

BY SUBMITTING THIS REPORT TO THE CABINET OFFICE, I, SARAH MCGILL (CORPORATE DIRECTOR, PEOPLE & COMMUNITIES) AM CONFIRMING THAT THE RELEVANT CABINET MEMBER(S) ARE BRIEFED ON THIS REPORT

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

CABINET MEETING: 19 MARCH 2020

**Alley Gating on Public Highways
Cardiff Council Policy & Strategy 2020**

**COUNCILLOR LYNDA THORNE,
CABINET MEMBER FOR HOUSING & COMMUNITIES**

AGENDA ITEM:

Reason for this Report

1. To seek approval by the Cabinet of the proposed new Alley Gating Policy Document: ***Alley Gating on Public Highways – Cardiff Council Policy & Strategy 2020*** to ensure alley gating schemes can continue to be implemented in accordance with current legislative requirements and operational practises.

Background

2. All Local Authorities and other “responsible authorities” (such as the police) have a duty under Section 17 of the Crime and Disorder Act 1998 to do all that they reasonably can to prevent crime and disorder in their areas (including anti-social and other behaviour adversely affecting the local environment).
3. Alley Gating is a simple and effective measure that helps reduce the levels of crime and anti-social behaviour that may otherwise persist to the detriment of local communities.
4. Working with the police, local businesses and residents, alley gating can help Local Authorities to deter and prevent an array of criminal and anti-social activities occurring in back lanes, including burglaries, underage drinking, substance misuse, environmental crime and arson.
5. The Alley Gating Policy underpins commitments set out in Cardiff Capital Ambition document, including:
 - **Housing & Communities:** Help make Cardiff communities a safe place to live by addressing anti-social behaviour and working with partners to promote inclusion across the city.

- **Clean Streets, Recycling & Environment:** implementing Public Spaces Protection Orders to remove anti-social behaviours with regards to littering and fly-tipping.
6. In 2008, Cardiff Council implemented an Alley Gating policy, and continues to support and recognise the importance of these schemes. Since then, over 180 lanes have been gated, benefitting approximately 7,500 properties and helping to limit opportunities for crime, anti-social behaviour and environmental issues such as fly tipping. The initiative helps to support the police and other Council services such as Street Cleansing to direct resources to other areas of need.
 7. Alley Gating Schemes have proved very popular and successful in Cardiff. There is currently a list of over 150 lanes that have been put forward for consideration for gating. Feedback on completed schemes has found that more than 83% of respondents believe that the gates help to reduce crime and ASB in their areas, and make them feel safer in their homes.

Issues

8. The 2008 Alley Gating Policy is outdated. Therefore, a new Alley Gating Policy and Strategy has been put forward to reflect the existing legislative requirements and set out the current operational considerations and procedures that are involved in the delivery of gating schemes.
9. The main changes to the new Policy account for:
 - a) Legislative changes- the use of Public Spaces Protection Orders (PSPOs) under the Anti-Social Behaviour, Crime & Policing Act.
 - b) Clarification of current processes used to manage the demand for alley gating.
 - c) Clarification of scheme parameters.
 - d) Clarification of the current gating procedure used to implement each gating scheme
 - e) Clarification of how the policy meets with the Council's current statutory requirements (via the Statutory Screening Tool, Appendix A)

a) Legislative Changes

10. In 2014, the tools available for Local Authorities to consider alley gating changed, following the introduction of new legislation. Gating Orders (previously under the Highways Act) were replaced with the introduction of Public Spaces Protection Orders (PSPOs) under the Anti-Social Behaviour, Crime & Policing Act (the Crime & ASB Act).
11. Whilst Gating Orders and PSPOs have similar effects, the Crime & ASB Act introduced additional statutory requirements that must be satisfied as part of the gating process. Under the old legislation (The Highways Act), in order to be satisfied that the Council should make a Gating Order it had to be content that premises adjoining or adjacent to the highway were affected by crime and ASB.
12. The new legislation (the Crime & ASB Act) requires that the Council must be content that activities carried out in a public space have a detrimental effect on the quality of life of those in the locality in order to make a PSPO. The shift from purely highways based issues to more wider 'public spaces' is the key statutory change. Furthermore, an additional mandatory key stakeholder is now included in the consultation process, the Police and Crime Commissioner (PCC).
13. The former Gating Orders did not have a formal expiry date whereas PSPOs are time-limited for a maximum of 3 years and so must be reviewed before they expire to determine if they should be extended, revoked or varied. There is a requirement to

consult with the same key partner stakeholders (the Police, PCC, highways) as well as residents before determining whether to extend, vary or discard the order.

14. The legislation does not clearly define the resident consultation process. The process for reviews carried out to date has involved writing a single-page letter to residents adjoining the lane to say that the intention to extend the order but offering them an opportunity to comment before the order is extended. Representations are considered prior to reaching a decision on whether to extend an order.
15. There are 151 Gating Orders and 64 PSPO's currently in place, linked to over 300 lanes across the City. To date, of the 64 PSPO's that have been made since 2015, 39 have been reviewed and following statutory and resident consultation, all 39 have been extended for a further 3 years and the gates remain in place.
16. The 151 Gating Orders (affecting over 6,000 properties), which are now subject to the current legislation are due to expire in October 2020, therefore these orders need to be reviewed prior to expiry. As further PSPO's are made there will be an additional rolling programme of reviews necessary. The review requirement of the new legislation means that there is a significant impact on both staff and legal service resources. This is currently being monitored.

b) Processes

17. Alley gating continues to be in high demand in Cardiff with over 70 requests received each financial year. Only a limited number of schemes can be delivered each year due to funding and resource constraints. Any lanes requested for gating are added to a list of requests for gating.
18. Prior to 2014, lanes were assessed on an individual basis and a prioritisation exercise covering all requests for gating was not in place. In order to ensure a fair and consistent approach, in 2014 Neighbourhood Regeneration implemented a prioritisation exercise for the purpose of identifying lanes in highest need from the list of gating requests. This is to ensure all lanes that have been requested for gating are assessed at the same time (and against the same criteria) to identify a programme of gating which focuses on the highest priorities for the Council at that time, in terms of crime, ASB and environmental conditions. This has been determined to be the fairest approach to managing the demand.
19. Those lanes identified as the highest priority (subject to funding and resource availability) are then included for further investigation as part of the alley gating programme.
20. Lanes that are not identified as part of the programme remain on a list of gating requests. Once an alley gating programme nears completion (and subject to securing further funding), the list is used to identify lanes for the next prioritisation exercise.
21. The alley gating programme is determined for a 2 year period, and the prioritised schemes are initiated at various times during the programme period to ensure they can be managed effectively with the resources available. Each scheme involves a number of stakeholders and can take in excess of 9 months to complete due to the consultation and legal processes required.
22. Funding for alley gating is secured on an annual basis. Therefore funding may need to be carried forward (or reprioritised) where schemes are unable to be completed within the allocated funding period to ensure the programme is delivered.

c) Scheme Parameters

23. Since 2008 a number of operational parameters have been applied when delivering Alley Gating schemes that were not originally captured in the Alley Gating Policy. For example:
- The Council will consider gating unregistered alley ways (i.e. not adopted) but not ahead of lanes which the Council are responsible for.
 - Privately owned lanes will not be considered for gating.
 - Requests have been made for privately funded gating schemes, however the alley gating programme is determined on a strictly evidence based approach to ensure fairness, transparency and consistency.
 - Electronic gates are not included in the scope of gating schemes due to public safety concerns.
 - Technical constraints are given due consideration, such as the position of gates, interference with garage access and adjacent boundary walls.
24. These parameters have been clarified in the updated policy.

d) Gating procedure

25. The current operational procedure has been included in the updated Policy to accurately reflect the legislative changes, updated processes and scheme parameters outlined above.
26. The PSPO review process is a significant addition to the procedure as it requires ongoing stakeholder and resident consultation along with legal input to ensure the PSPO can remain in place for periods beyond 3 years.

Consultation

27. As key partners in the process, the following Council Service Areas have been consulted on the proposed Alley Gating Policy:
- a. Planning, Transport & Environment:
 - Neighbourhood Services (Public Rights of Way / Highways Team)
 - Neighbourhood Services (Recycling Services, Waste Education & Enforcement Team)
 - Transport Planning Policy & Strategy
 - b. Housing & Communities (Anti-Social Behaviour Team)
 - c. Governance & Legal Services
28. South Wales Police is also a key partner in the alley gating process. Together with Waste Enforcement and Transport Planning, South Wales Police are engaged early in the process to identify priority lanes for the Alley Gating Programme, and continue to be consulted as individual gating schemes progress.

Local Member consultation (where appropriate)

29. Local Members are consulted as part of the operational process to investigate and deliver priority alley gating schemes.

Reason for Recommendations

30. The approval of the new Alley Gating Policy Document: ***Alley Gating on Public Highways – Cardiff Council Policy & Strategy 2020*** will ensure alley gating

schemes can continue to be implemented in accordance with current legislative requirements and operational practises.

Financial Implications

31. The installation and ongoing maintenance costs of gates installed will need to be met from existing Council budgets or bid for as part of regeneration or similar grant funding.

