

Public Document Pack



Executive Board Sub Committee

Thursday, 13 October 2011 10.00 a.m.
Marketing Suite, Municipal Building

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

ITEMS TO BE DEALT WITH IN THE PRESENCE OF THE PRESS AND PUBLIC

PART 1

Item	Page No
1. MINUTES	
2. DECLARATION OF INTEREST	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda no later than when that item is reached and, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
3. NEIGHBOURHOOD, LEISURE AND SPORT PORTFOLIO	
(A) VARIATION OF THE NON-STATUTORY FEES AND SETTING OF NEW FEES FOR SERVICES OFFERED BY HALTON REGISTRATION SERVICE FOR 2012 - 2013	1 - 5

*Please contact Gill Ferguson on 0151 471 7395 or e-mail gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Thursday, 3 November 2011*

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(B) EXTENSION TO HOUSING AGENCY AGREEMENT WITH HALTON HOUSING TRUST	6 - 8
4. TRANSPORTATION PORTFOLIO	
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(A) PROPOSAL FOR THE INSTALLATION OF ALLEYGATES BETWEEN NOS 21 AND 23 MONTGOMERY ROAD, WIDNES	23 - 41
PART II	
<p>In this case the Board has a discretion to exclude the press and public and, in view of the nature of the business to be transacted, it is RECOMMENDED that under Section 100A(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.</p>	
6. ENVIRONMENTAL SUSTAINABILITY	
(A) INCOME FROM RENEWABLE ENERGY	42 - 57

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Executive Board Sub Committee

DATE: 13 October 2011

REPORTING OFFICER: Strategic Director, Communities

SUBJECT: Variation of the non-statutory fees and setting of new fees for services offered by Halton Registration Service for 2012 - 2013

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 To seek the approval of the Board to vary the non-statutory fees offered by Halton Registration Service for 2012 -2013.

2.0 RECOMMENDATION: That the Board approves the following variations and the setting of new fees offered by Halton Registration Service as set out in Appendix 1.

3.0 SUPPORTING INFORMATION

3.1 The Marriage Act 1995 and the Civil Partnership Act 2005 allows local authorities the facility to set fees for the attendance of a Superintendent Registrar and Registrar at a ceremony in an approved premise.

3.2 In January 2011 the Executive Board Sub Committee agreed to review its charges for non-statutory registration services each September for the forthcoming financial year.

3.3 The majority of ceremonies are planned up to two years in advance. Therefore the early setting of charges for non-statutory fees is necessary in order to advise customer of the amount they will be expected to pay. This will also enable the Service to forward plan more effectively.

3.4 The Service currently has two levels of fees for civil ceremonies taking place in a decommissioned room e.g. the Boston Suite on a Saturday. It is proposed to amend this to one fee level as most ceremonies take place in the afternoon.

3.5 The Service wishes to increase the non-returnable reservation fee of £20 to £25 for the booking or subsequent change of time, date or venue for all ceremonies.

3.6 The Service wishes to introduce a fee of £18.00 for telephone applications for copies certified certificates e.g. birth, marriage and death

etc as from 1st January 2012. Rochdale Registration Service charge £20 for their telephone service. This fee would include the statutory fee for the certificate and postage costs, the Service will aim to prioritise such applications with 48 hours. This fee will help the authority recover the cost of providing a telephone requests service. Customers will still be able to obtain certificates at the statutory fee in person by attending the Register Office, Direct Links or by making an online application.

4.0 POLICY IMPLICATIONS

4.1 The above proposals are in line with the Authority's new governance arrangements for delivery of registration services as outlined in the White Paper "Civil Registration: Vital Change" (2002), which enables the authority to have the freedom to make policy decisions locally without recourse to the General Register Office.

5.0 OTHER IMPLICATIONS

5.1 There are no anticipated implications with these fee changes.

6.0 RISK ANALYSIS

6.1 There are no anticipated risks associated with these recommendations.

7.0 FINANCIAL IMPLICATIONS

7.1 The proposed timeframe for fees will take effect from the 1 April 2012 - 31 March 2013 and henceforth be reviewed each September, taking effect the following April for each financial year.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no anticipated Equality and Diversity issues associated with these recommendations.

9.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

A Healthy Halton - None
Halton's Urban Renewal - None
Halton's Children and Young People - None
Employment Learning and Skills in Halton - None
A Safer Halton - None

There are no anticipated risks associated with these recommendations.

10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Agenda Item 3a – New governance arrangements for the delivery of the Halton Registration Service, Executive Board Sub Committee (29 March 2007)	Halton Register Office	Registration Service Manager / Superintendent Registrar

APPENDIX 1 Charges - Halton Registration Service

– Registration of a building under the 1994 and 2004 Acts	750.00	800.00
– Attendance by Senior Registrar/Registrar at the Boston Suite, Runcorn Town Hall (a venue approved under the 1994 / 2004 Acts)		
- Monday to Friday	110.00	120.00
- Saturday, commencing at or after 12 noon (now all day rate)	150.00	160.00
Attendance by Senior Registrar/Registrar at the Civic Building, Runcorn Town Hall (a venue approved under the 1994 and 2004 Acts)		
- Monday to Friday	175.00	250.00
- Saturday	235.00	275.00
– Attendance by Senior Registrar/Registrar at all other buildings in Halton, approved under the 1994 /2004 Acts		
- Monday to Friday	260.00	290.00
- Saturday	325.00	350.00
- Sunday	375.00	400.00
- Bank Holidays	490.00	500.00

APPENDIX 2

CERTIFICATION AND REGISTRATION FOR MARRIAGE

	Knowsley 2011/12	Warrington 2010/11	St Helens 2011/12	Liverpool 2010/11	Cheshire West 2010/12	Cheshire East
– Attendance by Senior Registrar/Registrar at (a venue approved under the 1994 / 2004 Acts)						
- Monday to Thursday	98	100	85	110	43.5	43.5
- Friday, commencing prior to 12 noon	98	100	85	110	43.5	43.5
- Friday, commencing at or after 12 noon	98	100	85	110	43.5	43.5
- Saturday, commencing prior to 12 noon	130	100	85	110	43.5	43.5
- Saturday, commencing at or after 12 noon	130	100	85	110	43.5	43.5
Attendance by Senior Registrar/Registrar at the Civic Building, Runcorn Town Hall (a venue approved under the 1994 and 2004 Acts)						
- Monday to Friday	305	291/312	263.5	250/280	265/280	385
- Saturday	368	312	293.5	320	280	460/600
– Attendance by Senior Registrar/Registrar at all other buildings approved under the 1994 /2004 Acts						
- Monday to Friday	305	291/312	236.5	250/280	265/280	385
- Saturday	368	312	293.5	280	280	460/600
- Sunday	410	353	343.5	320	345	500
- Bank Holidays	0	0	343.5	400	345	500/800

REPORT TO: Executive Board Sub Committee

DATE: 13th October 2011

REPORTING OFFICER: Strategic Director, Communities

SUBJECT: Extension to Housing Agency Agreement with Halton Housing Trust.

WARD(S): Borough Wide

1.0 PURPOSE OF REPORT

1.1 The report seeks approval to agree an 18 months extension to the existing Housing Agency Agreement made as part of the Housing Stock Transfer Agreement in December 2005.

2.0 RECOMMENDATION: That the Board agree to an 18 months extension of the Housing Agency Agreement between the Council and Halton Housing Trust for the reasons set out in the report.

3.0 SUPPORTING INFORMATION

3.1 As part of the Housing Stock Transfer to Halton Housing Trust (HHT) in December 2005, an agreement was made whereby for a period of 5 years HHT would deliver certain housing services on the Council's behalf, the arrangement being capable of extension with the written agreement of both parties.

