

Meeting:	Tenants' and Leaseholders' Consultative Forum
Date:	Thursday 6 January 2005
Subject:	Matters raised by Cottesmore Tenants and Residents Association
Responsible Officer:	Acting Head of Housing Services
Contact Officer:	Acting Tenant Services Manager
Portfolio Holder:	Planning, Development, Housing and Best Value Portfolio Holder
Key Decision:	No
Status:	Public

### **Section 1: Summary**

#### **Decision Required**

1.1 That the report be noted

#### **Reason for report**

1.2 This report provides a response to issues raised by the Cottesmore Tenants and Residents Association

## **Benefits**

1.3 Not applicable

## **Cost of Proposals**

1.4 Not Applicable

## **Risks**

1.5 Not Applicable

## **Implications if recommendations rejected**

1.6 None

## **Section 2: Report**

### **2.1 Brief History**

The issues in this report were raised by the Cottesmore Tenants and Residents Association in a written request submitted in November 2004.

### **Gating of footpaths**

The Metropolitan Police made recommendations in respect of the alleyways in a letter of 23 April 2004. The recommendation was that:

“ The alleyways need to be gated and tenants who have rights of access could be given keys. This will remove the natural escape routes and make it more difficult to evade capture”.

The footpaths are subject to public rights of way and all the residents of the estate (if not the public at large) are equally entitled to use the alleyways. It is possible to gate footpaths in these circumstances but certain criteria need to be

met, including clear evidence of anti social behaviour attributable to the footpaths. The District Manager wrote to the Metropolitan Police on 2 August 2004 requesting crime data so that we could consider the "level of the problem we are attempting to deal with". To date we have not received a response.

A fresh request has been made to the Police and the TRA are being kept informed of progress. If the criteria are met a consultation exercise will need to be carried out on the estate and all of the implications of gating fully considered. One potential difficulty that could arise is that if the alleyways are gated this may create a "no man's land" between the two gates which become a dumping ground for rubbish.

### **Tree Management**

Arrangements have previously been made to remove the conifers from the back garden of 43 Hanselin Close but there were access problems when the contractors attended. The work is being rescheduled.

It has been agreed with the TRA that the other work detailed in their submission will be undertaken as soon as possible, provided the trees are not subject to preservation orders, and that thereafter all future tree work will be in strict accordance with the Tree Management Plan for the estate.

### **Gulley Cleaning**

This work is carried out by Harrow Contract Services on an annual basis and was last undertaken in June 2004.

### **Double Glazing**

Steps are being taken to revise the planned maintenance programme in view of the levels of funding available following the decision not to proceed with the ALMO. At the present time the Cottessmore estate is included in the programme for window replacement 2006/7 but this may change as the priorities are being reviewed.

### **10 Algar Close- Adapations**

No application has been received from the tenants but the matter will now be referred to the Occupational Therapy team who undertake the initial assessments.

### **16 Chenduit Way - Fencing**

It was previously agreed that the fencing at both the side and front of the property would be repaired and this work has been completed. The height of the fence is

consistent with other fencing in the area and there are no plans to increase its height.

### **Fencing at the front of the estate**

The missing coping bricks have been replaced on the existing boundary wall. The proposed fencing will be considered for funding from the Minor Estate Improvement Budget for 2005/06 and quotations are being sought.

#### 2.2 Options considered

Not applicable

#### 2.3 Consultation

Not Applicable

#### 2.4 Financial Implications

None

#### 2.5 Legal Implications

2.5.1 The proposal to gate the footpath outlined in paragraph 2.1 would require a special public path extinguishment order or public path diversion order to be made by the Council under the Highways Act 1980. The order would be subject to confirmation by the Secretary of State in the event of objections.

2.5.2 An order can only be made where adjacent premises are affected by high levels of crime and the existence of the footpath is facilitating the persistent commission of offences.

2.5.3 Before confirming an order the Council or the Secretary of State is required to consider whether It is expedient having regard to:-

- (a) whether it is consistent with the crime reduction strategy
- (b) (where a public path extinguishment order is proposed) the availability of a reasonably convenient alternative route and if there is no reasonable alternative route whether it would be more practical to divert the footpath
- (c) the effect of the order on any land served by the existing footpath and (where a diversion order is proposed) the new footpath
- (d) whether any person has any rights to compensation in the event that the path is extinguished or diverted.

#### 2.6 Equalities Impact

None

### **Section 3: Supporting Information/ Background Documents**

Cottesmore Tree Management Plan 2003

**Ian C Brown**  
**Acting Head of Housing Services**