Legal Implications (including Equality Impact Assessment where appropriate)

32. The Cabinet Report ('the Report') recommends the adoption of an updated Alley Gating Policy and Strategy as the Council's previous policy on the same is outdated due to changes in legislation.
33. As mentioned in the Report, pursuant to the Crime and Disorder Act 1998 Local Authorities have a duty to do all they can to prevent crime and disorder in their areas which includes anti-social and other behaviour adversely affecting their areas. The Anti-social Behaviour, Crime and Policing Act 2014, allows a Local Authority, after consultation with the public, Police, Crime Commissioner and other relevant bodies/stakeholders, to make Public Spaces Protection Orders (PSPO) if it is reasonably satisfied that two conditions are met.
 34. The first of these is that activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality or that it is likely that activities carried out will have such an effect.
 35. The second is that the effect or likely effect of the activities is, or is likely to be of a persistent or continuing nature; is or is likely to be such as to make the activities unreasonable and justifies the restrictions imposed by the PSPO.
36. A PSPO identifies the public place referred to and sets out a number of conditions, such as;
 - a) prohibiting specified things being done in the area,
 - b) requiring specified things to be done by persons carrying on specified activities in that area, or
 - c) covering both of those prohibitions.
37. Prohibitions or requirements may be imposed if they are reasonable to impose through the PSPO –
 - a) to prevent the detrimental effect referred to from continuing, occurring or recurring; or,
 - b) to reduce the detrimental effect or to reduce the risk of its continuance, occurrence or recurrence
38. An interested person may appeal to the High Court to question the validity of a PSPO, or a variation of a PSPO. An appeal must be made within the period of 6 weeks beginning with the date on which the PSPO or variation is made. The grounds on which an appeal can be made is that the Local Authority did not have the power to make the PSPO, or that particular prohibitions or requirements imposed by the PSPO or the requirements set by the respective legislation have not been complied with.

39. A PSPO may not have effect for a period of more than 3 years; however, that period can be extended for a further 3 years if it continues to be necessary.
40. The decision about the recommendations in the Report must be made in the context of the Council's public sector equality duties. The Council also has to satisfy its public sector duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.
41. The Report identifies that an Equality Impact Assessment ('EIA') has been carried out and is appended to the Report at Appendix C. The purpose of the EIA is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The decision maker must have due regard to the Equality Impact Assessment in making its decision.
42. Well Being of Future Generations (Wales) Act 2015
43. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
44. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2019-22. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
45. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
 - Look to the long term
 - Focus on prevention by understanding the root causes of problems
 - Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them

46. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:
<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

General

47. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.
48. The decision maker should have regard to, when making its decision, to the Council's wider obligations under the Welsh Language (Wales) Measure 2011, the Welsh Language Standards and the Active Travel (Wales) Act 2013.

HR Implications

49. There are no HR implications for this report.

Property Implications

- 50.

RECOMMENDATIONS

Cabinet is recommend to approve the Alley Gating Policy Document: ***Alley Gating on Public Highways – Cardiff Council Policy & Strategy 2020*** (Appendix 1)

SENIOR RESPONSIBLE OFFICER	Sarah McGill
	February 2020

The following appendices are attached:

- Appendix A: ***Alley Gating on Public Highways – Cardiff Council Policy & Strategy 2020***
- Appendix B: ***2.C.PPCF.002 Statutory Screening Tool***
- Appendix C: ***Equality Impact Assessment – Alley Gating, Rear Lanes***

The following background papers have been taken into account:

- ***The Anti-Social Behaviour, Crime & Policing Act 2014***
- ***Cardiff Council's Existing Alley Gating Policy 2008***

Alley Gating on Public Highways

Cardiff Council Policy Document



JANUARY 2020

Document Control

Summary

Publication Date	July 2019
Related Legislation	Anti-Social Behaviour, Crime & Policing Act 2014
Related Legislation Sections	Sections 59-75
Replaces	Highways Act 1980, The Clean Neighbourhoods & Environmental Act 2005
Joint Policy	No
Policy Owner	David Jaques / Rebecca Hooper, Operational Managers, Neighbourhood Regeneration
Author	Daryne Keogh, Neighbourhood Regeneration

Review of Policy

Date Policy first approved	July 2008
Last Review Date	January 2020
Next Review Date	January 2023

Document Approvals

Name	Title	Date of Issue	Version Number

1. Foreword

- 1.1 Alley gating has been adopted by Cardiff Council and other local authorities as a proven means to tackle crime and disorder, help reduce the fear of crime and restore community confidence.

2. Policy Statement

- 2.1 Cardiff Council implemented an Alley Gating Policy in 2008. This document sets out the Council's current Alley Gating Policy, Strategy and Procedure. It clarifies the Council's commitment to tackling crime and anti-social behaviour through alley gating, outlines the strategy for implementing alley gating schemes and explains the procedure that is followed to ensure lanes are gated lawfully in accordance with current legislation.



Before

Impact of Alley Gating schemes



After

3. Introduction

- 3.1 Alley gating is a simple crime reduction measure of erecting lockable gates to the ends of alleyways in order to secure the backs of properties.
- 3.2 Whilst back lanes can provide useful access links for pedestrians and cyclists away from busy thoroughfares, they tend not to benefit from the levels of lighting and natural surveillance that are found on main routes. These areas can become havens for criminal and antisocial activities, including alcohol and drug use, vandalism and fly-tipping. They can also be used to gain access for domestic burglaries and provide various routes of escape for opportunists, affecting residents and businesses both financially and emotionally. Activities such as these can be frightening to the local community and make residents feel vulnerable in their own homes.
- 3.3 Any one incident or criminal / antisocial activity may not in itself warrant consideration for gating, as these behaviours may be appropriately addressed through active policing strategies and/or improved property security measures. However, where issues persist gating can be an effective deterrent. Erecting gates to the ends of alleyways can make it far more difficult for a burglar to gain entry and escape. Gating can also discourage other anti-social and environmental issues in the area as they impose blanket restrictions that serve to address an array of criminal and anti-social activities (including dog fouling, drug and alcohol misuse, arson, graffiti and fly-tipping). Therefore, as well as benefitting the local community, gating can reduce pressures on Council Services and local policing teams.
- 3.4 All Local Authorities and other “responsible authorities” (such as the police) have a duty under Section 17 of the Crime and Disorder Act 1998 to do all that they reasonably can to prevent crime and disorder in their areas (including anti-social and other behaviour adversely affecting the local environment).
- 3.5 Cardiff has many alleyways across the city, particularly in densely populated areas where there are high numbers of terraced properties. Therefore, where legally and technically possible, the Council is committed to reducing the effects of crime and anti-social behaviour on these properties by use of the Alley Gating Policy.
- 3.6 The Alley Gating Policy underpins commitments set out in Cardiff **Capital Ambition** document, including:
- **Housing & Communities:** Help make Cardiff communities a safe place to live by addressing anti-social behaviour and working with partners to promote inclusion across the city.
 - **Clean Streets, Recycling & Environment:** implementing Public Spaces Protection Orders to remove anti-social behaviours with regards to littering and fly-tipping.
- 3.7 Alley gating schemes are generally progressed on alleyways that are Council-owned, adopted or otherwise maintained at the public expense. Many of these routes have public rights of way and so in these cases alley gating is subject to consultation with the Local Highway Authority, the local community and other interested parties. A legal process (which acts to restrict the public right of way) must be followed to ensure gating is lawful.

- 3.8 Gating proposals often attract mixed views from those that may be affected, and so there has to be a balance between the crime reduction benefits of gating and the access restrictions that gates impose on the public. Therefore schemes are only progressed where there is evidence of ongoing crime and anti-social behaviour (ASB) in the vicinity, and where there is a high level of support from the police, other Council Service Areas and adjacent residents and businesses. Schemes are also subject to consideration of representations from partner agencies, the local community and any other stakeholders with a vested interest. Furthermore, some of those affected by possible restrictions may be vulnerable and so there needs to be careful consideration of what impact the proposals may have on certain groups or individuals.
- 3.9 Over the past 10 years, more than 180 lanes have been gated in Cardiff, benefitting approximately 7,500 properties. There is a list of over 100 further lanes where requests have been received for gating, and this list continues to grow as more requests are received. The list is retained in order that these lanes can be considered for future alley gating priority programmes, subject to funding and resources available at those times.
- 3.10 Feedback from residents adjacent to completed schemes found that more than 83% of respondents believe that the gates help to reduce crime and ASB in their areas, and make them feel safer in their homes.

4. Summary Policy Principles

In the development of alley gating schemes and within all relevant processes and procedures for alley gating activities, Cardiff Council will apply the following principles:

AG1: Cardiff Council (the Council) will only implement alley gating where satisfied on reasonable grounds that the installation of gates will be effective in reducing activities that have or could have a detrimental impact on the quality of life of those in the locality.

AG2: The Council will use the most appropriate legislative tools available to ensure alley gating schemes are implemented lawfully.

AG3: The Council will determine priorities for the Alley Gating Programme, giving due consideration to the impact of criminal and/or anti-social activities on the local community, other Council services, the police and other stakeholders involved.

AG4: The Council will consider gating in priority Local Regeneration Areas, where gating falls within the scope of these schemes.

AG5: The Council will only support alley gating schemes that have undergone comprehensive local consultation, and where all reasonable steps have been taken to address any local objections. Schemes will also need to demonstrate positive support from the majority of residents and owners adjoining the affected area.

AG6: The Council will ensure that provisions are made for the ongoing repair and maintenance of gates (and associated barriers) that are installed as part of any alley gating programmes.

AG7: The Council will ensure that any existing legal orders utilised for alley gating are reviewed where necessary, and prior to their expiry to determine whether the order should be extended, varied or discharged.

5. Strategy for Implementing Alley Gating Schemes in Cardiff

5.1 Policy Objectives

AG1: Cardiff Council (the Council) will only implement alley gating where satisfied on reasonable grounds that the installation of gates will be effective in reducing activities that have or could have a detrimental impact on the quality of life of those in the locality.

