **4.7.2 What we do now**

One officer in the CROW team has responsibility, as part of their overall role, to deal with such requests. Each request is recorded, including details of location and, crucially, evidence of crime. An indication is also recorded of factors, such as availability of a reasonable alternative route, strength of local support for the closure and whether it would be actually possible to physically close the route on the ground. These records assist in assessment of the position of the request in relation to the hierarchy of options for action.

When reports of misuse of a public path are received landowners are advised to keep a record of incidents and report them to the police on a regular basis.

Implementation of the crime closure power is complex and the Council has only closed one path using this power. There are two main issues:

- Gathering the crime statistics and evidence which shows a clear link between the existence of the path and high crime levels.
- Lack of clarity about funding of closures.

In 2006, the Council allocated a one-off budget of £100,000 to fund “alleygating” schemes. This was targeted at routes that had private access only. Routes that required a legal order to close were not considered for this funding.

Recent changes to legislation, contained within the Clean Neighbourhoods and Environment Act 2005, allow for closure of public rights of way using Gating Orders. This would make temporary closures (such as during night-time) a possibility and would not require the designation of crime areas. The Council has made two gating orders, covering five routes, to date.

The Council also employs a number of Anti-Social Behaviour officers. Many requests for path closure appear to be as a result of anti-social behaviour rather than more serious crime. Approaches from the Anti-Social Behaviour Team could help resolve some of these issues.

#### **4.7.3 What the consultations have shown us**

Only one specific comment was made during the ROWIP consultations relating to the use of the crime closure power. This was a plea to make easier the extinguishment of rights of way in urban settings, when they are a source of crime and harassment for people living alongside them.

Other discussions about this have taken place in the Bradford Rights of Way Forum and the West Yorkshire Pennine Local Access Forum. The general tone of these discussions has been that forum members urge the Council to be very

circumspect in its use of this power and consider options such as improving routes first rather than resorting to closures.

#### **4.7.4 Improvements for Action Plan**

- Where appropriate seek environmental improvements or Anti-social Behaviour Team involvement before considering restriction of public rights.
- In view of the time consuming nature of the CROW Act powers, high level of proof of crime needed, and the alternative approaches available, we do not propose to apply for designation of any further crime areas, unless the current register of requests includes a strong case for doing so and other alternatives have been considered.
- If a legal order is necessary, the CROW Service will concentrate on applying the powers to remove the public rights only. It is unlikely that CROW Service resources will be available to carry out detailed research of crime statistics or arrange the physical closure of a route.