3.2 The functions contracted out included management of the Council's housing register and associated nominations to Housing Associations, the homelessness assessment service, provision of emergency accommodation for the homeless, and the management of Grangeway Court. From the 6th October 2008 HHT ceased to be responsible for homelessness related services, now just managing the Housing Register and nominations

3.3 The agreement expired on the 4th December 2010 and it had been hoped that it would not prove necessary to renew it due to different contractual arrangements being developed for the introduction of the new Choice Based Lettings scheme. However these new arrangements have taken longer to finalise than anticipated, and are still some months off, due to delays in agreeing the final technical specification for the sub regional scheme. The new scheme is now estimated to be introduced in April 2012.

- 3.4 The Council has already agreed that when the Choice Based Lettings scheme is introduced, HHT will be the delivery partner (EXB 98, 4th March 2010) which to all intents and purposes will replicate the existing arrangements but with a new lettings scheme. The Board is therefore requested to agree the extension of the current contractual arrangements for a period of 18 months i.e. up to 4th June 2012, which will allow sufficient time for the introduction of Choice Based Lettings and new contractual arrangements.

4.0 POLICY IMPLICATIONS

- 4.1 None

5.0 OTHER/FINANCIAL IMPLICATIONS

- 5.1 There are no other implications for the Council arising out of this report unless the Board decided not to grant an extension to the contract, since the Council would then have to make alternative short term arrangements to deliver the contracted out services until agreement was finalised on the new arrangements for the delivery of the Choice Based Lettings scheme.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

None identified.

6.2 Employment, Learning and Skills in Halton

None identified.

6.3 A Healthy Halton

None identified.

6.4 A Safer Halton

None identified.

6.5 Halton's Urban Renewal

None identified.

7.0 RISK ANALYSIS

- 7.1 None

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 None identified.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Executive Board Report "Sub Regional Choice Based Lettings" 04/03/10	Municipal Building Widnes	Strategic Director Communities

REPORT TO: Executive Board Sub-Committee
DATE: 13th October 2011
REPORTING OFFICER: Strategic Director Policy & Resources
SUBJECT: Transport Contract Tenders
WARDS: Borough-Wide

1.0 PURPOSE OF THE REPORT

1.1 To notify the Executive Board Sub Committee of the outcome and results of recent public and passenger transport tenders which were publicised by The Chest e-tendering procurement system. This is a report for information purposes, to comply with Procurement Standing Order Part 2.1 due to the accumulative value of the contracts projected to be in excess of £1 million.

2.0 RECOMMENDATION: It is recommended that the Executive Board Sub Committee:

- 1) acknowledge those transport tenders that have been advertised for services on behalf of Children & Enterprise and Communities Directorates;**
- 2) acknowledge those transport contracts which commenced from the beginning of September 2011;**
- 3) acknowledge those tenders that have been advertised for supported local bus transport tenders; and**
- 4) confirm that they support the overall process.**

3.0 SUPPORTING INFORMATION

3.1 At its meeting on 30th June 2011, the Sub Committee considered a report which advised that transport tenders for a complex range of passenger transport contracts and transport arrangements for vulnerable children and adults were to be published using the Chest e-procurement system. The accumulative value of the contracts was projected to be in excess of £1m. The Sub Committee noted that transport tenders were being advertised for services on behalf of Children and Enterprise and Communities that were required from September 2011 and requested that a further report be brought back detailing the results of the passenger transport contracts.

- 3.2 The Transport Co-ordination Section is responsible for a complex range of passenger transport contracts and arrangements for vulnerable children and adults on behalf of both the Children & Enterprise and Communities Directorates. These arrangements have to be contracted out for a period of one to four years to external transport providers if they cannot be provided by the Council's in-house fleet of passenger transport vehicles or by volunteer drivers. Such providers typically include licensed taxi operators and drivers, and minibus/coach companies. Where possible, however, priority is given to arranging transport for passengers on the Council's in-house fleet provision.
- 3.3 The Children & Enterprise and Communities Directorates are responsible for providing the transport requirements for any vulnerable passenger that needs and is entitled to assisted transport to educational establishments and to adult day care facilities and community based venues respectively. Transport Co-ordination are then responsible for procuring the most cost effective, safe and practical means of transport, dependant upon the mobility and additional needs of each passenger.
- 3.4 Please see Appendix One for a detailed analysis of the overall tender results.

4.0 POLICY IMPLICATIONS

- 4.1 None

5.0 FINANCIAL IMPLICATIONS

- 5.1 There will likely be an annual saving to transport related budgets, however at this stage this level of saving can only be projected. Currently, from the 'overall analysis of results' breakdown provided in Appendix Two, this projected saving from recent transport tendering and re-scheduling could be in the region of £53,585.64 for the remainder of this financial year or £77,130.86 as a full year total.

Savings levels can only be projected at this stage as the analysis takes into consideration new and emergency contracts. As detailed in Appendix Two, there have to date been circa £33,000 (annual cost) of emergency contracts needing to be set up but additional late notice requests for transport are still being submitted by Children & Enterprise Directorate in relation to Special Educational Needs pupils.

The 2009/10 and 2010/11 financial savings achieved in these respective years are shown for comparison purposes. The overall savings from these two financial years have already been taken into account when setting Children & Enterprise and Communities transport budgets for the following financial years.

6.0 OTHER IMPLICATIONS

6.1 None

7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

7.1 Children and Young People in Halton

All of the passenger transport contracts are constantly monitored to ensure that the required level and quality of service is offered to passengers on behalf of the Children & Enterprise Directorate and to facilitate young people.

7.2 Employment, Learning and Skills in Halton

Some of the public and passenger transport contracts tendered are to provide accessible transport services for vulnerable young people and adults to facilities providing lifelong learning and skills.

7.3 Healthy Halton

Many of the public and passenger transport contracts tendered provide essential access to a wide range of activities, to key facilities across the Borough and to out of borough establishments as required. Therefore, public and passenger transport directly helps to assist and ensure that vulnerable children and adults, as well as public in general, live a healthy and active lifestyle.

7.4 A Safer Halton

Public and passenger transport services are provided to enable passengers to undertake a variety of journeys in a safe and non-intimidating manner. Where vulnerable passengers are not aware and/or confident enough to travel by public transport, the transport service enables all passengers to access facilities in a safe way, ensuring that they are socially included. Travel training is provided, where appropriate, to individuals to provide them with the skills, confidence and independence to travel by public transport.

7.5 Halton's Urban Renewal

Provision of transport services ensures that the general public can travel locally for a wide range of purposes where they otherwise may not be able to travel affordably to various facilities and services.

8.0 RISK ANALYSIS

- 8.1 Funding reductions may pose a risk to the services the Council are required to provide. Children & Enterprise and Communities Directorates may exert more stringent controls and criteria within their transport/travel policies and practice in order to manage reduced budgetary constraints.

9.0 EQUALITY AND DIVERSITY ISSUES

- 9.1 Passenger transport service contracts are constantly monitored to ensure the operation of these services embrace equality and diversity issues in line with the Equality Act.

10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

- 10.1 Report to the Executive Board Sub Committee meeting 30th June 2011 on Passenger Transport Tenders.

APPENDIX ONE – PASSENGER TRANSPORT CONTRACTS

OVERALL ANALYSIS OF RESULTS

Tender results September 2011

Contracts Tendered (no significant changes)	-£10,138.40 (29 contracts)	Expressions of Interest	85
Contracts Tendered (significantly changed)	-£34,498.78	No. Different Bidders	15
Contracts Ended (not replaced)	-£106,099.80	Ave. No Bids Per Tender	4
Contracts Ended (covered by merged routes)	-£14,151.20	Highest No. Bids for Cont.	9
Contracts Tendered New Routes	£40,470.00	Lowest No. Bids for Cont.	1
Existing Contracts (Changes)	£9,135.60		
Contracts Tendered But Not Awarded	£4,559.72		
Emergency Contracts Required	£33,592.00		
Overall Saving	£77,130.86		

- (minus) figures represent where a saving/efficiency has been made

KEY TO TABLE HEADERS:

Contracts Tendered (no significant changes) – these are tender results of contracts that were tendered exactly or more or less the same as previously operated.