5.1.1 The overall policy objective is the implementation of alley gating schemes in the city through a formalised process and rational use of resources, where gating is considered the most appropriate measure to address local issues.

5.2 Legislation & Powers to Consider Alley Gating

AG2: The Council will use the most appropriate legislative tools available to ensure alley gating schemes are implemented lawfully.

5.2.1 The Council has a duty under the Crime & Disorder Act 1998 to do all they reasonably can to prevent crime & disorder in the city.

5.2.2 The Council also has a statutory duty under the Highways Act 1980 to protect all public highways and maintain the public right of way, and furthermore is committed to the Active Travel (Wales) Act 2013, which looks to promote and improve walking and cycling network routes across the city.

5.2.3 Therefore, the Council must exercise caution before embarking on any alley gating scheme, which has the potential to cause conflict between these duties and commitments.

5.2.4 The Antisocial Behaviour, Crime & Policing Act 2014 (the Crime & ASB Act) introduced several new tools for use by councils and their partners to address ASB in their local areas. These tools, which replaced and streamlined a number of previous measures, were brought in as part of a Government commitment to put victims at the centre of approaches to tackling ASB, focussing on the impact behaviour can have on both communities and individuals, particularly the most vulnerable.

5.2.5 Section 59 of the Crime & ASB Act enables Local Authorities to make a Public Spaces Protection Order (PSPO) for the purposes of restricting criminal and/or anti-social activities in an area. Under S64 of the Act, Local authorities can utilise PSPOs for the purpose of restricting the Public Right of Way over a highway, by means of erecting physical barriers (or gates) on these highways.

5.2.6 Prior to the introduction of the Crime & ASB Act, alley gating was achieved by the use of Gating Orders under the provisions of the Highways Act 1980. These provisions were repealed in 2014 and subsequent gating schemes were achieved utilising PSPOs. The Crime & ASB Act made transitional provisions for existing gating orders to be treated as PSPOs (and therefore subject to the provisions of the Crime & ASB Act).

5.2.7 PSPOs for the purposes of restricting the public right of way over a highway are subject to a number of legal conditions which must be considered by the Local Authority.

- It must be satisfied on reasonable grounds that activities are having a detrimental effect on the quality of life of those in the locality, where the effect of these activities are persistent, unreasonable and justifies the restrictions imposed (S59).
- It must consider the likely effect of a PSPO on occupiers of premises adjacent or adjoining the highway and other persons in the locality (S64.1)
- As part of the consultation process, the local authority must notify those who may be potentially affected by the Order, let them know how they can see a copy of the PSPO proposal and when they need to submit any responses. The local authority is required to consider any representations made as part of this process (S64.2).
- The Order must identify the activities that have given reason to make the PSPO (S59.7)
- Where the highway constitutes a through route, it must consider the **availability of a reasonably convenient alternative route** (S64.1).
- A PSPO may not restrict the public right of way over a highway for the **occupiers of premises** adjoining or adjacent to the highway (S64.4).
- A PSPO may not restrict the public right of way over a highway that is the **only or principal means of access to a dwelling** (S64.5).
- In relation to a highway that is the only or principal means of access to premises used for **business or recreational purposes**, a PSPO may not restrict the public right of way over the highway during periods when the premises are normally used for those purposes (S64.6).
- PSPOs are limited to a maximum period of 3 years, however they may be reviewed and extended for further periods as necessary (S60.1).

5.3 Identification & Prioritisation for Alley Gating

AG3: The Council will determine priorities for the Alley Gating Programme, giving due consideration to the impact of criminal and/or anti-social activities on the local community, other Council services, the police and other stakeholders involved.

AG4: The Council will consider gating in priority Local Regeneration Areas, where gating falls within the scope of these schemes.

5.4 Approaches to Alley Gating

There are 3 active approaches to alley gating that are being implemented:

- **As part of the Alley Gating Programme:** any lane where a request for gating has been received is added to a list of gating requests. All lanes contained on the list are periodically reviewed to identify those that will be prioritised for the next alley gating programme. Lanes are considered for gating on an individual basis. However, area-based gating schemes may also be considered where there are high concentrations of crime and antisocial behaviour in areas where multiple lanes are in close proximity, subject to the availability of funding and resources to deliver area based schemes.
- **As part of a Local Regeneration Scheme:** Gating schemes may be progressed outside of the alley gating programme where they have been identified and included within the scope of a local regeneration scheme. In these instances, gating will be funded and resourced by the team delivering the local regeneration scheme.
- **Gulley Improvement Schemes:** Some Council-owned footpaths were specifically formed in the construction of housing estates to facilitate pedestrian access to the

rear of mid terrace properties (originally to allow for coal deliveries). Locally known as housing “gullies”, many of these paths are not adopted and do not provide any useful purpose to the wider public. Where this is the case, access is generally restricted to only those occupiers of properties adjoining the gulley and so gating may be considered without the need for a PSPO. Gulley improvement/gating schemes are resourced and funded via the Housing Revenue Account.

The gating of gullies that are adopted routes (or where they provide useful thoroughfares between streets) is subject to the alley gating process, and so would need to be considered as part of an alley gating programme or local regeneration scheme.

5.3.2 Identifying Priorities

- Before any gating scheme is considered, Neighbourhood Regeneration will carry out an investigation to ascertain whether there is a history of evidence of ongoing criminal and anti-social activities that are affecting the alley and adjacent properties.
- Evidence may be obtained from police crime data records, physical evidence gathered from site visits, feedback from local policing teams, other Council service areas (such as Cleansing), ward councillors and residents.
- The investigation also considers:
 - Suitability for gating (i.e. in consideration of whether gating would be legally and technically possible);
 - Whether a gating proposal is likely to be effective in addressing the issues (i.e. would the gates be secured after use, particularly where lanes may only be partially gated or where the lane accommodates high levels of traffic associated with the adjacent dwellings and businesses).
 - Whether a PSPO is the most appropriate tool to address the issues (for instance, traffic related issues such as speeding or suitability for vehicles will be addressed more appropriately by use of Traffic Regulation Orders)
 - Whether the evidence indicates that the lane is a priority for the Alley Gating Programme (in terms of levels of crime, ASB and environmental issues associated with the area).

5.3.3 Scheme Parameters

- Any unregistered alleyway within Cardiff may be considered as part of the Alley Gating Policy, although precedence will be afforded to lanes which are Council-owned, adopted or otherwise maintained at the Council’s expense.
- Privately owned alleyways are not included in the Alley Gating Policy. However, Neighbourhood Regeneration can offer advice and support to private owners who may be considering installing gates on their land.
- The Council must retain an objective position with regards to gating and therefore applications from residents to privately fund gating schemes are not considered. Priorities for the alley gating programme are strictly evidence-based to ensure a fair, transparent and consistent approach.
- Alley gating schemes are limited to the installation of manually-operated barriers or gates. In the interests of public safety, electronic gates are not included in the scope of alley gating schemes.

- The Crime & ASB Act provides local authorities with the means to take enforcement action for breaches of an order where appropriate (for instance, financial penalties in the form of fixed penalty notices (FPNs) for carrying out prohibited activities). With regards to PSPOs utilised specifically for the purposes of alley gating, it is considered that blanket restrictions are imposed over the area by the barriers themselves, which serve to deter an array of anti-social activities. Therefore FPNs are not generally utilised in these circumstances.
- It is not possible to prevent the right of way for certain individuals or groups. In these cases access will be afforded (e.g. by the provision of keys) This includes:
 - The owner(s) of land within the affected area (including utility companies that have equipment located in the area)
 - Occupiers of premises/ businesses adjoining or within the affected area
 - Council and Emergency Services.
 - In special circumstances applications for access may also be considered from other individuals (e.g. persons with mobility impairments who might be adversely affected, where supporting medical evidence is provided).
- Where an alley way is used as the only or principal means of access for business or recreational purposes (e.g. customer parking), it may be possible to consider a “timed order” to restrict public access during the periods when public access is not required for those purposes. Timed orders are subject to reaching an agreement with the affected businesses to open and secure the gates in accordance with the times specified in the Order, for the duration of the PSPO.
- Where an alley way is used as the only or principal means of access to a dwelling (e.g. a converted rear coach house or flat that can be only accessed from the alley way), it is not legally possible to gate so as to prevent the public right of way to this property. In these instances it may be possible to partially gate the alley way. However, gating may have wider implications (such as creating dead-ends, restricting delivery vehicle access etc.) that could adversely affect adjoining properties.
- Other considerations that may limit the suitability or effectiveness of gating:
 - The nature of the criminal and or antisocial activities affecting the lane.
 - The level or frequency of vehicular / pedestrian access required by adjoining residents and businesses (is it likely that gates will be left unsecured).
 - The level of use by the wider community, connectivity with other routes, or the availability of reasonably convenient alternative routes.
 - Insufficient alley widths to ensure existing vehicle access needs can be maintained after gate installations.
 - Lack of natural boundaries near lane entrances in order that gates can provide a reasonable level of security.
 - Where there are no suitable locations for gates without materially interfering with garage or property access.
 - Where gates cannot be located near lane entrances, consideration must be given to whether adjoining residents may be adversely affected by their installation, the impact on traffic movement, the likelihood that they will be secured and if their installation will have community safety implications.

5.4 Consultation

AG5: The Council will only support alley gating schemes that have undergone comprehensive local consultation, and where all reasonable steps have been taken to address any local objections. Schemes will also need to demonstrate positive support from the majority of residents and owners adjoining the affected area.

