

Protocol for the assessment and delivery of Gating Orders

Consultation summary

The following departments/offices were contacted for their comments re the draft protocol:

- Sussex Police
- Crime Reduction Initiatives
- BHCC Antisocial Behaviour Team
- BHCC Community Safety Team
- BHCC Highway Operations
- BHCC Planning
- BHCC Legal
- BHCC Conservation

The following responses were received:

Sussex Police

I think the report is good and clarifies the issues well. My only comments are as follows;

1. 2.2 - what is an NSPT - I would refer to them as a Neighbourhood Policing Team or Neighbourhood Specialist Team
2. 2.4 - change assault to PPVC (public Place Violent Crime) and the two thefts to acquisitive crime such as burglary and theft.
3. "Crime number required" - may not get a crime number for every incident but a serial number will be given. This could also be used in evidence for an order and will be a better reflection of what is reported.
4. Do you need to list all the other crime types as this could cover anything and this list makes it a bit prescriptive?

Chief Inspector Laurence Taylor

The final draft protocol document has been amended to incorporate changes suggested by CI Taylor

BHCC Highway Operations

Thanks for this, and I think it's a good piece of work which lays out reasoning, priorities and timescales very well. My only comments are:

May be better to explain what LAT/JAG, and any other abbreviations actually are.

Can you include in your opening section a bit about why we start from the presumption that the highway should remain open and accessible (our duty, access rights, etc)? I know you mention this further down when talking about each individual assessment but it would help to include in the beginning so that councillors and others can see that there are good reasons why gating is not taken lightly and that we

usually have a duty to keep open rather than close up, except under the circumstances you list

Although it's a protocol rather than a policy, does it need to be Equality Impact Assessed?

The final draft protocol document has been amended to incorporate changes suggested by Highway Operations

BHCC Conservation

Following a telephone conversation, the following amendments were agreed and incorporated:

In stage 1 of request conservation should be contacted to give initial views on any particular heritage aspects and planning should be asked for any relevant planning history and in stage 2 - as a detailed scheme is prepared - planning should be approached for advice on consent/widths etc...

BHCC Legal Services

Following a telephone conversation, the following amendments were agreed and incorporated:

In the member report; include the comment that the power to grant Gating Orders is discretionary

In the protocol document:

- Highlight that the issuing authority can revoke or amend Orders at any time
- Refer to the annual review of Gating Orders and to the Public Register
- Refer in more detail to the methods for publication of a proposed Gating Order within the wider community
- Include information on objections to proposed Gating Orders