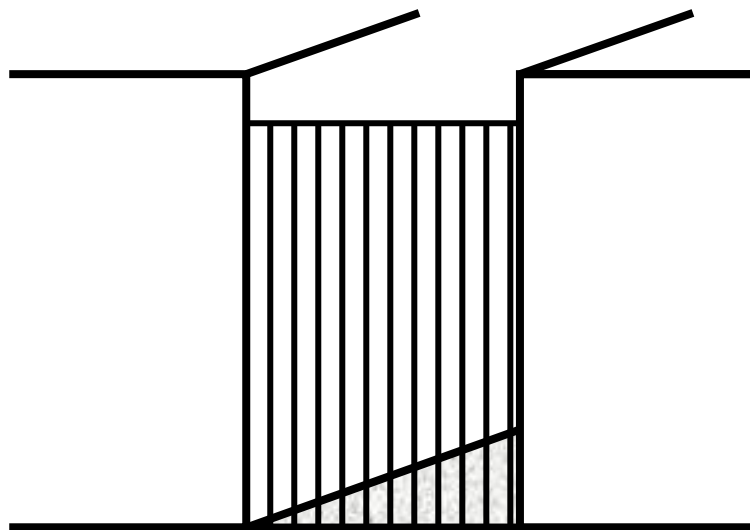


# PASSAGEWAY GATING

## A GUIDE TO GATING PRIVATE PASSAGEWAYS IN YOUR NEIGHBOURHOOD

**Reviewed 2015 (Contacts updated 2018)**



***THIS GUIDE IS AIMED AT PRIVATELY OWNED, PRIVATE ACCESS,  
PASSAGEWAYS IN STOCKPORT THAT ARE NOT PART OF A  
FOOTPATH, THROUGH ROUTE OR PUBLIC RIGHT OF WAY.***

## FOREWARD

Stockport Council is keen to improve the quality of life for all the residents of Stockport, and to work with the Greater Manchester Police to reduce crime within the Borough as part of the Safer Stockport Partnership.

'Passageway gating' is the process of gating off passages, sometimes referred to as alley gating. It is carried out so that only authorised people have access to the passageway, often for the purposes of crime reduction. It applies not only to passageways but also other pedestrian routes such as paths, entries, walks, backways, ginnels, snickets and alleys. Passageway gating, however, is not a simple matter.

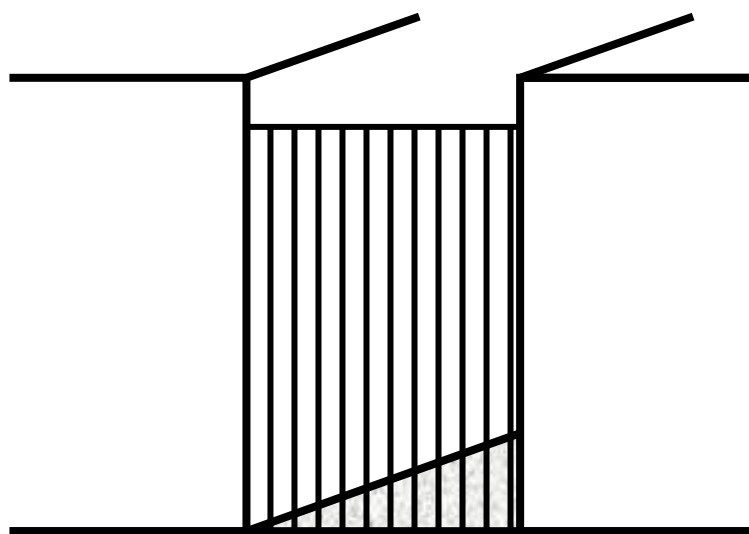
Most passageways are rights of way and so cannot be obstructed without legal orders. There are also other important issues to consider such as the actual physical fitting of the gate(s), consultation with other residents, and systems to control the keys and maintenance of the gate(s).

**THIS GUIDE IS ONLY AIMED AT THE GATING OF PRIVATELY OWNED PRIVATE ACCESS PASSAGeways THAT ARE NOT PART OF A FOOTPATH, THROUGH ROUTE, OR PUBLIC RIGHT OF WAY.**

Poorly designed or managed passageway gating schemes can result in access issues or the creation of new problems. This guide tries to help you avoid this by setting up an effective management system.