5.4.1 Under Section 72 of the Crime & ASB Act in deciding whether to make a PSPO, a Local Authority must carry out the necessary consultation, the necessary publicity and the necessary notification (S72 of the Crime & ASB Act).

5.4.2 The “necessary consultation” is defined as consultation with:

- The chief officer of police and the local policing body
- The owner/occupier of the land within the restricted area
- Whatever community representatives the local authority thinks appropriate

5.4.3 As part of the Alley Gating procedure, Neighbourhood Regeneration carry out a preliminary consultation with the following interested parties:

• **Internal, or Stakeholder Consultation:**

- Local Ward Members
- South Wales Police
- The Police Crime Commissioner
- South Wales Fire Authority
- NHS Trust (Ambulance Service)
- The Ramblers Association
- The Highways Authority (PROW & Transport Council Service Areas)
- Emergency Planning Unit & Flood Alleviation Council Service Areas
- City Operations Council Service Areas (Street Cleansing & Street Lighting)
- Any utility companies with equipment located within the affected area
- Any other Council & external groups as determined appropriate

• **Resident Consultation:**

- Owners and occupiers of residential and businesses premises within or adjoining the affected area.

5.4.4 Neighbourhood Regeneration will only proceed to formal legal stages of alley gating where they are supported by key stakeholders, such as the police and other emergency services, The Highways Authority and the majority of residents and owners adjoining the affected areas.

5.4.5 To ensure the “necessary publicity” and “necessary notification” requirements of the Act are met, the formal legal stages of the process includes:

- The display of formal public notices regarding the alley gating proposal and subsequent making of the Order near alley way entrances (Notice of Proposal and Notice of Making).
- The distribution of said notices to properties adjoining the alley way.
- The publication of said notices and the PSPO on the Council’s website.

5.5 Installation & Maintenance of Gates

AG6: The Council will ensure that provisions are made for the ongoing repair and maintenance of gates (and associated barriers) that are installed as part of any alley gating programmes.

- 5.5.1 Alley gating serves to restrict the public right of way, however it does not change the status of the alley way. As such any existing traffic orders, traffic regulations and responsibilities to maintain the highway remain unchanged.
- 5.5.2 All gates, barriers and associated equipment are designed, manufactured and installed in accordance with the Council's contract framework specifications. Once the PSPO has come into legal effect, Neighbourhood Regeneration arrange the gate installations and distribution of keys to persons authorised for access.
- 5.5.3 As part of the Alley Gating Process, Neighbourhood Regeneration retain responsibility for the ongoing repairs and maintenance of gates, barriers and any equipment associated with an alley gating scheme. Only approved contractors are permitted to carry out repairs. Out of hours contractors will only be instructed to address emergency issues where they present a risk to life, in accordance with the Communities & Customer Services 24/7 Service policy.
- 5.5.4 Any new schemes are subject to the securing of both capital funding and revenue funding to facilitate ongoing maintenance of any existing and additional gating stock.
- 5.5.5 The effectiveness of alley gating schemes is wholly reliant on adjacent occupiers securing the gates when not in use. Where necessary, Neighbourhood Regeneration will write to residents to remind them of the importance of securing the gates.
- 5.5.6 In extreme cases (for instance where they are subjected to persistent, targeted vandalism that prevents them from being opened, or where they are otherwise being left open continuously and therefore ineffective in reducing criminal and anti-social activities), the Council may consider revoking the PSPO and permanently removing the gates.
- 5.5.7 On occasion, the Council receive requests to re-position existing lane gates (for instance, where the access needs of adjacent properties may have changed since the original Order was made). However, it may not be possible to simply reposition the gates without varying or replacing the existing legal Order. Any changes to the legal Order are subject to the necessary consultation, publicity and notification requirements of the Act. Therefore, where the re-positioning of gates are likely to affect the existing Order, the request will be added to the list of gating requests and will be considered (if prioritised) as part of any future alley gating programmes.

5.6 Review of existing Alley Gating PSPOs

AG7: The Council will ensure that any existing legal orders utilised for alley gating are reviewed where necessary, and prior to their expiry to determine whether the order should be extended, varied or discharged.

- 5.6.1 A PSPO can only be served for a maximum of 3 years and must be reviewed prior to its expiry date, or sooner if deemed appropriate. The PSPO can either be extended, varied or discharged at that time, subject to consultation. There is no limit to the number of times that the PSPO can be reviewed.

5.7 Resources

- 5.7.1 The Alley Gating Programme is subject to securing general capital funding, approved as part of the Council's annual budget allocation and managed by Neighbourhood Regeneration.
- 5.7.2 Alley gating carried out as part of a Local Regeneration scheme is subject to funding and resources available to deliver that scheme.
- 5.7.3 The ongoing repair and maintenance of alley gating stock is funded via the Council's allocation of revenue funding for alley gating and managed by Neighbourhood Regeneration.

6. Cardiff Council Alley Gating Procedure

6.1 Record of alley gating requests

- 6.1.1 Any lanes where alley gating requests have been made are added to the list of gating requests. Requests may be raised by the Police, members of the public, Councillors, other Council service areas or anyone with an interest in gating the lane.
- 6.1.2 The list is periodically reviewed to identify priority gating schemes for subsequent alley gating programmes, subject to the availability of funding and resources.

6.2 Prioritising Alley Gating schemes

- 6.2.1 The following exercise is carried out to assess suitability and priority for gating:
- Analysis of data, evidence and frontline feedback from South Wales Police and other Council Service Areas (including Waste Enforcement, Highways & Transport).
 - Determination of whether gating would be an effective solution.
 - Site assessments to examine how lanes are currently used by adjoining occupiers and the wider public, and to determine if lanes are legally and technically suitable for gating.
 - Information obtained from this exercise is used to rank lanes in order of priority. The highest-ranked lanes are included in the alley gating programme, subject to the funding and resources available at that time.
- 6.2.2 The proposed programme is finalised in discussion with South Wales Police and other Council Service Areas (including the Police, ASB Team, Highways (PROW & Transport) and City Operations (Waste Management). The Cabinet Member for Housing & Communities is briefed on the proposal.
- 6.2.3 The decision to proceed with the alley gating programme is subject to approval by the Operational Manager for Housing & Communities.
- 6.2.4 Once approved, Ward Members are briefed on those lanes within their respective wards that are to be included in the programme.
- 6.2.5 All schemes included within the programme are subject to further detailed investigations, stakeholder and resident consultations and consideration of any representations made during the legal stages of the process. All resident Consultation documents and legal notices are bilingual (Welsh and English).

6.3 Programme Delivery

6.3.1 Detailed investigation:

- a. Check file history and lane status.
- b. Site survey to ensure there are no apparent technical / legal issues that may hinder or prevent gating.
- c. Produce lane plan indicating proposed area for gating (redline map).
- d. Carry out stakeholder consultation with other council services, Ward Members and external partners.
- e. Produce Investigation Background Report.

6.3.2 Resident Consultation:

- a. Create list of adjacent addressees and prepare consultation documents.
- b. Notify Ward Members
- c. Carry out resident consultation (bilingual) – majority support required to proceed (*min 40% on area-based schemes or in areas where the occupation of adjacent properties is highly transient*)
- d. Consider responses, prepare lane-specific Equality Impact Assessment if necessary.
- e. Produce Decision Report for Operational Manager (OM) approval.

6.3.3 Formal Legal Notice Stages:

STAGE 1: Notice of Proposal (NOP)

- a. Finalise legal Order Plan & Instruct Legal Services to commence NOP
- b. Prepare bilingual notices for site / adjacent addressees & update Ward Members
- c. Distribute / display Notices (4 weeks). Check site and website notices during period.
- d. Consider any representations & produce Objection Report (where necessary) for OM approval:
 - I. If not proceeding, consider any alternative actions possible. Update Ward Members & residents, update records and end process.
 - II. If proceeding, order keys, locks and commence instructions for gate manufacture (SIDC). Complete license agreements with private owners where necessary.

STAGE 2: Notice of Making (NOM)

- a. Instruct Legal Services to commence NOM, arrange for the Director of Governance & Legal Services to seal the Legal Order & update the council Website.
- b. Prepare bilingual notices for site / adjacent addressees & update Ward Members
- c. Distribute / display NOMs (6 weeks). Check site and website notices during period.

6.3.4 Key Distribution & Installation of Gates (*after legal Order comes into effect*):

- a. Update Cardiff Transport Services and GIS with gate and lock details.
- b. Organise bilingual key distribution & gate installation dates. Update Ward Members.
- c. Forward completed key distribution forms and surplus keys to Central Hub

Anticipated Timescale for Programme Delivery: 30-40 weeks

INVESTIGATION	CONSULTATION	LEGAL STAGE 1	REPRESENTATIONS	LEGAL STAGE 2	INSTALLATION
4 weeks	6 weeks	6-8 weeks	0-4 weeks	8 weeks	6-10 weeks

6.3.5 **Feedback:**

Feedback surveys are completed on a percentage of completed schemes, for the purposes of continuous improvement. Service Area target of 75% satisfaction rate.

6.3.6 **Maintenance of Existing Gates & Orders:**

Ongoing repairs, maintenance and operational issues are managed by Neighbourhood Regeneration.

