



Subject:	Notice of Intention - Traffic Regulation Order 2020
Date:	11 August 2020
Reporting Officer:	Ryan Black, Director of Neighbourhood Services
Contact Officer:	Alison Allen, Neighbourhood Services Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	Members will be aware that Council made £700,000 available from the Capital Programme to install alleygates across the city (Phase 4 Alleygates).
1.2	Phase 4 had been divided into 3 sub-phases to accommodate the different stages of Elected Member decision making across the city as well as a range of technical and legal issues, primarily associated with the replacement of community gates. Phase 4(a) was completed in March 2018, Phase 4(b) was completed in October 2018 4(c) was completed in October 2019.
1.3	At the end of this current phase, Council were approached by the Public Health Agency, Department for Communities and Department of Justice to assist them with restricting access to challenging areas through the provision of gates, for which they will fund. At that

<p>1.4</p> <p>1.5</p> <p>1.6</p> <p>1.7</p>	<p>late stage it was not possible to include them within phase 4(c) and it was explained to those agencies their requests would take further time. Following the necessary legal consultation process, legal services are content that these additional gates can be advertised. The Notice of Intention is included for Members consideration.</p> <p>Members will also be aware that the legislative authority for introducing gating Orders transferred to local Councils through the commencement of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 on 4th May 2011.</p> <p>The 2011 Act inserts new Part 6A (Articles 69A to 69E) into the 1993 Order. These new provisions allow action to be taken quickly, easily and with a degree of flexibility not previously available. District councils are now able to make, vary or revoke gating orders in respect of relevant roads (as defined in Article 69A(5) of the 1993 Order) affected by crime or ASB within their area, permitting a gate to be installed at each end of the road. The orders are an effective way of enabling councils to restrict public access to any relevant road by gating it (at certain times of the day if applicable), without removing its underlying road status.</p> <p>Councils however still require the approval of the Department for Infrastructure to:</p> <ul style="list-style-type: none"> a) make a gating order; or b) vary a gating order so as to further restrict any public right of way over the road to which the order relates. <p>The required statutory and community consultation has been undertaken and the purpose of this report is to seek formal approval from Committee to advertise the Notice of Intention to enact the Traffic Regulation Order 2020.</p>
<p>2.0</p>	<p>Recommendations</p>
<p>2.1</p>	<p>The Committee is asked to</p> <ul style="list-style-type: none"> • agree to proceed to advertisement of Belfast City Council Traffic Regulation Order 2020 Notice of Intention to be advertised as required by law.
<p>3.0</p>	<p>Main report</p>
<p>3.1</p>	<p>The pre-consultation exercise with affected residents and Statutory bodies / service suppliers has been carried out and no objections were received</p>
<p>3.2</p>	<p>Legal Services have recommended that alleygating can proceed at all locations, as Council can be satisfied the requirements of the Clean Neighbourhoods and Environments Act (2011) have been met in establishing that this area is affected by crime and anti-social behaviour.</p>

3.3	<p><u>Financial and Resource Implications</u></p> <p>All costs are being met by the Public Health Agency and Department of Justice as necessary. Additionally, those agencies have committed to making a one off revenue contribution to be held by Belfast City Council to cover expected levels of maintenance for these gates in the coming years.</p>
3.4	<p><u>Equality and Good Relations Implications and Rural Needs Assessment</u></p> <p>No implications have been identified, however, this is being monitored on an ongoing basis.</p>
4.0	<p>Appendices – Documents Attached</p>
	<p>Appendix 1 - Notice of Intention Traffic Regulation Order 2020</p>