All passageway gating proposals should be referred initially to the **Public Rights of Way** Team at Stockport Council. This team will give provide a view on the legal status of your passageway and whether this guide can be applied.

In the case of adopted routes the Positive Path Management Policy applies. Details of this are available on the Council's website at [www.stockport.gov.uk](http://www.stockport.gov.uk).<sup>1</sup>



<sup>1</sup> Please Note: There is currently no funding allocated to the provision of Alley gates by the council.

## GUIDE SUMMARY

### INTRODUCTION

The guide begins with an introduction to the benefits, drawbacks and wider issues concerning passageway gating.

### WHAT TO DO NOW

The next section consists of a step by step guide to gating to help you through the processes involved in providing gates to a private access passageway that is not part of a through route.

#### **STEP 1: DETERMINING THE PASSAGEWAYS STATUS**

This step helps you to determine the status of the passageway that you are interested in. This will tell you if the guide applies to it or not, and if not what you can do next.

If the guide does apply to the passageway then you should carry on to the next step.



#### **STEP 2: GAINING PERMISSION**

This step deals with who should be consulted, and whom you will need to get permission from to gate. It also provides some ideas on how you could go about this process.

#### **STEP 3: MANAGEMENT OF THE SCHEME**

In order for the passageway to be gated off successfully the scheme needs to be managed. This section provides help and ideas regarding setting up a system to do this.

#### **STEP 4: PLANNING PERMISSION**

How to find out if the gate will require planning permission and how to go about obtaining this if it does.

#### **STEP 5: DESIGN OF THE SCHEME**

Advice and ideas on how to design the gating scheme.

#### **STEP 6: COSTS**

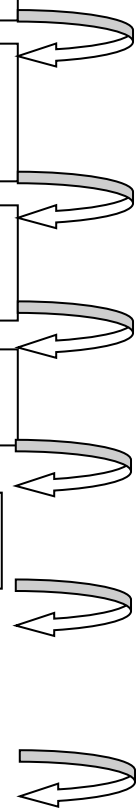
Advice on collating and agreeing the costs of the scheme.

#### **STEP 7: PERIODS OF DUE NOTICE**

'Due notice' must be given to all those that the scheme affects before it can go ahead. This step tells you how to deal with this.

#### **STEP 8: PAYMENTS**

This step gives advice on how payment should be made to those who are contracted to do the work, and on other payments that may be needed.



## **APPENDICES**

In this section there are lists of useful contacts and stakeholders, which should supply you with all the details that you will need to progress through the guide.

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## **INTRODUCTION**

Passageways were originally designed for access and servicing, for example to let coal delivery people, and recycling and refuse collection services get to the side and rear of properties.

However anti-social and criminal behaviour such as burglary, fly-tipping, drug-taking, vandalism, arson and graffiti can be a problem in some passageways.

One possible solution to these problems is the restriction of access to the passageway by closing it off with a gate(s). This is known as passageway gating, or sometimes alley gating. One of the major concerns regarding passageway gating is the closure of through routes that may be used for access, and the legal implications concerning public rights of way. Passageway gating, therefore, is simplest where the passageway is private and not part of a through route.

### **BENEFITS OF GATING PRIVATE PASSAGEWAYS, THAT ARE NOT PART OF A THROUGH ROUTE**

There may be many benefits to passageway gating schemes for residents of the area. These may include:

- Reduction in burglaries.
- Reduction in arson.
- Reduction in fear of crime.
- Prevention of 'fly-tipping' by people other than residents.
- Reduction in anti-social behaviour by none residents.
- Improvement in the desirability and value of properties.
- Building of community spirit.
- Improvement of the local environment.
- Helping to create a safer environment for children to play in.
- Encouraging people to move to the neighbourhood.