Contracts Tendered (significantly changed) – these are contracts that were tendered but where a number of changes to the contracts had been made.

Contracts Ended (not replaced) - these are contracts that were terminated or contracts that had ended due to no further requirement for the particular contracts i.e. passenger had finished attending the school/establishment or had been added onto existing contracts.

Contracts Ended (covered by merged routes) – these are contracts that ended or that have been terminated as the passengers were allocated onto other contracts currently operating or being tendered.

Contracts Tendered (new routes) – these are contracts required that are completely new routes, not been tendered before.

Existing Contracts (changes) - these are contracts that have incurred price changes due to changes required (merging of contracts or removal/addition of passengers), where there are available seats on any contract attempts are made to fully utilise these (where appropriate) in order that contracts are as cost efficient as possible.

Contracts Tendered But Not Awarded – these are contracts that were required at the time of tender, however since tenders had been advertised there was no longer a requirements for the particular contract i.e. passengers no longer staying on at school/centre or school/centre attending had changed.

Emergency Contracts Required - these are contracts that have been procured since the tender exercise due to late transport requests being received (not known at the time of advertising tenders) where it is not possible to utilise an existing contract i.e. new contract is required to be set up. In these cases, there contracts need to be quoted on the 'unknown routes' framework and set up as an emergency contract through a mini competition.

IMPORTANT CONSIDERATIONS:

The projected annual saving is detailed above. The implications on the remainder of this financial year should bring savings of approximately £53,585.64.

It should be taken into consideration that the figures quoted are only accurate at the time of the report submission as transport requirements are always changing. As detailed above there have already been £33,500 (£23,337.60 costs for the rest of this financial year) of emergency contracts set up since the tender phase.

Late requests and alterations will now be dealt with as and when requested. This will have an impact on emergency contracts that are required to be set up last minute, and will also affect the current contracts running. Therefore the figures quoted above for Existing Contracts (Changes) and Emergency Contracts Required will be changeable.

The budget for Children's and Adults will be discussed with Finance Officers for the relevant Directorates shortly. In these meetings, projections will be able to be made for the financial year also taking into consideration flexibility for changes and additional transport requirements having further impact on the budget.

Due to the changeable requirements of existing clients and new passengers, it is extremely difficult to predict how this will impact on the budget.

Tender results September 2010

Contracts Tendered (no significant changes)	-£58,219.80 (19 contracts)	No. Bidders on Tender List	110
Contracts Ended (covered by new routes)	-£30,078.14	No. Different Bidders	50
Contracts Ended (covered by merged routes)	-£30,529.20	Ave. No Bids Per Tender	9
Contracts Ended (not replaced)	-£76,018.84	Lowest No. Bids for Cont.	2
Existing Contracts (Changes)	-£4,509.84	Highest No. Bids for Cont.	25
Contracts Tendered New Routes	£47,121.90		
Emergency Contracts Required	£95,178.60		
Overall Saving	£57,055.32		

Tender results September 2009

Contracts Tendered (Like for Like)	-£19,651.70 (15 contracts)	No. Bidders on Tender List	95
Contracts Ended (covered by new routes)	-£234,624.92	No. Different Bidders	42
Contracts Ended (covered by merged routes)	-£58,035.50	Ave. No Bids Per Tender	10
Contracts Ended (not replaced)	-£82,970.94	Lowest No. Bids for Cont.	2
Contracts Tendered New Routes	£95,496.00	Highest No. Bids for Cont.	20
Existing Contracts (Changes)	£11,118.80		
Emergency Contracts Required	£78,664.44		
Overall Saving	£210,003.82		

- (minus) figures represent where a saving/efficiency has been made

REPORT TO: Executive Board Sub-Committee

DATE: 13th October 2011

REPORTING OFFICER: Strategic Director, Policy & Resources

SUBJECT: Extension to Term Contract for Highway Surface Treatments to 31st March 2017

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 To inform the Sub-Committee of the 5 year extension to the existing Term Contract for Highway Surface Treatments.

2.0 RECOMMENDATION: That the proposed 5 year extension to the current Term Contract for Highway Surface Treatments, making its expiry date 31st March 2017, be approved.

3.0 SUPPORTING INFORMATION

- 3.1 The existing Term Contract for Highway Surface Treatments was awarded to Road Maintenance Services Limited (RMS) on 1st April 2007.
- 3.2 This contract is for the completion of preventative highway maintenance measures including surface dressing, slurry surfacing and micro asphalt treatment to the carriageway and footway network. These activities are specialist and therefore outside the scope of the Highway Maintenance Term Contract.
- 3.3 The value of work delivered through this contract is usually in the order of £295,000 per year.
- 3.4 This partnering contract was for a 5 year duration initially, and was a framework document based on a schedule of rates with no actual prescribed work. Works orders and annual works programmes are raised as necessary during the period of the contract. The contract includes an option to extend the duration by up to 5 years by agreement of the parties.
- 3.5 The use of a schedule of rates format and a works order system of procuring works allows for continuous alteration of the size and type of surface treatment, and allows for variations in funding allocations.
- 3.6 Road Maintenance Services Limited has met all of the quality thresholds set out in the existing contract, and their overall performance, in terms of quality, customer service and Health & Safety, has been deemed to be excellent.

- 3.7 Negotiations with Road Maintenance Services Limited have taken place regarding a potential contract extension, and this has led RMS to offer a 5% reduction in the original contract base rates for the duration of the 5 year extension.
- 3.8 The Procurement Team has been consulted throughout these negotiations it is happy to support the 5 year extension period on the revised financial terms.
- 3.9 Construction cost inflation is allowed for by including Variation of Price (VOP) clauses in the contract based on the DTi published cost indices..

4.0 POLICY IMPLICATIONS

- 4.1 None

5.0 FINANCIAL IMPLICATIONS

- 5.1 The 5% reduction in the original base rates will deliver savings to the Council.

6.0 OTHER IMPLICATIONS

- 6.1 No implications

7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

7.1 Children and Young People in Halton

No implications.

7.2 Employment, Learning and Skills in Halton

No implications

7.3 A Healthy Halton

No implications.

7.4 A Safer Halton

No implications.

7.5 Halton's Urban Renewal

No implications.

8.0 RISK ANALYSIS

- 8.1 The process of Surface Treatment allows a low cost effective manner of maintaining the highway network to an acceptable standard by sealing against the ingress of water / frost and deferring the need to carry out very expensive structural maintenance.

9.0 EQUALITY AND DIVERSITY ISSUES

There are no issues relating to equality or diversity.

10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

None under the meaning of the Act.

REPORT TO: Executive Board Sub Committee

DATE: 13th October 2011

REPORTING OFFICER: Strategic Director, Policy and Resources

SUBJECT: Winter Maintenance – Weather Forecasting and Data Collection

WARDS: All

1.0 PURPOSE OF THE REPORT

1.1 This report requests authorisation to enter contracts for weather forecasting and data collection, utilising joint collaborative arrangements with Cheshire East, Cheshire West & Chester and Warrington Councils.

2.0 RECOMMENDATION: That

- 1) the Sub-Committee agrees to subscribe to a 3 year (plus the option of a 1 year extension) contract, utilising joint collaborative arrangements, for weather forecasting until March 31st 2014; and**
- 2) the Sub-Committee agrees to subscribe to a 3 year (plus the option of a 1 year extension) contract, utilising joint collaborative arrangements, for data collection until March 31st 2014.**

3.0 BACKGROUND AND SUPPORTING INFORMATION

3.1 Introduction

3.1.1 The current winter maintenance contracts under collaborative arrangements between Cheshire East / Cheshire West & Chester / Warrington / Halton are as follows:

- Weather data collection / weather station maintenance – expired 31/03/11
- Weather forecasting – expired 31/03/11

3.1.2 Cheshire East and Cheshire West & Chester Councils have successfully let and awarded a contract for data collection, which has been won by Vaisala Ltd.

