

Report of the Strategic Director of Place to the meeting of the Shipley Area Committee to be held on 13 September 2017

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Subject:

To seek this Committee's approval to allocate £3,500 towards a jointly funded traffic scheme promoted by Bradford East and Shipley Area Committees to address anti-social behaviour and road safety concerns on All Alone Road, Wrose.

Summary statement:

The Council has, for some time, been receiving complaints regarding anti-social behaviour (ASB) on All Alone Road, Wrose. This ASB includes fly tipping, drug use, and using All Alone Road (between its junctions with Westfield Lane and Highfield Road) as a well known local route to evade pursuing Police Vehicles.

It is considered that (via means of a Public Spaces Protection Order) the provision of gates across All Alone Road preventing vehicular access but allowing the unhindered passage of pedestrians would help address ASB.

It is recommended:

- That this Committee allocates £3,500 as half the required outstanding contribution to promote a Public Spaces Protection Order allowing two gates to be installed on All Alone Road.
- That a report be presented to the Bradford East Area Committee, seeking that Committee's approval to allocate the required £3,500 shortfall necessary for a jointly funded PSPO promoted by Bradford East and this Committee to address anti-social behaviour on All Alone Road, Wrose.
- That Wrose Parish Council be advised accordingly.

Ward 28 – Windhill & Wrose
Ward 13 – Idle & Thackley

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Portfolio:
Regeneration, Planning and Transport
Overview & Scrutiny Area:
Environment & Waste Management

1. SUMMARY

- 1.1 The Council has, for some time, been receiving complaints regarding anti-social behaviour (ASB) on All Alone Road, Wrose. This ASB includes fly tipping, drug use, and using All Alone Road (between its junctions with Westfield Lane and Highfield Road) as a well known local route to evade pursuing Police vehicles.
- 1.2 It is considered that (via means of a Public Spaces Protection Order (PSPO)) the provision of two gates across All Alone Road preventing vehicular access but allowing the unhindered passage of pedestrians and horse riders would help address fly tipping and drug abuse occurring along the road, and prevent it from being used as a means of evading police pursuit.
- 1.3 The Council considers it expedient to promote a PSPO: -
- (i) For avoiding danger to persons or other traffic using All Alone Road, or for preventing the likelihood of any such danger arising; and
 - (ii) For promoting and/or improving the amenities of the area through which All Alone Road runs.

2. BACKGROUND

- 2.1 All Alone Road is approximately 800 metres in length between its junctions with Westfield Lane and The Stray (Highfield Road), and the road's centreline forms the boundary of 'Windhill & Wrose' and 'Idle & Thackley' electoral wards.
- 2.2 All Alone Road is unadopted highway, meaning the Council as highway authority is not responsible for its maintenance and upkeep - (responsibility resting with the immediate frontagers as street managers).
- 2.3 The Council has, for some time, been receiving complaints regarding ASB on All Alone Road, Wrose. This ASB includes fly tipping, drug use, and using All Alone Road (between its junctions with Westfield Lane and Highfield Road) as a well known local route to evade pursuing Police Vehicles - (the road effectively being used as a 'get-a-way' route).
- 2.4 All Alone Road is also used by illegal quad bikes as part of the circuit from Ravenscliffe/Thorpe Edge to Windhill, Dockfield and beyond.
- 2.5 In November 2016, Cleansing Services supplied data on the number and nature of attendances to All Alone Road which numbered 20 separate occasions in 24 months.