- Repair enquiries are reported directly to Cardiff Transport Services (via C2C or Neighbourhood Regeneration) or approved contractors to action repairs.
- Out of hours contractors will only be instructed to address emergency issues where they present a risk to life, in accordance with the Communities & Customer Services 24/7 Service policy.
- If gates are repeatedly left open, Neighbourhood Regeneration will write to adjacent residents to remind them of the importance of securing them after use.
- If gates are repeatedly vandalised or left open, Neighbourhood Regeneration may consider reviewing the PSPO. In extreme cases and subject to OM approval, there be no option but to remove the gates and discharge the Order.

6.3.7 **Review of existing Orders:**

PSPOs must be reviewed before they expire, or at any time whilst they are active:

- a. Check file history, compile resident address list
- b. Stakeholder consultation (relevant Council Service Areas, Police, PCC, Ward Members)
- c. Resident Consultation (bilingual, adjacent owners/ occupiers only)
- d. Consider any representations
- e. Prepare decision report to extend, vary or discharge the PSPO as appropriate, subject to Operational Manager approval.
- f. Update Ward Members with review decision.
- g. Instruct Legal Services to extend, vary or discharge the current legal Order and update Council website. The signed ODR to be included with the instruction.
- h. Update Neighbourhood Regeneration Completed Alley Gating Schemes Register.

Appendix B

City of Cardiff Council Statutory Screening Tool Guidance

If you are developing a strategy, policy or activity that is likely to impact people, communities or land use in any way then there are a number of statutory requirements that apply. Failure to comply with these requirements, or demonstrate due regard, can expose the Council to legal challenge or other forms of reproach.

For instance, this will apply to strategies (i.e. Housing Strategy or Disabled Play Strategy), policies (i.e. Procurement Policy) or activity (i.e. developing new play area).

Completing the Statutory Screening Tool will ensure that all City of Cardiff Council strategies, policies and activities comply with relevant statutory obligations and responsibilities. Where a more detailed consideration of an issue is required, the Statutory Screening Tool will identify if there is a need for a full impact assessment, as relevant.

The main statutory requirements that strategies, policies or activities must reflect include:

- [Equality Act 2010 - Equality Impact Assessment](#)
- [Wellbeing of Future Generations \(Wales\) Act 2015](#)
- [Welsh Government Statutory Guidance - Shared Purpose Shared Delivery](#)
- [United Nations Convention on the Rights of the Child](#)
- [United Nations Principles for Older Persons](#)
- [Welsh Language \(Wales\) Measure 2011](#)
- [Health Impact Assessment](#)
- [Habitats Regulations Assessment](#)
- [Strategic Environmental Assessment](#)

This Statutory Screening Tool allows the Council to meet the requirements of all the above legislation as part of an integrated screening method and should take no longer than 1 hour to complete.

The Statutory Screening Tool can be completed as a self assessment or as part of a facilitated session, should further support be needed. For further information or if you require a facilitated session, please contact the Operational Manager – Policy, Partnerships and Community Engagement on (029) 2078 8561 or e-mail: Gareth.Newell@cardiff.gov.uk

Please note:

- **The completed Screening Tool must be submitted as an appendix with the Cabinet report.**
- **The completed Screening Tool will be published on the Council's Intranet.**

Statutory Screening Tool

Name of Strategy / Policy / Activity: Alley Gating on Public Highways – Cardiff Council Policy & Strategy 2020	Date of Screening: 09/12/2019
Service Area/Section: Housing & Communities / Neighbourhood Regeneration	Lead Officer: Daryne Keogh
Attendees:	

What are the objectives of the Policy/Strategy/Project/Procedure/ Service/Function	Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]
<p>The overall policy objective is the implementation of alley gating schemes in the city through a formalised process and rational use of resources, where gating is considered the most appropriate measure to address local issues.</p> <p>The purpose of alley gating is to deter the effects of crime and anti-social behaviour on local communities, helping residents and local businesses feel safer in their own homes and properties.</p>	<p>Cardiff Council implemented a policy and strategy for Alley Gating in 2008 to help reduce levels of ongoing crime and anti-social behaviour arising from within back lanes.</p> <p>The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics</p> <p>All gating schemes originate from a request from adjacent residents, councillors or other affected parties, usually as a result of incidents arising from within a lane.</p> <p>Gating schemes are subject to statistical crime/asb evidence, consultation with the police and other council service areas, consultation with the owners/occupiers of all adjacent properties as well as the wider local community.</p> <p>The policy underpins commitments set out in Cardiff Capital Ambition document, including:</p> <ul style="list-style-type: none"> ➤ Housing & Communities: Help make Cardiff communities a safe place to live by addressing anti-social behaviour and working with partners to promote inclusion across the city. ➤ Clean Streets, Recycling & Environment: implementing Public Spaces Protection Orders to remove anti-social behaviours with regards to littering and fly-tipping. <p>An Equality Impact Assessment is in place for Alley Gating, which is further reviewed on a case-by-case basis where any additional issues are identified during the investigation and consultation stages of each scheme.</p>

Part 1: Impact on outcomes and due regard to Sustainable Development

Please use the following scale when considering what contribution the activity makes:		
+	Positive	Positive contribution to the outcome
-	Negative	Negative contribution to the outcome
ntrl	Neutral	Neutral contribution to the outcome
Uncertain	Not Sure	Uncertain if any contribution is made to the outcome

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.1	<p>People in Cardiff are healthy; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the promotion of good health, prevention of damaging behaviour, promote healthy eating/active lifestyles etc,</i> <i>vulnerable citizens and areas of multiple deprivation</i> <i>Addressing instances of inequality in health</i> 	+				<p>Positive: Gating reduces opportunities for burglaries, assault, robbery, intimidation and other anti-social activities within a lane. Therefore, gating can:</p> <ul style="list-style-type: none"> Prevent people from being targeted by others who seek to do harm from within the concealed confines of an alley (in particular those who may be considered more vulnerable). Prevent people from engaging in criminal activity or anti-social behaviour from within a lane during night-time, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole <p>Negative: vulnerable persons may rely on lanes for access to local facilities. Residents adjoining the lane are permitted keys for access, but some may find gate operation difficult.</p>
1.2	<p>People in Cardiff have a clean, attractive and sustainable environment; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the causes and consequences of Climate Change and creating a carbon lite city</i> <i>encouraging walking, cycling, and use of public transport and improving access to countryside and open space</i> <i>reducing environmental pollution (land, air, noise and water)</i> <i>reducing consumption and encouraging waste reduction, reuse, recycling and recovery</i> <i>encouraging biodiversity</i> 	+	-			<p>Positive: Gating reduces opportunities for fly-tipping, graffiti, arson, drug and alcohol misuse and prostitution (and therefore hazardous and other environmental waste that could otherwise be discarded within a lane)</p> <p>Negative: lane gating removes the opportunity for the wider community to utilise them for walking and cycling. Whilst lanes can provide convenient routes away from busy roads during the day, they tend not to benefit from vehicle/pedestrian separation and street lighting levels afforded main highways. However, as part of the alley gating process, the connectivity of a lane (ie, the level of use,</p>

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
						local lane network and the availability of alternative routes) is taken into consideration to determine if it is suitable for gating.
1.3	<p>People in Cardiff are safe and feel safe; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> reducing crime, fear of crime and increasing safety of individuals addressing anti-social behaviour protecting vulnerable adults and children in Cardiff from harm or abuse 	+	-			<p>Positive: the main purpose of the Alley Gating Policy is:</p> <ul style="list-style-type: none"> to reduce crime, fear of crime and increase safety of individuals to address anti-social behaviour to protect vulnerable adults and children in Cardiff from harm or abuse <p>Negative: due to safety concerns, only manually operated gates are installed as part of alley gating. Vehicle users would need to exit the vehicle in order to open and close the gates This could make some residents feel vulnerable, particularly where they do not otherwise have to exit the vehicle to access their properties (for example where residents already have automatic garage doors)</p> <p>Actions to address Negative impact: any representations regarding gate operation are given due consideration as part of the legal process. Gates are generally located as close as possible to lane entrances so that they can be operated in areas that benefit from street lighting and natural surveillance afforded on the main highway. Gates act to prevent unauthorised access within the lane and so deter loitering within the area.</p>
1.4	<p>Cardiff has a thriving and prosperous economy; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> economic competitiveness (enterprise activity, social enterprises, average earnings, improve productivity) Assisting those Not in Education, Employment or Training attracting and retaining workers (new employment and training opportunities, increase the value of employment,) promoting local procurement opportunities or enhancing the capacity of local companies to compete 			Ntrl		No direct impact identified, although businesses adjoining a gated lane benefit from the additional security measures provided by the gates.