3.1.3 Cheshire East and Chester West & Chester Councils have also successfully let and awarded a contract for weather forecasting, which has been won by the Met Office.

3.2 Weather Forecasting & Data Collection

- 3.2.1 Halton undertakes a winter service that is effective in treating the network for snow and ice. The operational aspects of the service fully meet both the demands of the Highways Act 1980 and also the requirements and obligations of the Code of Practice for Highway Management.
- 3.2.2 Delivery of the service requires firstly an accurate and timely prediction of forthcoming road surface conditions and secondly the ability to spread road salt / grit to prevent and / or assist the dispersion of accumulated snow or ice.
- 3.2.3 The first requirement is met by means of a system of sensors embedded in the road surface at 2 locations within the Borough. Instruments mounted at the roadside at these locations then collect real time data relating to the weather conditions within Halton. The system is supplied and installed by Vaisala Ltd, a specialist company who collect and process the data before supplying it to the Met Office. This information allows for site specific forecasts to be prepared by the Met Office giving detailed guidance on the probable short term conditions in Halton. Call out staff have direct access to forecasters and can discuss the situation before making the decision whether to mobilise the gritting crews.
- 3.2.4 Based on the percentages used to calculate last year's figures for the cost of the two contracts, it is anticipated that the amount for 2011/12 will be approximately £15,000. This is a saving on last year of £10,000.
- 3.2.5 Warrington BC is also utilising the joint collaborative arrangements for weather forecasting and data collection with the Cheshire Councils and Halton BC, until 31st March 2014.
- 3.2.6 It is therefore proposed that the Council also continues to utilise the joint collaborative arrangements for weather forecasting and data collection with the Cheshire Council's and Warrington BC until 31st March 2014.
- 3.2.7 The contract with both of the Cheshire Councils, together with Warrington and Halton Borough Councils, is in keeping with the joint collaborative arrangements for Winter Maintenance highlighted during the Winter Resilience Reviews of 2008/09 and 2009/10.
- 3.3.8 The Council's Procurement Team have been involved throughout these negotiations are happy to support the collaborative arrangements.

4.0 POLICY IMPLICATIONS

- 4.1 The Council has a duty to provide a properly planned and resourced Winter Maintenance service. Failure to provide such would breach this duty and place the Council liable to legal action.

5.0 OTHER IMPLICATIONS

5.1 Resource / Financial Implications

Not having the ability to accurately forecast and respond to severe weather in accordance with the Winter Maintenance Plan could leave the authority vulnerable to increased liabilities relating to insurance claims from road users.

5.2 Children and Young People in Halton

Winter Maintenance operations affect all service users alike. There are no specific issues applicable to children and young people.

5.3 Employment, Learning and Skills in Halton

An effective winter maintenance service can assist businesses in continuing to operate through adverse weather conditions by allowing access to employment centres and helping with vehicle movements / deliveries. Winter maintenance is vital in ensuring that business and places of learning are not restricted by the weather conditions.

5.4 A Safer Halton

Whilst the Council cannot undertake to protect all road users from risk, the procedures and measures in place show that careful planning can minimize risk.

5.5 Halton's Urban Renewal

Helping businesses and other employers to continue to function during times of adverse weather could reflect on the borough and assist in its continuing regeneration.

5.6 Sustainability

Extended gritting treatment of footways during the winter season will promote walked journeys and reduce reliance upon motor vehicles. Effective weather forecasting will minimize the number of treatments undertaken and thus reduce salt pollution of water courses and drainage systems.

5.7 Legal Implications

The development and application of the Winter Maintenance Plan ensures that Halton continues to meet its legal obligations.

5.8 Social Inclusion

Winter Maintenance operations affect all service users alike. Enhanced gritting of footways will benefit particularly those with limited access to motor vehicles by providing safe access to the public transportation systems.

5.9 Crime and Disorder

There are no specific implications.

6.0 RISK ANALYSIS

6.1 Failure to meet our legal obligations would expose the Council to considerable financial risk from litigation.

6.2 This operation ensures as far as practicable, the safety of the public and reduces potential damage to infrastructure and property.

7.0 EQUALITY AND DIVERSITY ISSUES

There are no equality and diversity implications.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

- Well Maintained Highways - The Code of Practice for Highway Maintenance Management 2005
- Halton Borough Council Highway Maintenance Strategy Document, 1998
- Halton Borough Council Winter Maintenance Plan 2008-2009
- Highways Act 1980
- Railways and Transport Act 2003

Place of Inspection: Rutland House

Contact Officer: Ian Munro

REPORT TO: Executive Board Sub Committee

DATE: 13th October 2011

REPORTING OFFICER: Strategic Director, Policy and Resources

SUBJECT: Proposal for the installation of alleygates between 21 & 23 Montgomery Road, Widnes

WARDS: Riverside Ward

1.0 PURPOSE OF THE REPORT

That Executive Board Sub members are asked to consider proposals for the installation of alleygates between 21 and 23 Montgomery Road, Widnes in the light of:

- 1.1 issues and conflicting views regarding erection of the alleygates,
- 1.2 the Safer Halton Policy and Performance Board having thoroughly considered all of the residents' and other views put forward both for and against the installation of the gates, before coming to the unanimous decision that a recommendation is put to Board Members for approval to be given to the installation of alleygates between 21 & 23 Montgomery Road, Widnes (Safer Halton PPB meeting 14th June 2011 Minute SAF 4 (2) refers Appendix 1)

2.0 RECOMMENDATION: That the Board considers the recommendation from the Safer Halton PPB that the installation of alleygates to a pathway between 21 and 23 Montgomery Road goes ahead.

3.0 SUPPORTING INFORMATION

- 3.1 Anti social behaviour at the rear of Montgomery Road was first brought to the attention of the Safer Halton PPB at their meeting on 21st September 2010, when they were asked to consider a report of the Strategic Director, Environment and Economy outlining the problems. It was reported that over the previous 12 months there had been a lot of anti-social behaviour with 27 incidents being recorded by the police. However it is recognised that there may have been a level of under reporting of incidents to the police. St Georges Court (off Dundalk Road and operated by Riverside RSL) and 23 Montgomery Road had been particularly affected. The complaints of ASB related to gangs of young people congregating in the

area and throwing stones, fly tipping, leaving graffiti, firing pellets at windows, damaging residents' windows and arson.

- 3.2 There is an unadopted alley that leads from Montgomery Road to the dedicated Greenway that runs from Chestnut Lodge to St. Michael's. Local councillors have identified this as a key access point for the people who are causing the anti-social behaviour. This alley also provides access to council allotments and is well used by the public as a route to and from the town centre and local schools including Sts Peter and Paul and Wade Deacon. The area where young people are reported to be gathering is accessible from any of a number of points on the Greenway which serves as both a footpath and a cycleway via Dundalk Road bridge and also from the St Michaels end of the path. The alley is not a designated safe route to school or a cycle path, however because of the continual use it is established as a Right of Way. See plan attached in Appendix 2 showing area under consideration and highlighting the access points onto the Greenway, including that between 21 and 23 Montgomery Road
- 3.3 The Alleygating operational group received the request to gate Montgomery in 2009-10. The Alleygate operational group decided, after many deliberations to take this to the Partnership Tasking and Co-ordination Group where all "responsible authorities" e.g Police, Fire, Council, Halton Housing, Riverside, Youth Service etc are present and all incidents and underlying problems could be assessed and a range of "social, situational and enforcement" tactics are then considered and implemented. The Tasking and Co-ordination Group developed an eleven point action plan to address the ASB issues and continued to monitor the incidents reported to the police. Residents were advised to contact the police following any incidents so that T&C could fully assess the problem in this area.
- 3.4 At their meeting on 21st September 2010, the Safer Halton PPB agreed the eleven-point action plan to address the anti social behaviour and to the establishment of a working group, including Members of the Safer PPB, to consider how to proceed with alleygating in the future. The 11 point action plan is summarised below.
- Investigate the deployment of CCTV to try and identify who is throwing stones at the rear of St Georges Court
 - Police Tasking Vehicle to be used in the area
 - The turning area of the access road to the allotments will be resurfaced (This is breaking up and loose stones are used for throwing)
 - The Vroom vehicle was in the area on Friday the 16th and Saturday 17th July 2010 – assess what impact this had.
 - Contact Addaction in relation to the mobile Muga and see if we are able to get this resource into the area.