- 2.6 Previous and ongoing attempts to address ASB on All Alone Road include the provision of 'No Fly Tipping' signs (showing potential fines) at key locations, covert surveillance camera use, and CCTV warning notices at both ends of the road.
- 2.7 Cases of fly tipping are examined for evidence, and where appropriate, are followed up with environmental enforcement. Any prosecutions are publicised with a view to deterring future offences.
- 2.8 Wrose Parish Council has requested that a section of All Alone Road be gated off, and it is considered that (under powers granted by a PSPO) the provision of two gates on the 'unmade' section precluding vehicular access (except for the emergency services and specified residents who would have keys to open the gates) would help address those ASB issues referred to within Item 2.3 of this report. The gates would allow pedestrian 'through access' at all times.
- 2.9 The combined cost of promoting a PSPO and providing two gates (including their manufacture and installation) would be in the region of £9000. Wrose Parish Council has agreed a contribution of £1250 to the legal costs of promoting the PSPO, and would meet in full the £750 cost associated with the manufacture and installation of two gates. The cumulative total of £2000 by Wrose Parish Council means a residual sum of £7000 would be required.
- 2.10 A financial contribution may potentially be available from the Safer Communities Budget, and if so, that particular financial sum will be reported to this Committee at a future meeting.
- 2.11 The three Local Members for Windhill & Wrose have expressed keen support for the Parish Council's request to have the road gated off under powers conferred by a PSPO.

3.0 Public Spaces Protection Order

- 3.1 The Anti-social Behaviour, Crime and Policing Act 2014 introduced several new tools and powers for use by councils and their partners to address ASB in their local areas. Public Spaces Protection Orders (PSPOs) are one of the tools available under the 2014 Act.
- 3.2 Councils can use PSPOs to prohibit specified activities, and rather than targeting specific individuals or properties, they focus on the identified problem behaviour in a specific location. PSPOs replace Gating Orders.

3.3 PSPOs can be introduced in a specific public area where the local authority is satisfied on reasonable grounds that certain conditions have been met. The first test concerns the nature of the anti-social behaviour, requiring that:

- activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will take place and that they will have a detrimental effect
- the effect or likely effect of these activities:
 - is, or is likely to be, persistent or continuing in nature
 - is, or is likely to be, unreasonable
 - justifies the restrictions being imposed.

3.4 A PSPO can last for up to three years, after which it must be reviewed. If the review supports an extension and other requirements are satisfied, it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed. The legislation sets out a number of additional requirements for consultation and communication before an Order is introduced, once it is implemented and where it is extended, varied or discharged. PSPOs can be legally challenged under the 2014 Act on certain grounds.

3.5 Where used appropriately, proportionately and with local support, PSPOs can be a positive device that help to prevent ASB, and can provide an effective response to some of the issues local residents and agencies face on a regular basis.

3.6 In the case of Orders restricting access over public highways (eg. through the installation of gates), the Act sets out specific additional requirements for the consultation process. The council must notify those who may be potentially affected by the Order, let them know how they can see a copy of the PSPO proposals and when they need to submit any responses, and is required to consider any representations made. Councils must also consider the effect of the restrictions on occupiers of premises adjacent to or adjoining the highway, on other people in the locality and, where this is a through route, whether a reasonably convenient alternative is available. These considerations should include, for example, access for emergency services or utility companies.

4. OTHER CONSIDERATIONS

4.1 Having regard to the fact that in November 2016, Cleansing Services Attended All Alone Road on 20 separate occasions in 24 months due to

reports of fly tipping, a PSPO, if implemented, could potentially reduce or eliminate entirely those ongoing costs associated with cleansing works not routinely programmed.

- 4.2 On the basis of the proposed £2000 scheme contribution from Wrose Parish Council, in the event that this Committee allocates 50% of the outstanding £7000 scheme funding, and Bradford East Area Committee effectively matches the £3500 scheme contribution of this Committee, Members for Windhill & Wrose, and Idle & Thackley will be consulted on the scheme proposals in due course.

5. OVERVIEW AND SCRUTINY COMMITTEE CONSIDERATION

- 5.1 This report has not been considered by the Overview and Scrutiny Committee.

