

**REGENERATION, COMMUNITY AND CULTURE  
OVERVIEW AND SCRUTINY COMMITTEE  
25 FEBRUARY 2009**

**PETITIONS**

Report from: Robin Cooper, Director of Regeneration, Community and Culture

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**Summary**

This report advises the committee of the petitions presented to the Mayor at Council meetings including a summary of officer's response to the petitioners.

**1. Budget and Policy Framework**

1.1 The constitution provides that petitions presented at Council meetings relating to matters within the remit of an Overview and Scrutiny Committee will be referred immediately to the relevant Director for consideration at officer level.

**2. Background**

2.1 Where the Director is able to fully meet the request of the petitioners a response is sent of the proposed action and timescales for implementation. The petition organiser may request to refer the matter to the relevant Overview and Scrutiny Committee if s/he is not satisfied with the answer and has given reasons for their dissatisfaction.

2.2 For petitions where the Director is unable to meet the request of petitioners or where there are a range of alternative responses the petition will be referred to the next relevant Overview and Scrutiny Committee for discussion.

**3. Petitions**

3.1 A summary of responses relevant to this Committee that have passed the ten day deadline for a request for referral to the Committee and are therefore seen as acceptable to the petitioners are set out below.

<b>Subject of petition</b>	<b>Council Date Presented by</b>	<b>Response</b>
Request for implementation of traffic calming measures in Haig Avenue to slow traffic down and make the road safer.	15 January 2009  Councillor Juby	The Road Safety team has checked the recorded injury accident data supplied by Kent Police. During a 3 year period from 1/10/05 – 30/09/08 there has been one slight personal injury accident reported. However, a traffic survey will be arranged so that intelligence-led enforcement can be undertaken if there is a speeding issue.

#### 4 Petitions referred to this committee

- 4.1 The following petition was referred to the Committee for consideration as petitioners were dis-satisfied with the response they received.

<b>Subject of petition</b>	<b>Council Date Presented by</b>	<b>Response</b>
Request an alleygate system on the alley between Rochester Street (bottom end), New Street and Ordnance Street in view of the trouble here, residents request this as soon as possible (because of drugs, prostitutes, etc.) Other alleys have been gated off and therefore the problems have worsened here.	18 September 2008  Councillor Godwin	<u>Initial letter:</u> officers would investigate the matter and contact the petitioners at a later date.  <u>Further e-mail:</u> the gating of these alleyways was revisited under the Clean Neighbourhood & Environment Act 2005 (Scheme 5028). This allows the Council to gate Public alleyways providing there is sufficient evidence of anti-social behaviour, arson, etc from our partners in the Police, Kent Fire & Rescue Service and the Council's Community Safety team. Unfortunately the level of reported incidents did not support this case and therefore this proposal will not go ahead.

## **5 Directors comments**

- 5.1 Through the Council's published alley-gating policy two separate ways were investigated to see whether the alleyways in question could be gated.
- 5.2 The first was to contact the properties having a direct access onto the alleyways, to ascertain if there was majority support for considering the stopping up of a public right of way. Out of 62 relevant houses, only 19 responded positively. This effectively meant that consideration was not required by the Highways Department to ascertain the current necessity and use of the route as a public right of way. However, had this stage been reached, anecdotally officers were advised that evidence would have been supplied showing that this was a well established right of way, enjoying regular use.
- 5.3 The scheme was then considered under new powers contained within the Clean Neighbourhoods and Environment Act 2005, which could allowed the temporary closure of the alleyway, provided that evidence was available to show that it contributed to a level of anti-social behaviour that was disproportionate to that found in the locality. Evidence was sought from Kent Police, Kent Fire and Rescue Service, the Health Service and Medway's Safer Communities Service to see if reported incidents of anti-social behaviour supported closure. Unfortunately this was not the case and a scheme could therefore not be forwarded under the powers of the act.
- 5.4 The cost of installation of this scheme would be approximately £5,125 but, as detailed above, there is no evidence that supports the installation of gates at this location.
- 5.5 Officers are however, happy to engage with the community either through the Partners and Communities Together (PACT) initiative or through other routes to see if other remedies are available to improve environmental or other conditions in the area.

## **6 Financial and Legal Implications**

- 6.1 Any financial and/or legal implications arising from the issues raised by the petitions are set out in the comments on the petitions.