### **DRAWBACKS OF GATING PRIVATE PASSAGEWAYS, THAT ARE NOT PART OF A THROUGH ROUTE**

There may, however, also be some drawbacks and tensions created by these schemes. These may include:

- Legal implications concerning Private Rights of Way.
- Refuse build up that is not removed.
- Difficulties in organising recycling and refuse collection services.
- Gates becoming dangerous if not properly maintained.
- Legal implications concerning maintenance and liability.
- Gates being left open or deliberately damaged.
- Neighbours / children congregating in the closed off passageway.
- Keys getting lost or stolen.
- The appearance of the gates may not be aesthetically pleasing.
- There may be displacement of some crimes.
- Expense.

- Getting the gates installed can be time consuming, including gaining planning permission if required.
- Possible lack of interest once the gates have been installed.

Poorly designed or managed passageway gating schemes can lead to access issues or the creation of new problems in the area.

This guide is intended to provide advice on gating your passageway and setting up an effective management system to look after it.

## **WIDER ISSUES**

Passageway gating is just one of the many possible solutions available for people who are affected by antisocial or criminal behaviour linked to a passageway next to their property. When thinking about installing a passageway gate, you should decide what you want to achieve and if a passageway gate will in fact fulfil this. You should also look into alternative cheaper options that could be suitable. The physical layout of the passageway must be suitable for a gate to be fitted for a passageway gating scheme to be possible.

**Remember** when you are looking into passageway gating that there are legal implications and it can be expensive!

Other potential crime prevention measures should be considered as either an alternative, or to be used in combination with, passageway gating. For instance you could consider:

- Improved home security (for example improved fences, improved locks, burglar alarms, outside lights etc.).
- Neighbourhood Watch schemes (this requires local interest).
- 'Positive' footpath management (improvements to the path itself, such as lighting, cleaning, surface improvements etc. which may encourage increased legitimate use, and so discourage problem activities in the area).
- Stakeholder Partnership (this is a joint approach between the police and the local authority, for example an increased police presence in combination with positive path management).

Passageway gating is likely to be most effective when it is part of a wider scheme such as Neighbourhood Watch. This can also help build a sense of community.

## WHAT TO DO NOW

Getting a passageway gate installed can take a long time. It will need commitment to get to the stage where the gate is installed, and then its management must be continued.

Follow this step by step guide to help you through the process!

### STEP 1

#### DETERMINE THE PASSAGEWAYS STATUS

Passageways may be owned (or adopted) by the Local Authority, or privately owned by one or more people. If you are unsure who owns the passageway the **Land Registry** may be able to tell you, though a fee will be payable.

If the passage is recorded as a highway, then there is a legal process to be undertaken before the passageway can be gated and the outcome of the process cannot be guaranteed. However this does not mean that all unrecorded routes are not highways. The status of the passageway that you are interested in can be found out by contacting the **Public Rights of Way Team**.

The Council can advise on Public Rights of Way, but cannot advise on Private Rights of Way so legal advice should be sought on this matter (private rights may extend beyond the properties bordering the passageway).

**This guide refers ONLY to privately owned, private access, passageways in Stockport that are not part of a footpath, through route or public right of way.**

The **Public Rights of Way** Team will give you a view on the legal status of your passageway and whether this guide applies to it or not.

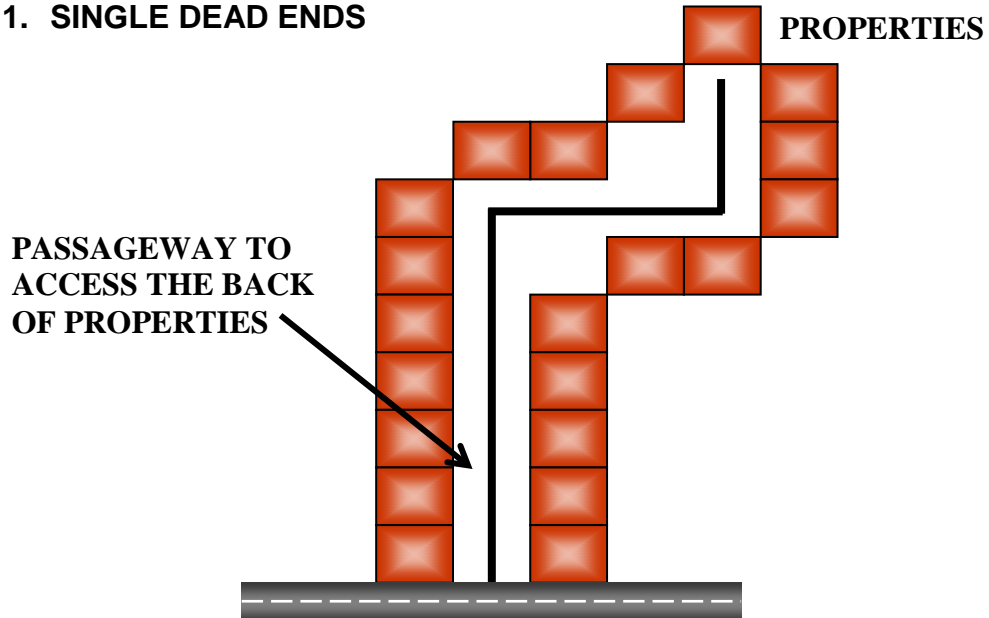
This guide is **NOT** aimed at through routes.