6. OPTIONS

6.1 Option1 –

- That this Committee allocates £3500 as half the required outstanding contribution to promote a Public Spaces Protection Order allowing gates to be installed on All Alone Road. (Recommended)
- That a report be presented to the Bradford East Area Committee, seeking that Committee's approval to allocate the required £3500 shortfall necessary for a jointly funded PSPO promoted by Bradford East and this Committee to address ASB on All Alone Road, Wrose. (Recommended)
- That Wrose Parish Council be advised accordingly. (Recommended)

6.2 Option 2 –

- That this Committee resolves not to allocate £3500 towards a jointly funded traffic scheme promoted by Bradford East and Shipley Area Committees to address ASB on All Alone Road, Wrose, and that as a result, the proposed PSPO on All Alone Road be abandoned (Not Recommended)

6.3 Option 3 –

- Members may prefer to take a course of action other than that indicated in the above option or the recommendations, in which case they will receive appropriate guidance from officers. (Not Recommended)

7. FINANCIAL & RESOURCE APPRAISAL

- 7.1 The combined cost of promoting a PSPO and providing two gates (including their manufacture and installation) would be in the region of £9000. Wrose Parish Council has agreed a contribution of £1250 to the legal costs of promoting the PSPO, and would meet in full the £750 cost associated with the manufacture and installation of two gates. The cumulative total of £2000 from Wrose Parish Council means a residual sum of £7000 (£3500 from this Committee and the same sum from Bradford East Area Committee) would be required.
- 7.2 A financial contribution may potentially be available from the Safer Communities Budget, and if so, that particular financial sum will be reported to this Committee at a future meeting.

8. RISK MANAGEMENT AND GOVERNANCE ISSUES

There is a need to ensure that legislative requirements are met before a PSPO can be introduced, and obtaining clear evidence to support this is important. Collating information about the nature and impact of the ASB subject to the PSPO are core elements of the evidence gathering. West Yorkshire Police and the Council's Cleansing Team have supplied non-anecdotal evidence which could be used to support the argument for promoting a PSPO and help ensure it is robust to challenge.

9. LEGAL APPRAISAL

There are no specific issues arising from this report.

10. OTHER IMPLICATIONS

10.1 EQUALITY AND DIVERSITY

In the event that a scheme were developed, due regard would be given to Section 149 of the Equality Act 2010.

10.2 SUSTAINABILITY IMPLICATIONS

There are no sustainability implications

10.3 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.

10.4 COMMUNITY SAFETY IMPLICATIONS

Whilst there have been no recorded traffic collisions resulting in personal injury on All Alone Road during the five year period ending 9th April 2017, the road's use as a means of evading Police pursuit (effectively a 'get-a-way' route'), along with its use by quad bike riders, arguably lends itself to posing a greater than average risk to pedestrians and other road users. The installation of gates would prevent motorised through traffic and thereby reduce this risk. Fly tipping and drug use (specifically the disposal of used syringes) present a potential risk of disease and infection.

10.5 HUMAN RIGHTS ACT

There are no human rights implications

10.6 TRADE UNION

There are no trade union implications

10.7 WARD IMPLICATIONS

Local Ward Members have not been consulted on this report.

10.8 NOT FOR PUBLICATION DOCUMENTS

None

11. RECOMMENDATIONS

11.1 Option1 –

- That this Committee allocates £3500 as half the required outstanding contribution to promote a Public Spaces Protection Order allowing gates to be installed on All Alone Road.
- That a report be presented to the Bradford East Area Committee, seeking that Committee's approval to allocate the required £3500 shortfall necessary for a jointly funded PSPO promoted by Bradford East and this Committee to address anti-social behaviour on All Alone Road, Wrose.
- That Wrose Parish Council be advised accordingly.

