Committee: Sustainable Communities O &S Panel

Date: 6th September 2011

Agenda item: 7

Wards: ALL

Subject: Alleygates Scheme

Lead officer: Cormac Stokes, Head of Street Scene & Waste

Contact officer: Pat Dejesus, Waste Services Engagement & Enforcement Manager

Recommendations:

To note this report.

1 Purpose of Report and Executive Summary

1.1.1 The Panel asked for a report covering how the scheme works, how much it costs, uptake and any problems.

1.1.2 The scheme works in partnership with residents and the Police, providing advice, encouraging householders to work together and steering schemes through the legal requirements. Residents provide the majority of the funding for the gates and all of any resulting clean-up costs. Merton provides a £50,000 per annum capital funding budget towards the scheme.

1.1.3 Council grants are primarily available to residents to assist with reducing fly tipping across the borough, but there are generally considered to be wider benefits in reducing crime or anti-social behaviour. National statistics show up to 85% of burglars gain entry to homes via the rear or side of properties. Anti-social behaviour such as drinking, drug use and vandalism also occur in alleyways.

1.1.4 Most alleyways are in multiple ownership and a significant problem residents can face is gaining 100% consent from all owners.

2 Details

2.1. The alleygate scheme is promoted through the awareness of Members, Council officers, the Police and residents. Full details are available on Merton’s website including access to a 50-page Guide to Alleygating.

2.2. The Guide emphasises the need for neighbours to work together to find out about their alleyway. The aim is to get a group of at least five residents interested in helping. Most alleyways are private property with access to all who back onto it. It advises on the need to establish ownership and rights of way. Merton’s Alleygates Officer can assist in these matters. Public rights of way cannot be restricted.

2.3. The intention is to install alley gates as a means of safeguarding the rear entrances to houses, protecting them from fly tipped waste; burglary and
anti-social behaviour; and reducing fear of crime. Lockable gates are erected at the ends of rear alleyways so that only residents have access to the area.

2.4. The table below summarises the number of completed gates and the actual costs to Merton over the last 3 years:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Completed Gates</th>
<th>Actual Costs to Merton of Scheme</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008/09</td>
<td>18</td>
<td>£42,618</td>
</tr>
<tr>
<td>2009/10</td>
<td>21</td>
<td>£43,315</td>
</tr>
<tr>
<td>2010/11</td>
<td>24</td>
<td>£46,330</td>
</tr>
<tr>
<td></td>
<td>63</td>
<td>£132,263</td>
</tr>
</tbody>
</table>

Notes:
1. A further 15 gates have so far been installed in 2011/12. Demand remains significant.
2. Merton costs include an Alleygates Officer, working as part of the Waste Services Engagement & Enforcement Team.
3. Merton funds 45% of the costs of supplying and installing an alley gate.

2.5. In the early stages of a scheme, the Alleygates Officer will ask the main lead resident to talk to their neighbours and other people they you know or recognise who may be affected. They will be asked if they would be prepared to put time and money into a gating scheme. Without the active support of at least a few of those affected the scheme will not proceed.

2.6. Interested residents will need to form a committee, which working with the Alleygates Officer, will need to establish formal ownership of the land affected and any additional access rights. They may then need to knock on other residents’ doors to ask property owners to complete a consent form. Residents are given the details of their Safer Neighbourhoods Team to assist as necessary with this.

2.7. The next stage will to draw up a specification and obtain estimates from gate manufacturers and installers for the type of gates that are being considered. Utility companies will also need to be contacted to check for any nearby services or substations.

2.8. Since residents will be funding 55% of the cost supplying and installing the gate(s), the group will need information on types of bank accounts that can be used for the gating fund. A constitution will need to be agreed before they can open a group or community account. All monies will need to be collected by the group before the scheme can proceed.

2.9. Whilst residents are responsible for any clearance of fly tipping from private alleyways, Merton officers can advise on the health & safety issues which
may be involved. Officers can also advise on the most cost effective means of waste disposal and suitability for example of a Payback team to clear vegetation. Merton deleted its revenue budget associated with the alleygate scheme to assist with clearing fly tips from private land as part of its 31 March 2010 savings package.

2.10. The ownership of the installed gate(s) and the ongoing management responsibility rests with the residents. The council has neither the resources nor the powers to completely enforce effective use of the gates. The council accepts no liability for:

- the installation or ongoing maintenance of the gates (including replacement of locks and keys); or
- any claim in respect of injury, damage or loss arising out of the installation of the gates

3 ALTERNATIVE OPTIONS

3.1. None proposed.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. See above.

5 TIMETABLE

5.1. Ongoing scheme.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. Merton’s Capital Programme allows for the continued funding of this scheme at £50k per annum.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. Most alleyways are private property with access to all who back on to them. This right cannot be interfered with. The general principle, therefore, is that the consent of all those who own or have rights of way over alleyways would need to be given in order to erect gates.

7.2. Residents have found that this can be a significant problem, particularly with absentee landlords, even where other residents are fully meeting the costs and where all those with access rights are provided with keys. If the gates are erected without the consent of all those with rights over the alleyway, there is a risk legal action could be taken to enforce those rights. An assessment of the risk of challenge should be undertaken before deciding whether to proceed with the scheme in circumstances where the consent of all has not been obtained.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. See above. The alleygates scheme links with the Government’s Big Society aim, assisting in identifying, training and supporting people who want to make a difference to their community.
9 CRIME AND DISORDER IMPLICATIONS
9.1. See above.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS
10.1. See above.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT
   • Copy of the Alley gate guide (sent separately to Members only)
   • Procedure Guide

12 BACKGROUND PAPERS

None
Alleygating

The London Borough of Merton is working with the residents of Merton to install alleygates in areas affected by anti-social crimes. By helping to gate the entrances to the alleyways, we hope to reduce or eliminate these offences.

• National statistics show that up to 85% of burglars gain entry via the rear or side of properties.
• Alleyways are a haven for fly-tippers, as they can operate unseen.
• They also provide a secluded area for drinking, drug taking and petty vandalism.

Working in partnership with residents and the police, Merton Council targets locations suffering from anti-social problems.

Our aim is to continue the gating work that has already begun across the borough and to help reduce crime and the fear of crime for all Merton residents.

Alleygates are a proven tool in the reduction of crime

By supporting local residents, we aim to:

• Reduce or stop fly-tipping in alleyways.
• Lower the risk of rear entry burglary.
• Stop anti-social behaviour in alleyways.
• Take away the opportunity for petty vandalism such as graffiti.
• Give the alleyways back to the community by making them safe.
• Bring residents closer together through working in partnership.

LBM has been involved in many gating schemes across the borough. We wish to continue our work by providing an efficient service to the public, which will continue to assist them in the years to come.

Nationally, schemes have shown that incidents of fly-tipping and burglary are reduced drastically once gates are installed.

Although gating alleyways is not an easy process, we can offer support through:

• A dedicate Alleygate Co-ordinator.
• The Alleygating Guide, which takes residents step by step through the process of installing gates at the entrances to their alleyways, from designs and background information, to legal considerations and planning issues.
• Grants of up to 45% towards the cost of gating schemes in the borough.
• Information and advice to help residents complete their gating schemes.

For further information or to request a guide, contact our Alleygate Co-ordinator on: 020 8545 4786 or visit our website at: www.merton.gov.uk/alley-gating
Alleygating