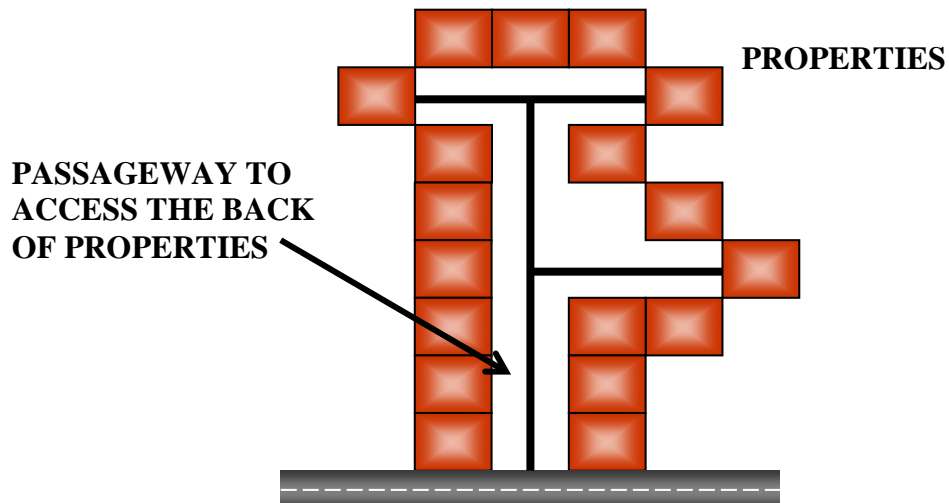
## EXAMPLES OF PASSAGEWAYS

Below are some illustrated examples of the sort of passageway that this guide is aimed at.