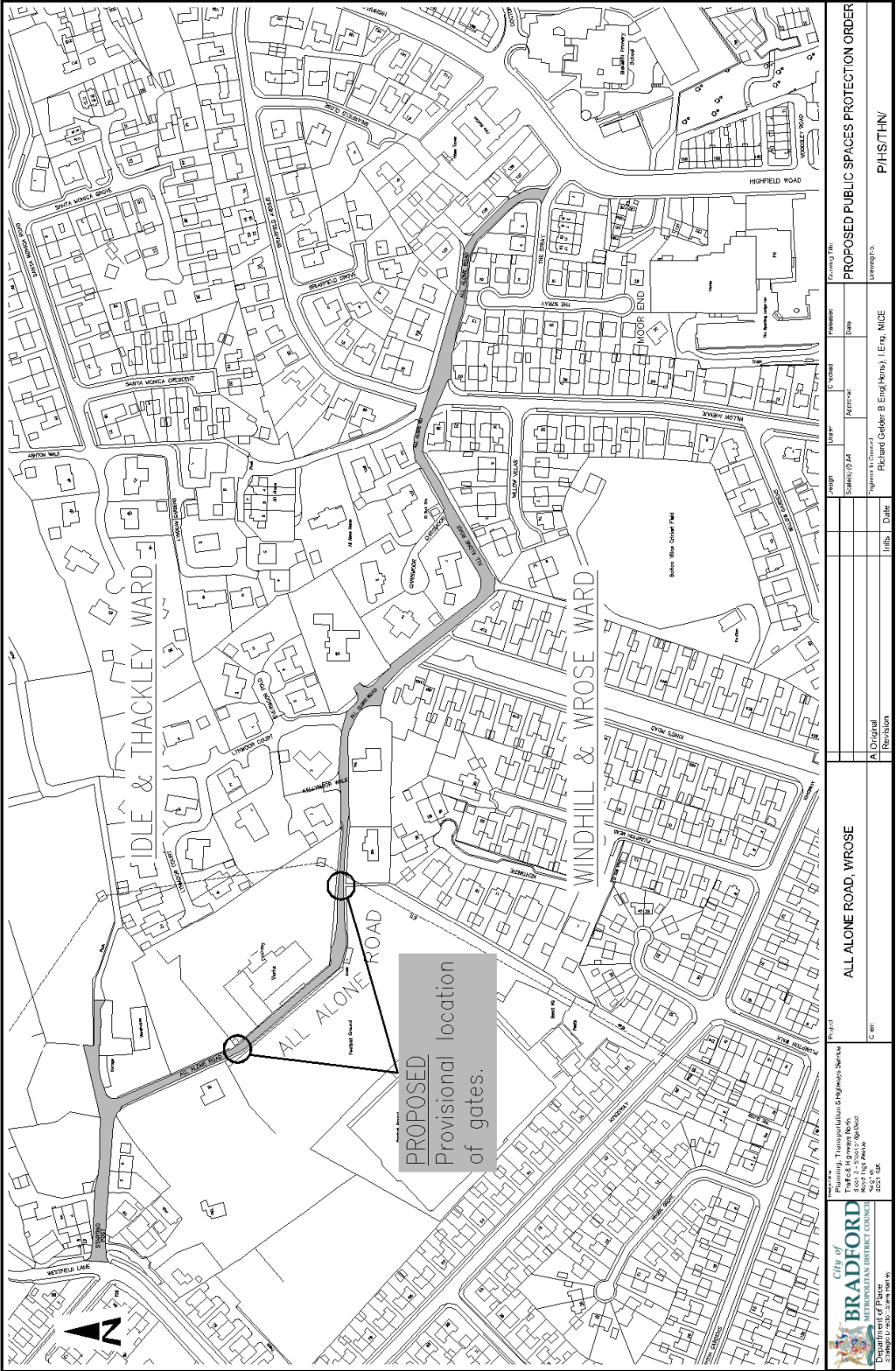
12. APPENDICES

- 12.1 Appendix 1 – Location Plan identifying All Alone Road, proposed location of gates, and adjoining electoral wards.

13. BACKGROUND DOCUMENTS

- 13.1 Public Spaces Protection Orders – Guidance for Councils. Local Government Association.

Appendix 1



<p>City of BRADFORD METROPOLITAN DISTRICT COUNCIL Department of Place Planning and Transportation Services Room 400, City Hall Bradford, West Yorkshire BD1 1TA 01604 343434 www.bradford.gov.uk</p>		<p>Project: ALL ALONE ROAD, WROSE</p>		<p>PROPOSED PUBLIC SPACES PROTECTION ORDER</p>	
<p>Author: Richard Golden</p>	<p>Checked: Richard Golden</p>	<p>Drawn: Richard Golden</p>	<p>Scale: 1:1000</p>	<p>Date: 15/03/2024</p>	<p>Version: 1.0</p>
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