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.5	<p>People in Cardiff achieve their full potential; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> • promoting and improving access to life-long learning in Cardiff • raising levels of skills and qualifications • giving children the best start • improving the understanding of sustainability • addressing child poverty (financial poverty, access poverty, participation poverty) • the United Nations Convention on the Rights of a Child and Principles for Older persons 	+				<p>Positive:</p> <ul style="list-style-type: none"> • gated lanes can provide safer areas for children to be safe and to play • gated lanes can help older persons feel safer in their own homes
1.6	<p>Cardiff is a Great Place to Live, Work and Play <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> • promoting the cultural diversity of Cardiff • encouraging participation and access for all to physical activity, leisure & culture • play opportunities for Children and Young People • protecting and enhancing the landscape and historic heritage of Cardiff • promoting the City's international links 			Ntrl		No direct impact identified
1.7	<p>Cardiff is a fair, just and inclusive society. <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> • the elimination of discrimination, harassment or victimisation for equality groups • has the community or stakeholders been engaged in developing the strategy/policy/activity? • how will citizen participation be encouraged (encouraging actions that consider different forms of consultation, through more in depth engagement to full participation in service development and delivery)? 	+				<p>Positive:</p> <ul style="list-style-type: none"> • The Alley Gating Policy helps deter crime and asb arising within lanes, including issues associated discrimination, harassment or victimisation for equality groups. • Council Services (including Planning, Transport & Environment, Legal Services and Housing & Communities) have been engaged in the development of the new policy • In accordance with the Gating Strategy, each lane considered for alley gating is subject to consultation with relevant Council Service Areas, South Wales Police and other emergency services, the Police Crime Commissioner, the Ramblers association, and any other relevant partner organisations. Gating is subject to

Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
	+	-	Ntrl	Un-Crtn	
					majority support from adjacent residents and businesses, and so full consultation is completed via letter drops and door-to-door engagement where necessary. Legal public notices are also displayed at lane entrances and on the Council Website to ensure the wider community is also engaged before a decision to proceed with gating is reached.
Will this Policy/Strategy/Project have a differential impact on any of the following:					<i>Please give details/consequences of the differential impact (positive and negative), and what action(s) can you take to address any negative implications?</i>
<ul style="list-style-type: none"> Age (including children and young people aged 0-25 and older people over 65 in line with the United Nations Conventions) 	+	-			<p>Positive: the installation of gates to deter groups of “undesirables” gathering in lanes would have a beneficial effect for older residents, particularly those living adjacent. This point extends to all residents, particularly those in fear of ongoing crime. Gates would reduce fly-tipping and asb, thereby reducing the risk of discarded hazardous waste in the vicinity, which could prove a risk to children and persons with impaired sight. Lanes tend not to have designated pedestrian routes, therefore alternative routes generally include pedestrian walkways, which have better lighting, natural surveillance, surfaces, etc and therefore are safer routes. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:</p> <ul style="list-style-type: none"> Prevent people of any age group (in particular those who may be considered more vulnerable) from being targeted as a victim of others who seek to do harm due to their age from within the Alley's concealed confines Prevent people from engaging in criminal activity or anti-social behaviour within or from within its concealed confines during night-time, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
	+	-	Ntrl	Un-Crtn	
					<p>Negative: non-drivers are more likely to regularly use alleyways to access local shops, bus stops, schools etc. Elderly people and young adults/children would likely be impacted. People with mobility problems may welcome shortcuts and walks that are away from busy traffic and may be hesitant or unable to use alternative routes. Children may utilise the path as access to local schools. Residents with access to the restricted area may find gate operation difficult.</p> <p>Actions to address Negative impact: Although alternative routes can increase distances to be travelled, they can also be the safer option as they generally benefit from increased lighting, surveillance and pedestrian/vehicle separation. Residents adjoining the lane would continue to gain access. Gates are fitted with slam-lock sprung latches and additional release plungers. Locks are positioned approx. 1m from ground level for accessibility. Key aid "handles" are also available on request for residents with dexterity issues.</p>
<ul style="list-style-type: none"> • Disability 	+	-			<p>Positive: gating can help reduce environmental issues that can negatively impact disability (eg, Littering / fly-tipping can make scooter / wheelchair access more difficult or make surfaces hazardous for persons with physical / visual impairments.</p> <p>Negative: people with impaired mobility may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.</p> <p>Actions to address Negative impact: Gates are fitted with slam-lock sprung latches and additional release plungers. Locks are positioned approx. 1m from ground level for accessibility. Key aid "handles" are also available on request for residents with dexterity issues. Although alternative routes can increase distances to be travelled, they can also be the safer option as they generally benefit from increased surface maintenance, street lighting, surveillance and pedestrian/vehicle separation</p>

Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
	+	-	Ntrl	Un-Crtn	
• Gender Reassignment	+				Positive: gating can help deter those that seek to do harm to others due to their personal characteristics from within the concealed confines of a rear lane.
• Marriage & Civil Partnership	+				Positive: gating can help deter those that seek to do harm to others due to their personal characteristics from within the concealed confines of a rear lane.
• Pregnancy & Maternity	+	-			Positive: gating can help deter those that seek to do harm to others due to their personal characteristics from within the concealed confines of a rear lane. Gating can help deter fly-tipping of general and hazardous waste, reducing the risk of falls and/or injury
• Race	+				Positive: gating can help deter those that seek to do harm to others due to their personal characteristics from within the concealed confines of a rear lane.
• Religion/Belief	+				Positive: gating can help deter those that seek to do harm to others due to their personal characteristics from within the concealed confines of a rear lane.
• Sex	+				Positive: gating can help deter those that seek to do harm to others due to their personal characteristics from within the concealed confines of a rear lane.
• Sexual Orientation	+				Positive: gating can help deter those that seek to do harm to others due to their personal characteristics from within the concealed confines of a rear lane.
• Welsh Language			Ntrl		All consultation documents, legal notices and gate signs are provided in both English and welsh.

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation									
		+	-	Ntrl	Un-Crtn										
	<table border="1"> <thead> <tr> <th></th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>Is a full Equality Impact Assessment required?</td> <td>yes</td> <td></td> </tr> <tr> <td>Is a full Child Rights Impact Assessment required?</td> <td></td> <td>no</td> </tr> </tbody> </table>		Yes	No	Is a full Equality Impact Assessment required?	yes		Is a full Child Rights Impact Assessment required?		no					A generic Equality impact Assessment has been completed for Alley gating, which is reviewed on a case-by-case basis, subject to any further issues identified during consultation on individual schemes.
	Yes	No													
Is a full Equality Impact Assessment required?	yes														
Is a full Child Rights Impact Assessment required?		no													
1.8	<p>The Council delivers positive outcomes for the city and its citizens through strong partnerships</p> <p><i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>strengthening partnerships with business & voluntary sectors</i> <i>the collaboration agenda and the potential for shared services, cross-boundary working and efficiency savings</i> 	+				Positive: gating involves partnership working with the police and other emergency services, organisations with a vested interest (such as the Ramblers Association and Sustrans), as well as local businesses that may be impacted by potential gating schemes.									

SUMMARY OF APPRAISAL (highlight positive and negative effects of the policy / plan / project being assessed, demonstrating how it contributes to the economic, social and environmental sustainability of the city):

Alley gating can be an effective measure to reduce crime and anti-social behaviour and help residents and businesses feel safer in their local communities. Whilst they can have a negative impact on pedestrian and cycling routes, they are generally only considered on lanes that are not well-used routes and/or where reasonable alternative routes are available.

WHAT ACTIONS HAVE BEEN IDENTIFIED OR CHANGES BEEN MADE TO THE POLICY / PLAN / PROJECT AS A RESULT OF THIS APPRAISAL:

No changes have been identified

Part 2: Strategic Environmental Assessment (SEA)

		Yes	No
2.1	Does the plan or programme set the framework for future development consent?		no
2.2	Is the plan or programme likely to have significant, positive or negative, environmental effects?		no

Is a Full Strategic Environmental Assessment Screening Needed?		Yes	No
<ul style="list-style-type: none"> ▪ If Yes has been ticked to both questions 2.1 and 2.2 above then the answer is Yes ▪ If a full SEA screening is required then please contact the Sustainable Development Unit to arrange (details below) 			no

If you have any doubt about your answers to the above questions, then please consult the Sustainable Development Unit for advice on (029) 2087 3228 or email: sustainabledevelopment@cardiff.gov.uk

Part 3: Habitat Regulation Assessment (HRA)

		Yes	No	Unsure
3.1	Will the plan, project or programme results in an activity which is known to affect a European site, such as the Severn Estuary or the Cardiff Beech Woods?		no	
3.2	Will the plan, project or programme which steers development towards an area that includes a European site, such as the Severn Estuary or the Cardiff Beech Woods or may indirectly affect a European site?		no	
3.3	Is a full HRA needed?		no	

Details of the strategy will be sent to the County Ecologist on completion of the process to determine if a Habitat Regulation Assessment is needed. For further information, please phone (029) 2087 3215 or email: biodiversity@cardiff.gov.uk

Part 4: Welsh Language (Wales) Measure 2011

		Yes	No	Unsure
4.1	Have you considered how the policy could be formulated so that the policy decision would have positive effects, or increased positive effects on opportunities for persons to use the Welsh language?	yes		
4.2	Does the policy ensure that the Welsh language is treated no less favourably than the English language?	yes		

If you have any doubt about your answers to the above questions, then please consult the Bilingual Cardiff team for advice on (029) 2087 2527 or email: Bilingualcardiff@cardiff.gov.uk

Appendix 1 – Statutory Requirements

It is possible that the Statutory Screening Tool will identify the need to undertake specific statutory assessments:

- **Equality Impact Assessment:** *This assessment is required by the Equality Act 2010 and Welsh Government's Equality Regulations 2011.*
- **Wellbeing of Future Generations (Wales) Act:** *The Act requires sustainable development to be a central organising principle for the organisation. This means that there is a duty to consider sustainable development in strategic decision making processes.*
- **Welsh Government Statutory Guidance - Shared Purpose Shared Delivery:** *The Welsh Government requires local authorities to produce a single integrated plan to meet statutory requirements under a range of legislation. The City of Cardiff Council must therefore demonstrate its contribution towards Cardiff's own integrated plan: "What Matters".*
- **United Nations Convention on the Rights of the Child:** *The Children Act 2004 guidance for Wales requires local authorities and their partners to have regard to the United Nations Convention on the Rights of a Child.*
- **United Nations Principles for Older Persons:** *The principles require a consideration of independence, participation, care, self-fulfillment and dignity.*
- **Welsh Language (Wales) Measure 2011:** *The Measure sets out official status for the Welsh language, a Welsh language Commissioner, and the freedom to speak Welsh.*
- **Health Impact Assessment:** *(HIA) considers policies, programmes or projects for their potential effects on the health of a population.*
- **Habitats Regulations Assessment:** *The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 provides a requirement to undertake Habitats Regulations Assessment (HRA) of land use plans.*
- **Strategic Environmental Assessment:** *A Strategic Environmental Assessment (SEA) is an European Directive for plans, programmes and policies with land use implications and significant environmental effects.*

