



Subject:	Alleygates Phase V
Date:	8 February 2025
Reporting Officers:	David Sales, Strategic Director of City and Neighbourhood Services Nora Largey, City Solicitor
Contact Officer:	Stephen Leonard, Operational Director, CNS Gavin Bell, Car Park Manager Conor Bayne, Solicitor, Legal Services

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.	
Insert number	
<ol style="list-style-type: none">1. Information relating to any individual2. Information likely to reveal the identity of an individual3. Information relating to the financial or business affairs of any particular person (including the council holding that information)4. Information in connection with any labour relations matter5. Information in relation to which a claim to legal professional privilege could be maintained6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction7. Information on any action in relation to the prevention, investigation or prosecution of crime	
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	This report provides an update on the Alleygate Phase V Programme.
2.0	Recommendation
2.1	Members are asked to note the contents of this report and approve the enacting of the legislation.
3.0	Main Report
3.1	Progress has been made with the commencement of the installation of Phase 5a. There had been logistical issues for the contractor in December as they attempted to get vehicles and plant to the locations due to parked cars and traffic.
3.2	The Notice of Intention for those streets meeting the threshold in Phase 5b was advertised on Friday 29 th of November for the period of 30 days, for representations and objections. Appendix 1
3.3	There were three representations made, two regarding the locations (Appendix 2, 3 & 4 attached) of the gates one asking for assistance in securing an additional entrance into the alleyway. These representations have been acknowledged and resolved.
3.4	There were two objections (Appendix 5 & 6 attached) received to the Phase 5b Notice of intention. One citing: Rights of way, consideration of alternatives for gates and the impact of alleygates on cyclists and the lack of cycling lane provision on street. This included a petition for cycling lanes to be implemented within the area. The second cited the location of gate to the side of the property and a perceived problem with the retrieval of bins following the installation of gates.
3.5	An Officer has emailed the objector in Walmer Street (no address or contact number supplied) to inform them that cycling lanes are not the remit of Belfast City Council, however we will write to the Department for Infrastructure and liaise with colleagues in the active travel unit, to highlight residents' concerns, regarding cycling within the Ormeau area. However, it is our belief that the gates will benefit the whole community at this location and assist in reducing ASB. It should be noted that the majority of those signing the petition lived outside the Walmer Street area. We have had no further correspondence from the objector.
3.6	A letter to the objector in Northwood Street was sent to update them that the location of the gate would be set back to a point within the alleyway beyond the low wall and out of the sight of the objector. It was also noted that we would work with our colleagues in Waste Management to overcome any issues regarding the retrieval of bins following their collections. Further correspondence was received from the objector and discussions are ongoing with them in an attempt to allay their concerns.
3.7	Legal Services have confirmed that the guidance for promoters of Alleygate schemes (Part 6A of the Roads (NI) Order 1993) has been followed correctly. The guidelines note "Genuine concerns of crime and ASB should generally outweigh opposition from those non-residents"; the "right of way will only be suspended rather than revoked under this legislation" and the road "facilitates crime or antisocial behaviour." No objections have been received from service providers or any owners of cables, wires, mains, pipes, or any other apparatus and therefore do not need to hold a local inquiry, under the DfI guidance. Members should note that these objectors still could Judicially Review the process should they remain unhappy.

3.8	Belfast City Council are not legally required to conduct a local inquiry (Appendix 7) as no objections have been received from service providers or any owners of cables, wires, mains, pipes, or any other apparatus in accordance with the legislation and associated guidance. Furthermore, as indicated in the guidance, as most of the objections received are from persons outside the affected streets, the prevalence of crime and ASB outweighs opposition from non-residents. To this extent Officers are proposing that the gating order be enacted.
3.9	<p><u>Financial & Resource Implications</u></p> <p>All associated costs are covered within existing budget estimates.</p>
3.10	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>No Good Relations or Equality issues.</p>
4.0	Appendices - Documents Attached
	<p>Appendix 1 – Draft Order and Notice Phase 5a - RESTRICTED</p> <p>Appendix 2 – Alleygating Local Enquiry Terms of Reference – RESTRICTED</p>