

APPENDIX ONE – ANONYMISED CONSULTATION FEEDBACK

The council received some extremely compelling feedback from people living and working in the immediate vicinity of the 3 alleys subject to the gating proposals. Compelling because these are the people whose quality of life is being heavily negatively impacted by the ongoing anti-social behaviour and criminality taking place in the alleys.

In terms of negative feedback, apart from that received from the ESCC Rights of Way Team, only one other objection was received and that related to the Valentine's Passage proposal.

VALENTINE'S PASSAGE

The objector referred to concerns about simply displacing the anti-social behaviour and criminality to other areas, and also a concern that rights of way should be available to everyone.

The following quotes are typical of the supportive feedback received:

"I have hundreds of photos and audio clips of incidents, which I have passed to the police and HBC over the last 12 years. I also have dozens of reference numbers for reports I've made to police and HBC alongside sending my photos and audio."

"The main issues within the alleyway are:

- Drug dealing. There are sometimes literal crowds of people in the alleyway waiting for a dealer to arrive.
- Drug taking and disposal of sharps in the alleyway.
- Urination and defecation in the alleyway by humans.
- Street drinking
- Arson (two major fire incidents in the alleyway in recent years)
- Fly tipping
- Dog fouling"

"There have also been violent incidents down there, including threats of shanking and shooting up."

"In recent years that was an occasion when a stolen scooter was abandoned down the alleyway, and subsequently set on fire. This resulted in damaged property, requiring the attendance of multiple emergency vehicles. There was also an instance where a mattress was dumped and set alight."

"The alleyway is a 4-foot wide little-used cut through. It is a thoroughly unpleasant and unsafe feeling space, and represents a shortcut of about 60 seconds for the few people that do choose to use it."

"In recent months used condoms and discarded condom wrappers have littered the alley alongside the usual used needles, broken bottles and human excrement. It is also the first stop that thieves make after shoplifting from the

local shops as often you can find discarded shopping baskets from the co-op there too.”

“I believe the gates will significantly reduce antisocial behaviour occurring in the Passage and in areas next to the footpath. This will improve the quality of life for the residents.”

“This has all taken a considerable toll on our mental health, confidence and well-being and leaves us with an almost constant sense of fear and dread. Whenever we hear people in the passageway we find ourselves stopping what we are doing to wait for the people to pass (or not, as is often the case). We are always alert to the slightest sounds, at all times of the day and night. It affects our sleep and our ability to make long term plans. We have put off undertaking building work on our house because we keep deciding that we can't stay here anymore. We are incredibly nervous if we leave the house empty, even for short periods of time. Whilst we both use the passageway to try to keep aware of what is going on there, using it, particularly at night or if people are there, can be a nerve-wracking experience, and I have personally been physically threatened several times when challenging people who were taking drugs or urinating there.”

“We have experienced antisocial behaviour in this passageway on a regular basis and it has caused us great alarm and distress on many occasions. A simple job like taking out the bins early in the morning can be met with an agitated drug addict pacing up and down waiting to meet someone at this spot. There have been many occasions when we have had to delay going in or out of the flat because people are sitting injecting themselves there. The passage is also frequented by men urinating near or onto our doorway.”

“We are sure that gating the passage will solve these problems and we will definitely feel more secure knowing that we can move freely in and out of our home.”

“Gating would indeed help alleviate the incessant antisocial behaviour in the alleyway making it a safer, cleaner and more pleasant environment to live and for the surrounding neighbourhood also, and fully support the proposals to gate Valentine's Passage.”

LASER LANE

The following quotes are typical of the feedback received.

From local businesses:

“The proposal is supported subject to the following comments:-
Gating the area to prevent antisocial behaviour is far preferable to the installation of bollards which was an earlier initiative which simply discriminated against law-abiding traders who have licensed wheelie bin removal and exchange arrangements for waste, and in no way would prevent illegal fly tipping. The costs of alternative means of waste disposal suggested were not only prohibitive but unworkable, particularly given the decimation of our businesses due to Covid restrictions. The Gating proposal is more sympathetic to Business needs.

The proposal states that the owners and occupiers of properties adjoining the gated footpath area are exempt from being prohibited from accessing the footpath, and from the plan this includes properties between 16 and 24, and this includes the hospitality businesses maintaining waste removal facilities within the area.

The design of the gates onto Kings Road would need to accommodate the regular exchange of Euro bins by our licensed contractors, and we would hope to further support and assist with the installation of a bin store at a suitable location within Laser Lane to help further improve the aesthetic of the area given the increasing presence of residential accommodation.”

From residents and landlords:

“We would be delighted if it was closed off to the public.”

“It would be a relief to me not to see any more rubbish dumped on my doorstep, and more importantly for a sense of security.”

“Thank you for your email and for inviting us to comment on the council's proposal in how to resolve the ongoing antisocial behaviour which includes persistent littering, fly-tipping, etc. As you are aware we are very much in support of the proposed actions in Laser Lane, Central St Leonards Public Right of Way (Hastings No.97).”

ALLEY FROM HAVELOCK ROAD TO PRIORY SQUARE

In this case due to the nature of the location, perhaps unsurprisingly, apart from the feedback from the Police, and Hastings business organisations, and the ESCC rights of way team, we received far less public feedback. However, we did receive public feedback including the following statements:

“The alleyway has always been a hot spot for abuse, just due to its geography, however in recent years this has greatly escalated. It has been a daily occurrence to have to clean up all manner of bodily fluids, drug paraphernalia, litter & general fly-tipped items.”

“The area becomes a haven for ne'er-do-wells throughout the day, evening and into the early hours of the morning.”