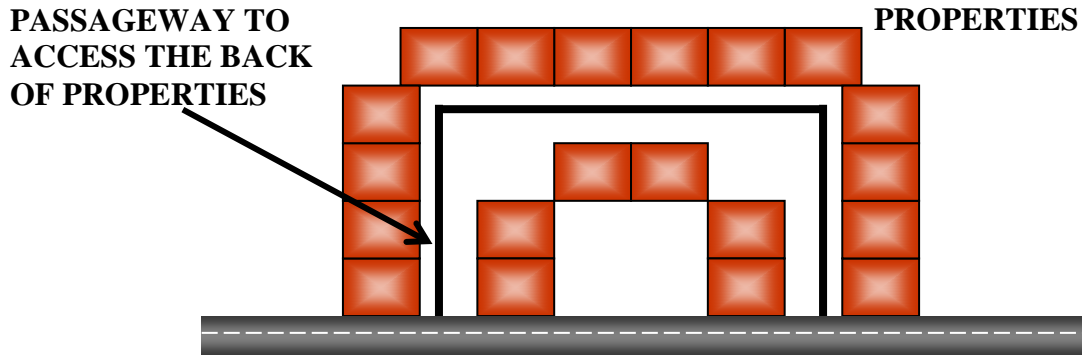
### 1. SINGLE DEAD ENDS



### 2. COMPLEX DEAD ENDS

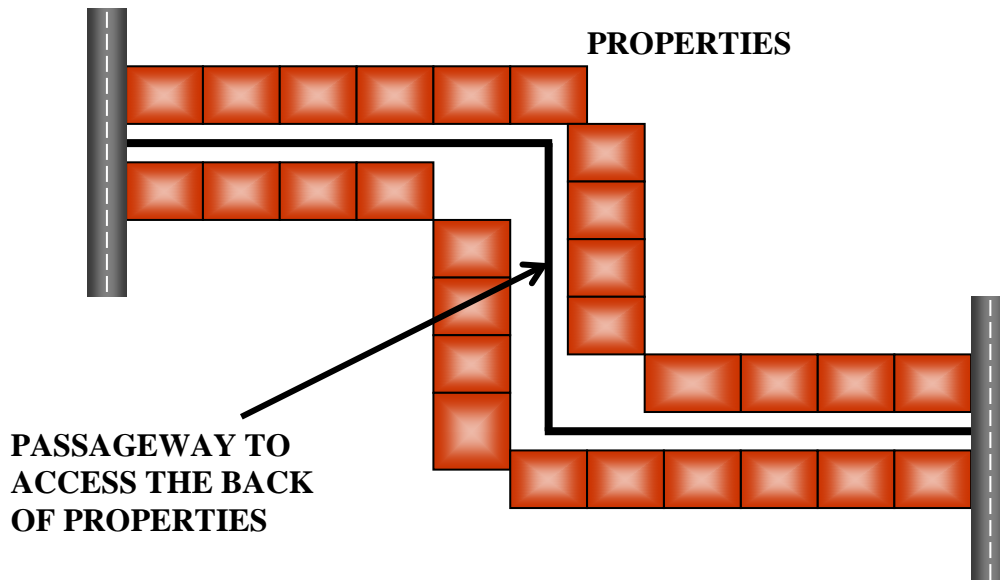


### 3. LOOPS



Passageways that this guide is **NOT** aimed at include those that link routes. An example of this is shown below.

### A THROUGH ROUTE



## STEP 2

### GAINING PERMISSIONS

For the scheme to be given permission you will require:

- Written permission from ALL of the residents who are affected by the scheme.
- Written permission from agents or landlords who own or manage residences affected by the scheme (who from here on will be included when 'residents' are referred to).
- The legal consent of the landowner (freeholder and long leaseholders). If residents have a right of access in their deeds, or jointly own the passageway, they must ALL agree before the scheme can go ahead.

A good place to start would be to write to all of the affected residents, and landlords, explaining the reasons for the scheme. Then invite them to a meeting to explain what the scheme would involve and allow them to ask any questions that they may have.

Often people may have concerns if they do not know enough about the scheme. It will then be possible to address these issues, such as the noise created by the gate(s), or how it will be fitted, at the meeting. For example people may be worried about having the gate(s) fixed to their property so an alternative may be to attach it to poles sunk in to the ground. The siting of the gate(s), organisation of recycling and refuse collection services, and emergency services access should all be discussed.

Representatives from each of the stakeholders on the list (Appendix 1) should be invited to the meeting. There may need to be more meetings, so that people feel that they have had a chance to raise all of their concerns. After the meeting write to the residents again, including a tear off slip in your letter so that it is easy for them to reply. Ask for their written consent for the scheme to go ahead, if they would be willing in principle to contribute to the costs, or if not to explain the reasons why not. Further consultation may be required if consent is not obtained from everyone. The names and addresses of residents who do or do not agree to the scheme must **NOT** be released.

Consents should agree to:

- The passageway gating scheme in principle.
- Making property deeds available and entering into an agreement with all other parties for the granting of private rights of access over each other's part of the passageway to be gated.

And ask if they would be willing in principle to:

- Contribute towards the initial costs of the scheme.
- Help set up, take part in, and contribute towards, a trust fund for the future maintenance of the gate(s).

The Council must be consulted about ALL passageway gating plans. All of the emergency services and statutory service providers will need to be able to access the passageway so they should ALL also be consulted. This includes the local electricity, gas and water providers, telecom companies, recycling and refuse collection services, services that require sewer access, and emergency services (police, fire and ambulance). You must get permission from the service providers, or their agents, for the scheme to go ahead. You will need to discuss specific requirements that they may have with them. This could include making sure that they have access to the gated area, ensuring that the gate(s) does not obstruct the main pathway when open, or a guarantee that no work will occur that would make access to pipes or cables etc., difficult. You should also get fire safety advice.