- Contact Ashley House in relation to supporting local drug users and encourage access to services.
- PCSO's increased foot patrol.
- To continue to provide support to victims of ASB within the area.
- Contact the Community Centre – targeting information about the effect that stone throwing has on others
- Contact Cheshire Fire and Rescue and see if they are operating in the area and establish whether or not they are able to assist in terms of engaging with the local youths.
- Community Development is currently in the process of supporting the local residents in developing plans for a community house, Muga and a play builder scheme to be situated in Tedder Square.

- 3.5 During October 2010, an informal local consultation was carried out in the area by Halton Borough Council in order to gauge the views of residents in respect of an Alley Gating scheme being introduced at this location. Letters were delivered to approximately 250 houses on each side of the footpath / cycleway. A total of 42 responses were received including 9 objections to the scheme and 33 in support. On 7th and 8th September 2011 a count was made of the number of people using this footpath, which is proposed for gating. The count on 7th September was carried out between 15.05pm and 16.15pm, when weather conditions were reported as drizzly rain. During this time period there were 41 users of the footpath. The count on 8th September was carried out between 8.05am and 9.15am, weather conditions were also recorded as drizzly. During this morning time period there were 28 users of the footpath. It is likely that the number of users would vary depending on time of day and weather conditions. The views on installation of alleygates on this footpath were not sought from the users other than the 250 residents who live each side of it.
- 3.6 A petition was also received signed by 13 local residents opposing the gating scheme in this area. The Petition objecting to the installation of alleygates between 21 and 23 Montgomery Road was reported to the Safer Halton PPB on 14th June 2011 (see Appendix 1). The signatures on the petition included one original objector who responded to the consultation, bringing the numbers against the scheme to 21 (or 39%) and numbers in favour 33 (61%). The petitioners make the point that if gates were to be erected on the link path, between house numbers 21 and 23 Montgomery Road, this would close a valuable egress point, which could compromise the safety of users of the main footpath/cycleway route.
- 3.7 The Council's Highways engineers are concerned about the potential installation of alleygates between 21 and 23 Montgomery Road, as this path provides an important link to the cycle-way network on the former railway 'loop-line,' which was constructed in the 1980's and received European funding in 2005. Local residents, as evidenced by the

pedestrian counts, use the footpath / cycleway as a safe route to shops and amenities at Chestnut Lodge, thereby avoiding the need to have to cross the busy Dundalk Road. The path also provides vehicular access to allotments situated at the rear of property numbers 19 to 37 Cunningham Road. Members of the public would be inconvenienced if this key link to the footpath / cycleway were to be gated. Whilst the alley is not adopted it is established as a right of way, the installation of gates would be contrary to Halton's LTP 3 and its policy of promoting the use of walking and cycling as more sustainable and healthy modes of transport whilst reducing dependence on the private car.

3.8 This alleygate would restrict access to the greenway (though there are a number of other accesses in the vicinity) and the police and community safety are not convinced this will materially reduce the anti-social behaviour in the area. Since the implementation of the action plan (including the cutting back and removal of foliage to improve surveillance and more significantly £7600 being spent on resurfacing the path in tarmac to remove the loose stones that had become a problem with the previous gravel surface), there has been a significant reduction in the reported levels of ASB and crime in the area.

3.9 Following the delivery of the eleven point Action Plan referred to in paragraph 3.3 above, there was a reduction in the number of incidents reported to the police and the profile was closed in November 2010. However, the Police have also made the following comments in relation to the situation at Montgomery Road:

“Although police recorded incidents of crime and anti-social behaviour had reduced following the Partnership Tasking and Co-ordination action plan, we are mindful that there will be a large element of anti-social behaviour that is also unreported. We also recognise that members of the public are likely to report incidents or concerns to their local councillors rather than report them to the police for fear of reprisals.

In addition and as a general principle, Community Safety Professionals have long recognised that the Alleygating process is an effective means of reducing crime and anti-social behaviour. The theory is called “Defensible Space”. By simply changing a “public space” into a controlled “semi-private” space under the ownership of a group of residents we are removing the anonymity and escape route afforded by opportunistic criminals and those committing Anti-Social Behaviour (ASB) and fires.

In conclusion, we take seriously any representation made by constituents to Councillors regarding local problems and as mentioned above we recognise that Alleygating is national good practice. This Alleygating initiative will support those interventions that were undertaken within the

previous action plan and the Community Safety Team will continue to monitor future crime, ASB and fire trends.”

- 3.10 The response to the gating request between 21 and 23 Montgomery Road has followed the procedures applicable to alleygating applications which were agreed at the Safer Halton Policy and Performance Board at their meeting on 18th January 2011 and attached in Appendix 3. These procedures were subsequently adopted by the Executive Board at its meeting on 31st March 2011 (Minute EXB 117)
- 3.11 The Safer Halton Policy and Performance Board has thoroughly considered all of the objections and the representations supporting the gating of the path and unanimously agreed at the 14th June 2011 meeting to support the installation of an alleygate between 21 and 23 Montgomery Road and to recommend that this matter be referred to Executive Board for approval. (Safer Halton PPB meeting 14th June 2011 Minute SAF 4 (2) refers – see Appendix 1). At this meeting there was a discussion around a number of public questions/statements which had been received. These are noted in the minutes of the PPB meeting which are attached as Appendix 1. The minutes from this PPB also state that additional letters of support for the alleygates were also received from residents in the area.

4.0 POLICY IMPLICATIONS

- 4.1 The Local Transport plan states that the Council will promote cycling and walking and provide safe routes to school. Alongside the UDP it aims to provide sustainable access to employment and local amenities. The Rights of Way Improvement Plan looks to provide access to rural and countryside areas as well as leisure amenities. The gating of safe routes to school and access to the cycle network is contrary to meeting these aims.

5.0 OTHER IMPLICATIONS

- 5.1 **Resource implications:** The Council's Property Services Division has estimated the costs for erection of alleygates at Montgomery Road as £3,950 including fees and maintenance. These costs would be met from the Area Forum Budget. There are approximately 500 alleygates across Halton, which have been primarily funded through the Area Forum budgets although there have been additional contributions from Housing Associations and others. The cost of each gate varies depending on whether there is a need for additional posts or fencing and on the size of the gate. There is a council revenue budget of £30,000 to which each new scheme contributes a one off £500 maintenance fee, which is used to

cover maintenance of the gates. In addition to the financial costs the management of alleygates has time implications for Direct Link staff, who take request for new gates and replacement keys/repairs, for Community Safety, Legal and Highways staff who investigate the case for alleygates, for Property Services staff to estimate costs and arrange repairs and also for the Neighbourhood Environmental Action Team staff who go and make any necessary repairs. In addition to these, there are also costs associated with any necessary public consultation exercises. Obviously these direct and indirect costs will continue to increase with the number of gates installed.

- 5.2 **Social Inclusion Implications:** Access to the footpath/cycleway provides the community with a convenient route to access education and employment areas in south and east Widnes via connections to the cycleway network.
- 5.3 **Sustainability Implications:** Access to the footpath/cycleway provides the community with a convenient route to access the cycleway network which is a key part of sustainable transport infrastructure across Widnes.
- 5.4 **Crime and Disorder Implications:** These are covered in detail within the body of the report.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children and Young People in Halton**

This is a well used route by children and young people. Through the consultation and via the petition, the Council has received objections from local residents highlighting this as being a safe route to school as it provides a convenient cycle and pedestrian friendly route avoiding the busy Dundalk Road.