## **7 Recommendation**

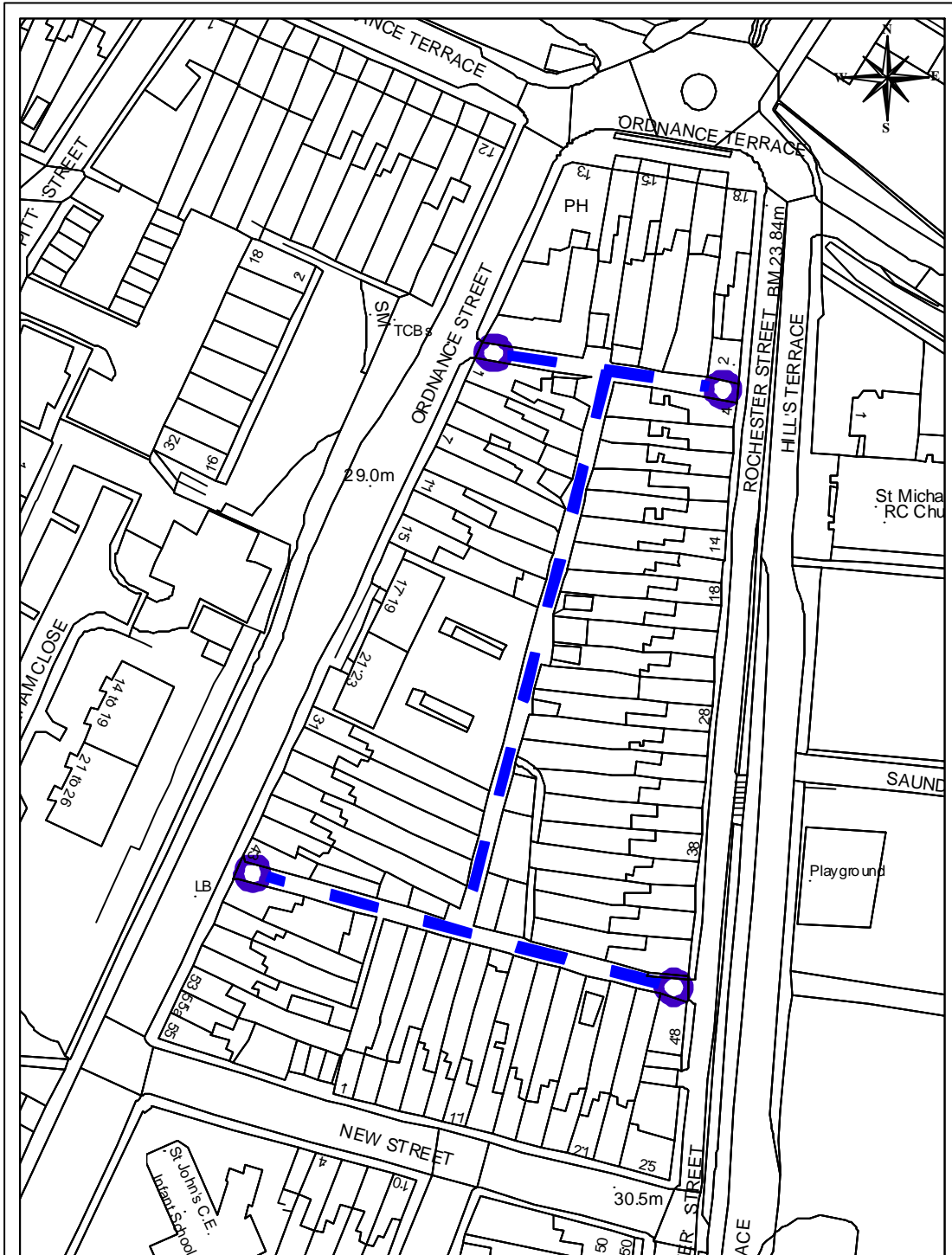
- 7.1 Members to note the response and appropriate officer action, where relevant and consider the petition request referred to the committee in paragraph 4.

### **Contact for further details:**

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**Medway Council, Kent Fire & Rescue Service  
and Medway Community Safety Partnership  
Scheme 5001 - To remove flytipping and gate alleyway**



Scale: 1:900 07/04/08

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