In the case where utility companies have cables, pipes, or other equipment in the area to be gated they may want it to be moved so that it can be accessed freely. Movement of equipment may be very expensive (potentially thousands of pounds). Alternatively they may agree to have a key to access the passageway, or they may not agree to the scheme at all. It is therefore essential to consult with the utility services at an early stage.

### **STEP 3**

#### **MANAGEMENT OF THE SCHEME**

##### **FORMING A COMMITTEE**

A residents' committee should be formed to manage the set-up of the gating scheme and also its upkeep. Roles within the committee may include:

- Co-ordinator / Chair – the contact point, meeting chair, and deciding vote.
- Secretary – has an organisational role, keeps the records.
- Treasurer – looks after the finances.
- Key Keeper – controls the key management system.
- Gate Keeper – arranges access for people such as recycling and refuse collection services and delivery people. Makes sure that emergency services have access, and the gates are locked when they should be.
- Ordinary members – have supporting roles.

All residents should be able to take part if they want to. One person may take on more than one role but the scheme should not depend only on a couple of people.

##### **WRITING A 'MISSION STATEMENT'**

The committee should write a 'Mission Statement'. This will include the aims and objectives of the scheme as well as how the scheme will be managed. It will include details about things such as: meetings, how interested parties will be kept up to date, the election, appointment, and removal of committee members, alterations to and termination of the committee, procedure for removal of the gates if at any time in the future it should become necessary, etc.

## **PLANNING MEETINGS**

Meetings should be held regularly to keep everyone interested up to date. The meeting agenda should be sent out in advance so that people know what the meeting will be discussing. You should send out any relevant information or documents well before the meeting so that people have a chance to consider them fully before the meeting.

## **RECORD KEEPING**

Minutes should be taken of all the meetings, along with records of any votes taken. The minutes will also record matters for the next meeting.

## **KEEPING RESIDENTS INFORMED**

It is important to keep all residents informed about what is going on. A newsletter would be a good idea as not everyone will be able to make it to the meetings. It can be short and simple, but must be informative. Fundraising events and meetings can be publicised in this way. At least once a year the committee posts should be advertised to and elected by all those involved in or affected by the scheme.

## **NEW RESIDENTS**

It is important to invite any new residents to be involved with the scheme, and explain the original purpose to them. They may be the ones who keep the scheme going in the future.

## **FINANCES**

You will be responsible for the finances of your scheme. You will need to set up a bank account for this. Basically you must keep records of where money has come from, the amount in the account, and what the money was spent on. Receipts should be given to people for the money that they contribute, and those given to you for money spent should also be kept. When you open the account you should get advice on whether insurance is required. Someone familiar with book keeping should check the accounts annually.

## **FUNDRAISING**

If you are having problems raising the funds to pay for your gate and passageway improvements you could think about writing to local businesses, charities or other relevant local interests in your area to find out if they would be interested in contributing towards the project.

## **STEP 4**

### **PLANNING PERMISSION**

You will need to contact the Planning Section, in Stockport Council, to find out if your gate(s) require planning permission. The details of the proposal will be taken as a pre-application enquiry and referred to the relevant Planning Case Officer. The Planning Case Officer will undertake an assessment, that may include consultation with others, and give you an opinion as to whether an application is required, and if so, if it is likely to succeed or require modification. If you are situated within a conservation area particular care will

need to be taken to ensure that the design of the gate(s) preserves or enhances the special character and appearance of the area.

The Planning Section should be contacted for advice once the site has been identified, and again once the draft scheme has been prepared.

**Once the scheme has been finalised a formal planning application may be submitted for the gating of the passageway (if required).**

## **STEP 5**

### **DESIGN OF THE SCHEME**

#### **GATE DESIGN**

Gate design is important, for example, it is important to consider the access requirements of people who may be using the passageway. The passageway may need to be accessible to pedestrians, vehicles and / or wheelchairs. Pedestrian gates, vehicle gates and inter-building gates are all possible variations that could be put in. The gate design depends on the aesthetics, size and shape of the passageway, and also how much money can be raised.