6.2 **Employment, Learning and Skills in Halton**

The footpath / cycleway is a well used route by residents accessing work and employment areas and preventing means of access onto the route by gating, would disadvantage legitimate users.

6.3 **A Healthy Halton**

Gating of this link pathway is likely to discourage the use of the footpath / cycleway network potentially reducing the benefit of walking and cycling to promote health and well being and possibly encouraging greater car use. Gating could however, lead to reduced stress levels by any residents directly affected by anti-social behaviour resulting from the path's availability.

6.4 **A Safer Halton**

In tackling crime and anti-social behaviour, the Council and its partners aim to create safer places and improved quality of life through reduced stress. People should have the right to expect to be safe in their own home and live in peace not live in fear. Anti social behaviour has a significant impact on quality of life. There has been a significant positive impact on the area after maintenance and improvement works. The Council's Community Safety Department has reported greater Police involvement in this area and has seen crime statistics falling as a result of the combined efforts of the partnership and without gating any access points. Gating could however, reduce the potential for anti-social behaviour in the vicinity of the path even further.

6.5 **Halton's Environment and Urban Renewal**

The provision of gates can provide a safer environment for some residents but they could be deemed visually intrusive by others, present an image that the area is subject to anti-social behaviour as mirrored by the need for gates and restrict movement through an area.

7.0 **RISK ANALYSIS**

There are no risks associated with the proposed action.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 There is a potential issue with elderly and disabled users of the path, including those accessing the allotments to the rear of 19-37 Cunningham Road, as they may be required to walk longer distances. If the path were to be gated as proposed, there could be a high negative impact on these equality groups.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Police crime statistics	Community Safety Unit 10 Turnstone Business Park Mulberry Avenue Widnes Waterfront Widnes WA8 0WN	Mike Andrews
Response to informal consultation of 25/10/10 (42 replies)	Highways Development Division, Rutland House, Halton Lea, Runcorn	Jon Farmer
Safer Halton Policy and Performance Board Alleygating Report 18th January 2011	Committee Services, Municipal Building, Widnes Or on the council intranet	Paul McWade
Safer Halton Policy and Performance Board Anti-Social Behaviour, Montgomery Road 21st September 2010	Committee Services, Municipal Building, Widnes Or on the council intranet	Paul McWade
Safer Halton Policy and Performance Board Petition objecting to the proposal for the installation of alleygates between 21& 23 Montgomery Road, Widnes 14th June 2011	Committee Services, Municipal Building, Widnes Or on the council intranet	Paul McWade

APPENDIX 1

Meeting of Safer Policy and Performance Board, Tuesday 14th June, 2011

REPORT TO: Safer Halton Policy and Performance Board

DATE: 14th June 2011

REPORTING OFFICER: Strategic Director Policy and Resources

SUBJECT: Petition objecting to the proposal for the installation of alleygates between 21 & 23 Montgomery Road, Widnes

WARDS: Riverside, Ditton, Broadheath

1.0 PURPOSE OF THE REPORT

1.1 To advise members of the receipt of a petition containing 13 signatures of residents of Somerville Road, Gathurst Court and Standish Court who object to the proposed installation of alleygates to a pathway between 21 and 23 Montgomery Road, and to recommend a proposed course of action.

1 RECOMMENDATION: That

- (1) The petition be noted; and
- (1) The Board endorse the request not to erect alley gates on the pathway between house numbers 21 and 23 Montgomery Road and hence that a Gating Order for this location not be pursued; and
- (2) The Community Safety Partnership continue their involvement to address anti-social behaviour problems in the area; and
- (3) The petitioners be informed of the decision of the Board.

3.0 SUPPORTING INFORMATION

3.1 A petition (attached as Appendix 1) has been forwarded to the Council stating the following:

"We the undersigned would like to object to the opening between 21 & 23 Montgomery Road being alley gated. The reasons for this are, we believe that it could potentially be life threatening, due to the fact that the path,

which runs from Chestnut Lodge to St Michaels View and St Michael's jubilee golf club, is a well used footpath. We understand that it is technically designated a cycle path but has always been used as a public footpath. If this area is gated we have concerns that it could lead to people being vulnerable to attack as there would be no way off getting off the path should this happen. Also children and adults use this pathway to and from school or the park; they do this to avoid crossing Dundalk Road as this is a busy road for traffic during peak times. The crossing lights in the location do not work properly and there have been quite a few near misses when people have attempted to cross when they have right of way. We would ask that you give this matter due consideration and look forward to hearing from you in due course."

- 3.2 At its meeting on 21st September 2010, the Board considered a report of the Strategic Director, Environment and Economy which outlined anti-social behaviour which was occurring to the rear of Montgomery Road, Widnes. The Board was advised that an eleven-point action plan to address the anti social behaviour to the rear of Montgomery Road, which was detailed in the report, was in the process of being implemented and that its impact would be monitored and assessed. The Board resolved that the plan be supported. Furthermore, following discussion in relation to the establishment of an alleygate in the pathway leading from Montgomery Road, the Board resolved that a working group, including Members of the Board, be established to consider how to proceed with alleygating in the future.
- 3.3 The Council's Community Safety Department has reported greater Police involvement in this area and the problems, which are being addressed by the action plan, have declined in frequency and intensity. The action plan has already resulted in crime statistics falling.
- 3.4 A number of the complaints of ASB had related to gangs of young people congregating in the area and throwing stones. Through implementing actions under the plan, the Council made some significant improvements to the area: the cutting back and removal of foliage has improved surveillance; more significantly, approximately £7600 has been spent resurfacing the path in tarmac, thus removing the loose stones that had become a problem with the previous gravel surface. These works have proven to be effective in combating some of the reported problems as well as improving the route for pedestrians.
- 3.5 This path provides an important link to the cycle-way network on the former railway 'loop-line,' which was constructed in the 1980's using European funding. Local residents use the footpath / cycleway as a safe route to shops and amenities at Chestnut Lodge, thereby avoiding having to cross the busy Dundalk Road. The path also provides vehicular access

to allotments situated at the rear of property numbers 19 to 37 Cunningham Road. Members of the public would be inconvenienced if this key link to the footpath / cycleway were to be gated.

- 3.6 The area where young people are reported to be gathering is accessible from each end of the footpath / cycleway via Dundalk Road bridge and also from the St Michaels end of the path. The petitioners make the point that if gates were to be erected on the link path, between house numbers 21 and 23 Montgomery Road, this would close a valuable egress point, which could compromise the safety of users of the main footpath/cycleway route. If gated, it is likely that use of the footpath / cycleway would reduce which may, in turn take away some of the natural surveillance that exists at present from legitimate users of the route.
- 3.7 During October 2010, an informal local consultation was carried out in the area by Halton Borough Council in order to gauge the views of residents in respect of an Alley Gating scheme being introduced at this location. Letters were delivered to approximately 250 houses on each side of the footpath / cycleway. A total of 42 responses were received including 9 objections to the scheme and 33 in support. A petition, which is the subject of this report, was also received signed by 13 local residents opposing the gating scheme in this area. The signatures on petition included one original objector who responded to the consultation, bringing the numbers against the scheme to 21 (or 39%) and numbers in favour 33 (61%).
- 3.8 Those respondents opposed to the proposal, argued that the pathway should remain open, as it provides a valuable, convenient and safe route to school for the children of the area, avoiding the need to cross the very busy Dundalk Road at peak hours.
- 3.9 It should be noted that five of those who responded in support of the scheme made additional comments requesting the closure of another link onto the footpath / cycleway, from the Chillington / Netherfield estate, or expressed the hope that the proposed gating would resolve problems on the main route entirely. It would appear from these responses that the consultation may have raised the expectation levels of some residents in these respects. However, this gating proposal does not form part of a wider scheme. The gating of all accesses to this part of the cycle network is something the Highway Authority would be opposed to as this could lead to a sustainable transport route that is no longer used for its intended purpose and could lead to an increase in anti-social behaviour due to a reduction in natural surveillance.