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Appendix C

Equality Impact Assessment

Procedure
Alley Gating, Rear Lanes
New/Existing/Updating/Amending: Existing

Who is responsible for developing and implementing the Project	
Name:	Job Title:
Service Team: Neighbourhood Regeneration	Service Area: Communities, Housing and Customer Service (Housing and Neighbourhood Renewal)
Assessment Date:	

1. What are the objectives of project?

Gating Objectives:-

Gating is a method of crime reduction which involves the installation of lockable gates to the ends of lanes/alleyways (generally those which run behind and between properties). The aim is to reduce anti-social behaviour and crime and provide a safe and secure environment for the residents adjacent to the walkway. The purpose of gating is to prevent access to problem lanes/alleyways or highways by unauthorised persons (i.e. those who do not own, live or work in those properties which are immediately adjacent to them) thus reducing the opportunity for crime or anti-social behaviour to be committed in or from them.

Gating schemes are in the main rolled out in similar lanes across the City, using a standard gate materials and design. This assessment has been completed to consider generically the impact of standard gating schemes on protected characteristics. This document will also form the basis for consideration of any characteristic-related issues that may have not already been considered, due to lane observations or feedback from consultation. Should any characteristic-related issues arise, a lane-specific EqIA will be initiated to consider these issues (and any potential solutions or actions) prior to reaching a decision whether or not to proceed with gating.

General Considerations

Cardiff Council agreed a policy for alley gating in 2008. Requests for gates come from residents and/ or local councillors who are concerned about instances of crime and anti-social behaviour, believing the alley to be a contributory factor. The issues have impacted upon the resident's quality of life.

The gating proposal consists of installing gate(s) to the lane. Gate positions are dictated by legal requirements (the presence of businesses and dwelling sole access within the lane) and technical aspects (such as the height / position of adjacent boundary walls, garage access, buried services, road camber etc). Proposed gate positions will be consulted on with local residents.

The gates meet with the standard design for alley gates (appendix 1).

Where alleys afford vehicle access, in general gates will not be fitted so as to prevent vehicle access. [A minimum clear opening of 2.7m will be afforded \(3.2m where the lane provides access for heavy goods vehicles to business premises\).](#)

In line with the Building Regulations Part M the clearance between gate posts will be no less than 850mm where gating non-vehicle pedestrian footpaths.

Gates are fitted with slam-lock sprung latches and additional release plungers, thereby addressing dexterity issues as far as reasonably practicable.

Consideration has been made towards electronically operated gate mechanisms. However, this option has been dismissed due to the risk of entrapment should the gates suffer mechanical or electrical failure

Through routes:

The placement of gates will prevent anyone who isn't a resident / occupier / owner / employee in one of the properties immediately adjacent to the lane from using it as a through route. This has the potential to impact on any age group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative. Gating also has the potential to impact on those with access due to the requirement to operate the gates each time access is required.

Non through routes:

It is generally considered that anyone who isn't a resident / occupier / owner / employee in one of the properties immediately adjacent to the lane would not otherwise have reason to access the lane. Therefore the impact would be restricted to those with access due to the requirement to operate the gates each time access is required.

2. Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]

Cardiff Council Alley Gating Procedure (outline)

Cardiff Council's Alley Gating procedure defines the process by which alley gating as a method of crime and anti-social behaviour reduction is implemented within Cardiff Council Local Authority Boundaries.

The document explains the procedure and stages by which decisions to install alley gates is conducted. Such stages include: a request, investigation to establish suitability of the lane/alleyway for gating, assessment of problems associated, resident consultation / engagement, legislative requirements, consideration of objections to the gating order and to what happens after gating has been completed. ***(Please see Cardiff Council Alley gating procedure)***

Consultations will be carried out with the police, Police crime commissioner, Highways, Waste Management, Transport, Ramblers and other stakeholders as deemed appropriate for the specific scheme. Consultation will also be carried out with owners and occupiers of properties adjoining the lane proposed for gating. Residents are asked to state if they have any concerns about operating the gates. Any equality-related concerns raised by any consultees will trigger the initiation of an EqIA specific to the lane, to consider these concerns in addition to those already considered in this document.

3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact** [positive/negative/] on younger/older people?

	Yes	No	N/A
Up to 18 years	√		
18 - 65 years	√		
Over 65 years	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact is provided below, with supporting evidence and, if any, likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including age.

Negative: non-drivers are less likely to use a car, therefore more likely to regularly use alleyways to access local shops, bus stops, schools etc.. Elderly people and young adults/children would likely be impacted. People with mobility problems may welcome shortcuts and walks that are away from busy traffic and may be hesitant or unable to use alternative routes. Children may utilise the path as access to local schools. Residents with access to the restricted area may find gate operation difficult.

Positive: There is a generally agreed perception that older people are more fearful of crime so the installation of gates to deter groups of “undesirables” gathering in lanes would have a beneficial effect for older residents, particularly those living adjacent. This point extends to all residents, particularly those in fear of ongoing crime. Gates would reduce fly-tipping and asb, thereby reducing the risk of discarded hazardous waste in the vicinity, which could prove a risk to children and persons with impaired sight. Lanes tend not to have designated pedestrian routes, therefore alternative routes generally include pedestrian walkways, which have better lighting, natural surveillance, surfaces, etc and therefore are safer routes. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people of any age group (in particular those who may be

considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their age from within the Alley's concealed confines

- Prevent people from engaging in criminal activity or anti-social behaviour within or from within its concealed confines during night-time, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

What action(s) can you take to address the differential impact?

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating. No further actions to address the negative impact have been identified at this time.

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3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact** on disabled people?

	Yes	No	N/A
Hearing Impairment	√		
Physical Impairment	√		
Visual Impairment	√		
Learning Disability	√		
Long-Standing Illness or Health Condition	√		
Mental Health	√		
Substance Misuse	√		
Other			

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including age.

This has the potential to impact on any disability group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.

Negative: people with impaired mobility may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. Littering can be one issue associated with ASB (discarded bottles / cans etc) which in turn can make scooter / wheelchair access more difficult or make surfaces hazardous for persons with physical / visual impairments. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their impairment
- Prevent people from engaging in criminal activity or anti-social

behaviour (including substance misuse) within or from within its concealed confines, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

What action(s) can you take to address the differential impact?

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating. However, further measures have been introduced:

- Gates are fitted with slam-lock sprung latches and additional release plungers. Locks are positioned approx. 1m from ground level for accessibility. Key aid “handles” are also available on request for residents with dexterity issues. These measures aid operation and address dexterity issues as far as reasonably practicable.

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3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact** on transgender people?

	Yes	No	N/A
Transgender People	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including Transgender.

The placement of gates will prevent anyone who isn't a resident in one of the properties immediately adjacent to the lane from using it as a through route. This has the potential to impact on any group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.

Negative: Transgender people may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. As gating will prevent the lane from being used as a general thoroughfare, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their characteristic from within the Alley's concealed confines.
- Prevent people from engaging in criminal activity or anti-social behaviour (including substance misuse) within or from within its concealed confines, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

No further positive or negative impact specifically related to this group has been

identified

What action(s) can you take to address the differential impact?

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating.

No further actions to address the negative impact have been identified at this time.

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3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact** [on marriage and civil partnership?

	Yes	No	N/A
Marriage		√	
Civil Partnership	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including those married or in civil partnership.

The placement of gates will prevent anyone who isn't a resident in one of the properties immediately adjacent to the lane from using it as a through route . This has the potential to impact on any group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.

Negative: This group may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their characteristic from within the Alley's concealed confines.
- Prevent people from engaging in criminal activity or anti-social behaviour (including substance misuse) within or from within its concealed confines, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

No further positive or negative impact specifically related to this group has been

identified
What action(s) can you take to address the differential impact?
<i>Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....</i>
The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating. No further actions to address the negative impact have been identified at this time.

3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy	√		
Maternity	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
<i>The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.</i>
Area / Location Specific Objectives:- <i>Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....</i>
The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.
The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, and could include individuals who are pregnant and/or within the period of maternity.
The placement of gates will prevent anyone who isn't a resident in one of the properties immediately adjacent to the lane from using it as a through route. This has the potential to impact on any group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.
Negative: This group may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted

area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. Littering can be one issue associated with ASB (discarded bottles / cans etc) which in turn can make surfaces hazardous for individuals who are pregnant and/or within the period of maternity. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their characteristic from within the Alley's concealed confines.
- Prevent people from engaging in criminal activity or anti-social behaviour (including substance misuse) within or from within its concealed confines, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

No further positive or negative impact specifically related to this group has been identified

What action(s) can you take to address the differential impact?

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating.

However, further measures have been introduced:

- Gates are fitted with slam-lock sprung latches and additional release plungers. Locks are positioned approx. 1m from ground level for accessibility.
- Key aid "handles" are also available on request for residents with dexterity issues. These measures aid operation and address dexterity issues as far as reasonably practicable.