“One of my biggest worries is that someone is going to be seriously injured.”

“The activities that have taken place in the alleyway have caused a lot of sleepless, alarming nights for us.”

“Pedestrians will be able to use the access next to Saga and the new DWP building to access Havelock Road, this is wider & far better lit, it also presents a far nicer entrance to the town centre.”

FEEDBACK RELATING TO ALL 3 GATING PROPOSALS:-

From the ESCC Right of Way Service:

I am aware of the problems associated with Laser Lane and Valentine's Passage of course from our contact on issues. The problems connected to

Footpath 175 are less familiar to me, having only come our attention recently when gates were erected on the path.

By virtue of your close work with Sussex Police and the involvement of the other Teams delivering local services, your Council is clearly best placed to understand the problems associated with these paths.

I appreciate that it is extremely difficult to quantify the extent to which the paths themselves contribute to the anti-social behaviour and crime issues in the locality. The intention behind the proposals is understood in principle of course. However, ESCC has not seen first-hand evidence which shows how the paths themselves contribute to the problems and so we are substantially reliant on the Borough Council's assessment that the measures are justifiable in the interest of the local community.

On behalf of the County Council, as both the Highway Authority and Access Authority, I have to express my concerns about the use of the powers to gate public paths in the interest of addressing issues which have the potential to affect a large proportion of urban paths.

The extensive network of paths and passageways in Hastings is important in both a utility sense and as a character feature of the town. It is obviously vital that the intentions of these proposals are weighed against the loss of these historic routes to the public.

In this respect the impact of the proposals on residents in the locality needs to be considered in a broad sense and should be based on more than just the narrow assessment of how the closure of the paths will impact journeys from A to B.

The Borough Council needs to be satisfied that the factors affecting these paths are such that the proposals do not set an untenable precedent for dealing with similar problems elsewhere on the footpath network. The threshold for closing paths to the public clearly needs to be high to avoid a situation where the network risks being gradually and permanently eroded. That said, it is important to recognise that these measures are not permanent and cannot be seen as the extinguishment of the public rights. The status of the paths as highways would be unchanged by these proposals.

It is also important to recognise that the Borough Council will need to continue to provide the services it is currently obliged to provide, such as street cleaning. Problems such as litter and waste may not necessarily be improved, and the creation of enclosed gated alleyways could lead to its own problems. The County Council will also retain its responsibilities as the Highway Authority, and it could also inherit problems as a result of these proposals. Residents who retain access to the paths could inevitably view the gated alleyways as private access in time. This could generate issues of encroachment and to some extent this is bound to result in future resentment towards any possibility of the paths being reopened to the public. The need to review these measures after three years needs to be born in mind.

For all of these reasons, it would be our preference to see a less restrictive approach attempted. We would suggest, initially at least, that closure of the paths at night with access maintained during defined daytime hours should be attempted. In conjunction with Police patrols and measures to assist in dealing with daytime offending, such as restrictions to gatherings, it must be at least a reasonable possibility that a better result for the community could be achieved. Whereas the outright closure of these paths to the public seems

likely to create problems in itself and potentially sets a precedent which it will not be possible to follow in all such cases.

I would ask that the Borough Council considers these concerns in deciding whether to proceed with the proposals. If it is intended that the Order will be made as proposed, we would welcome assurances as to how issues with the potential neglect and privatisation of the gated paths will be mitigated.

Notwithstanding these concerns, I would make the following comments in respect to the proposed form of the Order:

1. The County Council should be explicitly cited as being exempt for the purposes of performing its responsibilities as Highway Authority.
2. The suggested alternative route for Footpath 175 is identified as the route from Priority Square to Havelock road via the throughway beneath Lacuna Place. This

route is not designated as either public highway or public open space. As such, we would suggest that it cannot serve as the reasonably available alternative, in accordance with section 64 (1) (c) of the Act.

From the local Sussex Police Neighbourhood Policing Inspector:

"I am the district inspector for the Borough of Hastings within Sussex Police. Part of my role includes the identification of crime trends, managing threat harm and risk, working with our partners to reduce the risk of crime and the fear of crime, engaging with members of the community and reducing both the risk of crime and the fear of crime. My team work hard every day to deal with the causes of crime within Hastings & Rother and to reassure members of the public from all walks of life that the risk of crime is low and that this should not prevent them going about their day to day life.

I have been asked to consult on behalf of Sussex Police to give our views on the gating of the below public rights of way:

Valentine's Passage, Central St Leonards, Public Right of Way (Hasting No.94).

Laser Lane, Central St Leonards Public Right of Way (Hastings No.97),
Havelock Road to Priory Square Public Right of Way (Hastings No.175)

We would support the request from Hastings Borough Council around gating these public rights of way. All of these passages are known to us within the Police and are hotspots for anti-social behaviour, crime and disorder. I believe the gating of these alleys would contribute to the reduction of crime in the area and would be greatly appreciated by the residents who live nearby."

From Love Hastings (the BID) and the Hastings & St Leonards Business Crime Reduction Partnership representing local businesses:

"I can confirm that we are 100% in favour of this gating project in Havelock Rd.

The BID has had to spend time and money clearing illegal graffiti from this passage and we are very aware that it represents an ASB hotspot in the

immediate vicinity of most of the town's estate agents... meaning prospective residents of Hastings are highly likely to observe either ASB in action or its aftermath in terms of urine, faeces, vomit, drug paraphernalia, graffiti tags, or general litter if they use this cut through from the main car park.

For people living and working nearby it is a constant cause for concern as well, as it acts as a magnet for violence and drug dealing.

Even were both passages between Priory Street and Havelock Road to be closed the inconvenience of a minute's extra walk is negligible.”