4.0 POLICY IMPLICATIONS

- 4.1 The Local Transport plan states that the Council will promote cycling and walking and provide safe routes to school. Alongside the UDP it aims to provide sustainable access to employment and local amenities. The Rights of Way Improvement Plan looks to provide access to rural and countryside areas as well as leisure amenities. The gating of safe routes to school and access to the cycle network is contrary to meeting these aims.

5.0 OTHER IMPLICATIONS

- 5.1 **Resource implications:** the cost of erecting the gates would be met by Area Forum budgets.
- 5.4 **Social Inclusion Implications:** Access to the footpath cycleway provides the community with a convenient route to access employment areas in south and east Widnes via connections to the cycleway network.
- 5.5 **Sustainability Implications:** Access to the footpath cycleway provides the community with a convenient route to access the cycleway network which is a key part of sustainable transport infrastructure across Widnes.
- 5.4 **Legal Implications:** Where evidence exists to justify gating orders to be made the provisions of Section 129A Highways Act 1980 should apply in implementing the Alleygating procedure.
- 5.5 **Crime and Disorder Implications:** These are covered in detail within the body of the report.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

This is a well used route by children and young people. Through the consultation and via the petition, the Council has received objections from local residents highlighting this as being a safe route to school as it provides a convenient cycle and pedestrian friendly route avoiding the busy Dundalk Road.

6.2 Employment, Learning and Skills in Halton

The footpath / cycleway is a well used route by residents accessing work and employment areas and preventing means of access onto the route by gating, would disadvantage legitimate users.

6.3 A Healthy Halton

Gating of this link pathway is likely to discourage the use of the footpath / cycleway network potentially reducing the benefit of walking and cycling to promote health and well being and possibly encouraging greater car use. Gating could lead to reduced stress levels by any residents directly affected by anti-social behaviour resulting from the path's availability.

6.4 A Safer Halton

In tackling crime and anti-social behaviour, the Council and its partners aim to create safer places and improved quality of life through reduced stress. There has already been a significant positive impact on the area after maintenance and improvement works. The Council's Community Safety Department has reported greater Police involvement in this area and has already seen crime statistics falling as a result of the combined efforts of the partnership and without gating any access points.

6.5 Halton's Urban Renewal

There are no urban renewal implications.

7.0 RISK ANALYSIS

There are no risks associated with the proposed action.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 There is a potential issue with elderly and disabled users of the path accessing the allotments to the rear of 19-37 Cunningham Road. If the path were to be gated as proposed, there could be a high negative impact on these equality groups.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Police crime statistics	Community Safety Unit 10 Turnstone Business Park Mulberry Avenue Widnes Waterfront Widnes WA8 0WN	Mike Andrews
Response to informal consultation of 25/10/10 (42 replies)	Highways Development Division, Rutland House, Halton Lea, Runcorn	Jon Farmer

Minutes:

Item 4 Petition Objecting to the Proposal for the installation of Alleygates between 21 & 23 Montgomery Road, Widnes

The Board considered a report of the Strategic Director, Policy and Resources which advised Members of the receipt of a petition containing 13 signatures of residents of Somerville Road, Gathurst Court and Standish Court who objected to the proposed installation of alleygates to a pathway between 21 and 23 Montgomery Road, and recommended a proposed course of action.

The Board at its meeting on 21st September 2010 considered a report which outlined anti-social behaviour which was occurring to the rear of Montgomery Road, Widnes. It was reported that an eleven-point action plan to address the anti social behaviour to the rear of Montgomery Road, which was detailed in the report, was in the process of being implemented and that its impact would be monitored and assessed. The Board resolved that the plan be supported. Furthermore, following discussion in relation to the establishment of an alleygate in the pathway leading from Montgomery Road, the Board resolved that a working group, including Members of the Board, be established to consider how to proceed with alleygating in the future.

The Board was further advised that the Council's Community Safety Department had reported greater Police involvement in this area and the problems, which

were being addressed by the action plan, had declined in frequency and intensity. The action plan had already resulted in crime statistics falling.

It was reported that during October 2010, an informal local consultation was carried out in the area by Halton Borough Council in order to gauge the views of residents in respect of an Alley Gating scheme being introduced at this location. Letters were delivered to approximately 250 houses on each side of the footpath / cycleway. A total of 42 responses were received including 9 objections to the scheme and 33 in support. The attached petition was also received and had been signed by 13 local residents opposing the gating scheme in this area. The signatures on the petition included one original objector who responded to the consultation, bringing the numbers against the scheme to 21 (or 39%) and numbers in favour 33 (61%).

Those respondents opposed to the proposal, argue that the pathway should remain open, as it provides a valuable, convenient and safe route to school for the children of the area, avoiding the need to cross the very busy Dundalk Road at peak hours.

It was also reported that five of those who responded in support of the scheme had made additional comments requesting the closure of another link onto the footpath / cycleway, from the Chillington / Netherfield estate, or expressed the hope that the proposed gating would resolve problems on the main route entirely. It would appear from these responses that the consultation may have raised the expectation levels of some residents in these respects. However, this gating proposal does not form part of a wider scheme. The gating of all accesses to this part of the cycle network is something the Highway Authority would be opposed to as this could lead to a sustainable transport route that is no longer used for its intended purpose and could lead to an increase in anti-social behaviour due to a reduction in natural surveillance.

The Chairman reported that there had been an original petition of approximately 250 residents in support of the installation of the alleygates. The Board had made a decision previously to support the installation of the alleygates as over the last twelve months there had been a considerable amount of anti-social behaviour with numerous incidents being recorded by the police. Councillors had identified the alley to the greenway by these properties as a key access point for the people who were causing the anti-social behaviour. In addition, it was noted that alleygates had been very successful throughout the Borough in reducing incidents of anti social behaviour.

The Board noted the numerous incidents of anti social behaviour in the area and that the pathway was not a designated safe route to school or a cycle path. In addition, the Board agreed that installing an alleygate was in the best interest of the community.

After considerable discussion, the Board unanimously agreed to support the installation of an alleygate and that the recommendation be presented to the Executive Board for approval.

It was noted that the following public questions had been received:-

- (1) *If the gates dont go ahead this time what is it going to take to get them put up, after having death threats made to me, the police catching thieves in my garden and letting them go with a warning, youths throwing eggs at my windows, glass bottles getting thrown into the dog pen (cutting her paw and resulting in a £180 bill from the vets). please dont take the next few lines the wrong way, but I remember a man from Warrington called Garry Newlove who was plagued with yobs outside his house he is now six foot under, I have 3 fantastic kids and a fantastic wife and I HONESTLY DONT WANT TO END UP LIKE GARRY NEWLOVE especially over a poxy alleyway that could have something done about it to stop all this crap we are getting in a matter of weeks.*

In response, the Board was advised that due to the complexity and late receipt of this question, a written response will be provided.

- (2) *I would like to address the meeting again on 14th June 2011 to reiterate my previous concerns and comments and would also like to ask if the Safer Halton Partnership are aware of the cost implications for sending a fire engine to deal with these incidents, sending the street scene team out to clean up the mess made (not just by the fire set but also for the fly tipping that goes on there) and the cost to replace the damaged fencing and replace the wheelie bin that was destroyed. I expect that if you add all those things together it will amount to a pretty penny, but the other cost that cannot be described in pounds, shillings and pence are the social cost's, the effect it is having on the health of the residents who live next to that pathway, the fact that they cannot settle because they are constantly worried about what is going to happen next, people should have a right to expect to be safe in their own home and live in peace, not live in fear.*

In response, the Board was advised that Halton Housing Trust estimated the cost of repairs to a damaged fence at £100 following a bin fire reported last week. Their records indicated that there had also been a bin fire in 2003. Each wheelie-bin replacement cost the Council £20 per bin.