3.6 Race

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White	√		
Mixed / Multiple Ethnic Groups	√		
Asian / Asian British	√		
Black / African / Caribbean / Black British	√		
Other Ethnic Groups	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including Race.

The placement of gates will prevent anyone who isn't a resident in one of the properties immediately adjacent to the lane from using it as a through route. This has the potential to impact on any group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.

Negative: Local people may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their characteristic from within the Alley's concealed confines.
- Prevent people from engaging in criminal activity or anti-social behaviour (including substance misuse) within or from within its concealed confines, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

No further positive or negative impact specifically related to this group has been identified

What action(s) can you take to address the differential impact?

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating.

No further actions to address the negative impact have been identified at this time.

3.7 Religion, Belief or Non-Belief

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist	√		
Christian	√		
Hindu	√		
Humanist	√		
Jewish	√		
Muslim	√		
Sikh	√		
Other	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including Religion, Belief or Non-Belief.

The placement of gates will prevent anyone who isn't a resident in one of the properties immediately adjacent to the lane from using it as a through route. This has the potential to impact on any group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.

Negative: Local people may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their characteristic from within the Alley's concealed confines.
- Prevent people from engaging in criminal activity or anti-social behaviour (including substance misuse) within or from within its concealed confines, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

No further positive or negative impact specifically related to this group has been identified

What action(s) can you take to address the differential impact?

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating. No further actions to address the negative impact have been identified at this time.

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3.8 Sex

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men	√		
Women	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including Sex.

The placement of gates will prevent anyone who isn't a resident in one of the properties immediately adjacent to the lane from using it as a through route. This has the potential to impact on any group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.

Negative: Local people may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their characteristic from within the Alley's concealed confines.
- Prevent people from engaging in criminal activity or anti-social behaviour (including substance misuse) within or from within its concealed confines, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

No further positive or negative impact specifically related to this group has been

identified

What action(s) can you take to address the differential impact?

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating. No further actions to address the negative impact have been identified at this time.

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3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual	√		
Gay Men	√		
Gay Women/Lesbians	√		
Heterosexual/Straight	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including Sexual Orientation.

The placement of gates will prevent anyone who isn't a resident in one of the properties immediately adjacent to the lane from using it as a through route. This has the potential to impact on any group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.

Negative: Local people may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their characteristic from within the Alley's concealed confines.
- Prevent people from engaging in criminal activity or anti-social behaviour (including substance misuse) within or from within its concealed confines, to the benefit of those who live in properties immediately adjacent to

it and to the wider community as a whole

No further positive or negative impact specifically related to this group has been identified

What action(s) can you take to address the differential impact?

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating.

No further actions to address the negative impact have been identified at this time.

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3.10 Welsh Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact** on Welsh Language?

	Yes	No	N/A
Welsh Language	√		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The details/consequences of any potential differential impact, is provide provided below with supporting evidence and if any likely consequences.

Area / Location Specific Objectives:-

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The lane(s) is located in an established residential area where there are a mix of property styles, sizes and ages. These properties are in a mix of Council and private ownership, which are either owner occupied or tenanted. The lane provides a useful route for access to local facilities such as a local library and nearby schools.

The demographic profile of residents who make up the community in the vicinity of the lane is believed to be generally mixed across all characteristics, including Welsh Language

The placement of gates will prevent anyone who isn't a resident in one of the properties immediately adjacent to the lane from using it as a through route. This has the potential to impact on any group, who will have to use an alternative route between one lane entrance point and the other. This impact could be positive or negative.

In order to proceed with gating, extensive local consultation is held at various stages of the process.

Negative: Local people may rely on access to local facilities. Gates may impact on the ease with which access is currently enjoyed. Residents with access to the restricted area may find gate operation difficult.

Positive: the introduction of gates can help reduce issues such as crime and asb. As gating will prevent the lane from being used as a general thoroughfare during restricted times, the measure will:

- Prevent people (in particular any who may be considered more vulnerable) to being targeted as a victim of others who seek to do harm due to their characteristic from within the Alley's concealed confines.
- Prevent people from engaging in criminal activity or anti-social behaviour (including substance misuse) within or from within its concealed

confines, to the benefit of those who live in properties immediately adjacent to it and to the wider community as a whole

No further positive or negative impact specifically related to this group has been identified

What action(s) can you take to address the differential impact?

Provide in Depth and Specific Information e.g. Location. Service Users Data Against Demographic Statistics, Request based on, Crime Statistics illustrated, Etc.....

The choices available are to either proceed with gating or not proceed with gating. It has been demonstrated that although alternative routes can increase distances to be travelled, they can also be the safer option. It is our opinion that the positive impact of installing gates is significant enough to justify proceeding with gating.

All consultation documents, legal notices and gate signs are provided in both English and Welsh.

DRAFT

4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

Provide information regarding the engagement that you have conducted e.g. dates of site visits, dates of letters (anonymised), Councillors, Diverse Cymru Involvement Occupational Health involvement etc....

In line with the Gating Procedure, consultation has taken place with:

- Ward Councillors: *[any further impact identified?]*
- Residents who live in all properties immediately adjacent to the lanes were invited to comment: *[any further impact identified?]*
- The wider community: *[any further impact identified?]*
- Police / Police Crime Commissioner: *[any further impact identified?]*
- Various agreed stakeholders (including other relevant Council departments, local police, other emergency services and the Ramblers Association): *[any further impact identified?]*

Note: initiate lane-specific EqIA if any further impacts are identified

5. Summary of Actions

Groups	Actions
Age	
Disability	
Gender Reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	
Race	
Religion/Belief	
Sex	
Sexual Orientation	
Welsh Language	
Generic Over-Arching [applicable to all the above groups]	No further actions identified at this time. However, this may be reviewed should further consequences be identified by any interested parties

6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

(List And Explain Further Actions E.G. Additional Fencing, Alterations To Lighting, CCTV)

No further action at this time.

7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

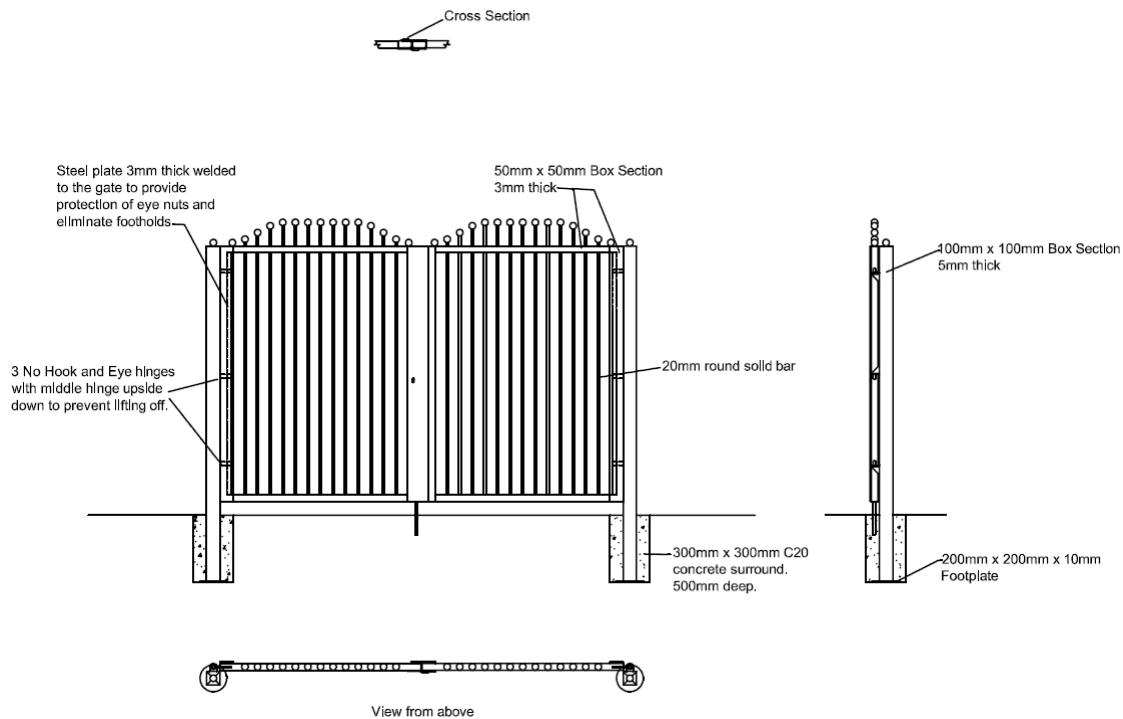
Process Start Date:	Date:
1 st Review:	Date:
2 nd Review:	Date:
Approval:	Date:
Completed By:	Date:
Designation:	
Approved By:	
Designation:	
Service Area:	

7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 3059 or email citizenfocus@cardiff.gov.uk

Appendix 1: gate specification

Specification – Alley gates



Gates:

to in general be no higher than 2m, max 2.2m to head of decorative rail-head balls. Powder coated finish. Overlap sections to include anti-jemmy plates with rubber strips to lesson noise. Lightweight drop bolt located in central post, concealed when gates closed. Hook and eye hinges to be located on internal face to prevent climbing. Sprung plunger incorporated in overlap to aid gate release when unlocked, to make opening of gates easier.

Locks:

Euro cylinder located approx. 1m above ground so accessible for most users Signet euro cylinder, suited lock, (preventing the copying of keys by unauthorised persons). Sprung loaded chamfered latch to ensure gates can be secured without the use of a key, to aid daily operation.

Other:

Responsive team available to carried out repairs as necessary