In respect of the amount of fly tipping that had been removed, more information on the specific area concerned was required.

Therefore a written response on this matter would be provided when further information has been ascertained.

In respect of Safer Halton Partnership and the cost implications due to the complexity of the question a written response would be provided.

In addition, the Board noted the additional letters of support for the alleygates received from residents in the area. A map of the area was also circulated at the meeting for Members information.

RESOLVED: That

- (1) The Board unanimously support the installation of an alleygate on the pathway between 21 and 23 Montgomery Road;**
- (2) The Board's recommendation be presented to the Executive Board for approval; and**
- (3) The petitioners be informed of the Board's decision.**

Supporting documents:

- [Safer halton PPB GATING REPORT Montgomery v4, item 4. PDF 45 KB](#)
- [montgomery alleygating petition, item 4. PDF 156 KB](#)
- [Montgomery Gating Scheme location plan, item 4. PDF 546 KB](#)

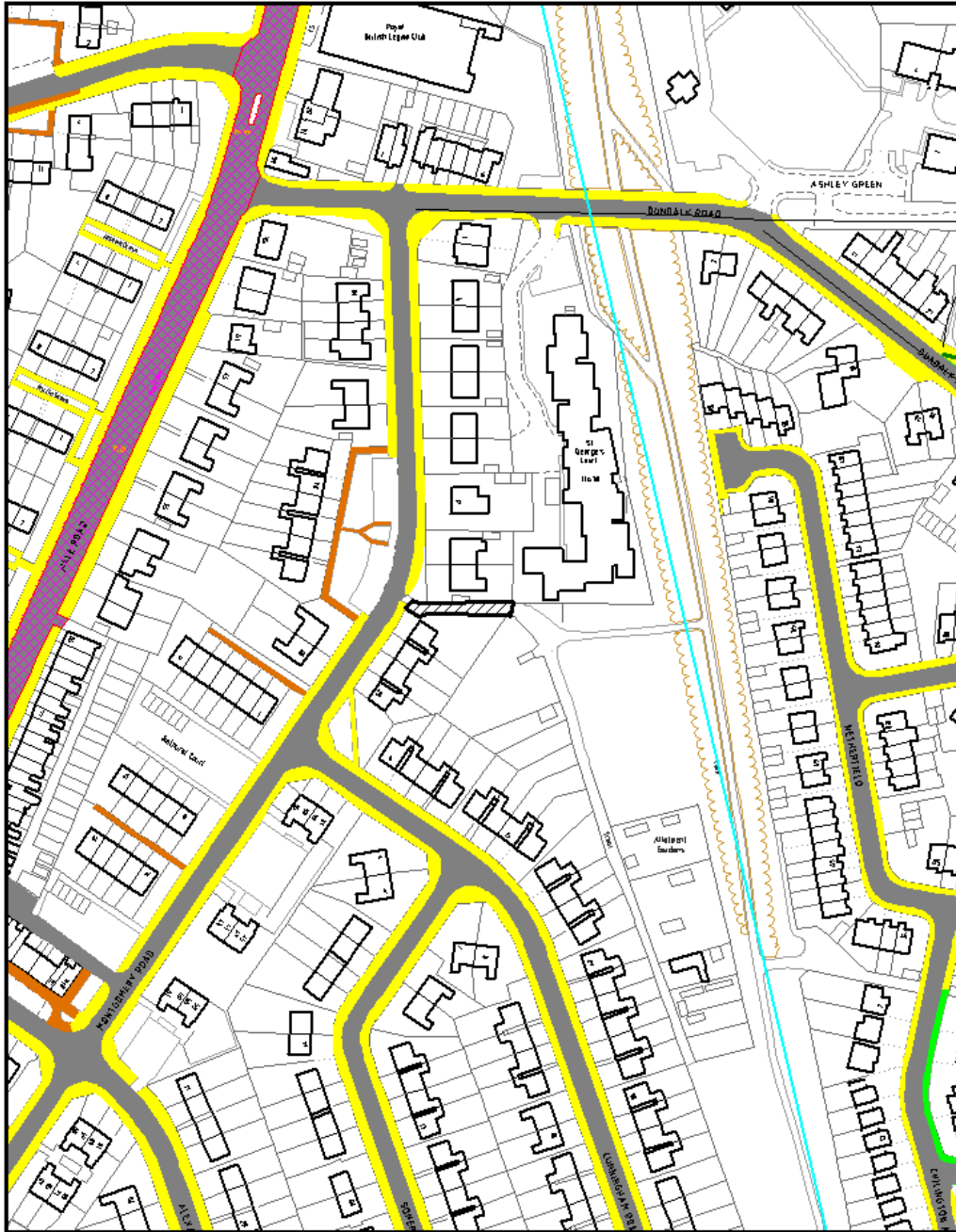
Please note:-








SAF12 MINUTES

The Minutes of the meeting held on 14 June 2011 were taken as read and signed as a correct record subject to Minute No SAF4, 7th paragraph be amended to read

“The Chairman reported that a consultation exercise had been previously undertaken with approximately 250 residents in the area. The results of the consultation exercise had highlighted that the majority of residents supported the installation of the alleygates.”

APPENDIX 2



	TITLE	 Adopted carriageway	 Public Right of Way (approximate line only)	Date :
		 Adopted Verge		Scale :
		 Adopted Footway		
		 Adopted Alleyway		<small>© Crown copyright and database right 2011 Ordnance Survey 100011052</small>

APPENDIX 3

Procedures applicable to alleygating applications

ACTION	BY WHOM?
ASSESSMENT PHASE	
1. Request received for alleygate	Received direct by HDL or if received by other persons request is to be forwarded to HDL
2. Request forwarded to: <ul style="list-style-type: none"> • Ward Members (WMs). WMs to give views on community feelings about the request. • Community Safety Partnership (CSP). CSP simply report on crime etc statistics • Highways (H). H asked whether the highway in question could in principle be gated or whether the highway is too strategically important in principle to be gated. • Area Forum Co-ordinator (AFC). AFC does nothing at this stage. 	HDL
2. WMs give initial view on request. <ul style="list-style-type: none"> • If they recommend approval go to point 5. • If the recommend rejection go to point 9. 	WMs give views to AFC
3. H reply to question in point 2 above. <ul style="list-style-type: none"> • If they say YES in principle go to point 5. • If they say NO in principle go to point 9. 	H give views to AFC
5. Area to be consulted on request agreed	WMs, H and Property Services (PS) agree and inform AFC .
6. Budget checked to confirm funds available should request be approved. <ul style="list-style-type: none"> • If budget available go to point 7. • If budget not available go to point 9. 	AFC
7. CSP asked to canvass community view (i.e. whether the community feel that gating is desirable because of their perceptions of crime and/or anti-social behaviour:- <ul style="list-style-type: none"> • Within the area identified in point 5 for general view and • Neighbours with a boundary with a proposed gate to establish then they would agree to erection of gate. • If outcome of canvas positive go to point 8. • If outcome of canvas negative go to point 9. 	CSP report to AFC on outcome
8. AFC convenes meeting with WCs, H, CSP & PS to share all information obtained and agree to proceed to Implementation Phase	WCs, H, CSP & PS instruct AFC to prepare report for Implementation Phase
9. Decide to proceed or discontinue : <ul style="list-style-type: none"> • If decision to proceed carry out any missing steps to get to point 8. • If decision to discontinue inform persons making the request. 	AFC AFC
IMPLEMENTATION PHASE	
Refer to relevant area forum	AFC
If approved by area forum Property Services implements the gating after obtaining planning permission.	PS
MONITORING PHASE	
Monitoring/review procedures to be designed and outcomes reported to SH PPB periodically	SH PPB to specify requirements

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