Specific gates must be used to fit the aims of the scheme. Design features must result in:

- Restriction of access to the passageway to all unauthorised people.
- Visibility down the passageway for natural surveillance (so people cannot hide behind it).
- Gate(s) that open inward.
- Gate(s) that are difficult to climb.
- Gate(s) that are low maintenance and easy to use.
- Gate(s) that have a long lifetime and are strong and hard to damage.
- An aesthetically pleasing area.
- An affordable scheme.
- Gate(s) with locking systems that are easy to open and pass through. Elderly people, people with disabilities, and children may need use the gate(s), now or in the future.
- Gate(s) that when open do not obstruct the main pathway.

It is also important to consider if the gate(s) need any other features specifically for the residents in your area, e.g. a 'cat flap' or doorbell? You could also consider installing a low energy lamp over the gate(s) for added security.

The location of the gate(s) is important. It should not be placed near any features that would help people to climb over it and/or may require additional associated fencing improvements. Advice could be available from the GMP Crime Reduction Specialist for your area.

## **GATE OWNERSHIP**

Once installed the gate(s), and its management, is the residents' responsibility. The owner(s) of the gate may be liable for any injuries caused by it (e.g. from trying to climb over it) so advice on public liability insurance should be obtained. If a person is injured in a gated passageway, the residents may be liable to pay for any damages claimed. You should get specialist advice on insurance options.

The issue of how to ensure all residents, including new residents, retain liability and responsibility for the maintenance of the scheme needs to be considered. One possible solution is the alteration of the deeds of the properties. Advice should be sought on this as it may have significant financial implications that need to be fully considered.

## **GATE MANAGEMENT**

As previously mentioned a management system for the gate must be put in place and maintained. This needs to include access arrangements, a key management system (see p11), committee arrangements, and finances etc.

## **KEYS**

There are many options not only for the type of gate that you install, but also the lock that secures it. Some of the options include 'slam to lock' automatic mortise deadlocks that click into place when closed, or gates that lock manually with a key (although this may compromise the security of the passageway, and allow the gate to bang in the wind), or padlocks (which may go missing). All parties who legitimately require a key must be given one whether they have contributed towards the scheme or not.

## **KEY MANAGEMENT**

It may be necessary to have a large number of keys for the gate. Emergency and essential services that require access to the passageway, such as the fire service and recycling and refuse collection services should hold master keys. If the recycling and refuse collection services need access to the passageway on a weekly basis it may be necessary for a resident to act as key holder, who can be available to open the gate on collection days. A system should be set up to control the distribution and ownership of the keys. At least one person should hold a spare key(s) to the gate. A masterkey would allow fast distribution, repair and replacement of keys. You should think about how keys will be passed on by landlords to their tenants, which may require a written form, and where houses are shared, for example by students, who will hold key(s) to the passageway. Applicants for keys should provide proof of their address and identity, and records of the keys distributed should be kept. You could again discuss this with the GMP Crime Reduction Specialist for your area.

## **STEP 6**

### **COSTS**

Residents should be contacted once the estimated costs for the scheme are known. Write to all of the residents who are willing to contribute towards the scheme with these details. Remember to include all the likely costs. These might include estimated costs for:

- Planning Consents.
- Solicitors Fees.
- Local Authority Fees.
- Land Registry Fees.
- Skip Hire / Refuse Clearance.
- Insurance.
- Maintenance Costs.
- Administration Costs.
- Amendments to Property Deeds to secure private access rights.
- Setting up of a maintenance trust.
- Moving of utility company equipment.
- Physical works on site.
- Any other costs that may be identified

The costs at this stage need to be agreed in writing amongst the residents who are willing to contribute towards the scheme.

## **STEP 7**

### **PERIODS OF DUE NOTICE**

'Due notice' must be given to all those affected by the scheme before the project can proceed – this means that each resident and homeowner should be contacted well in advance of the gate(s) being installed. This could be through a registered letter explaining the scheme and what is required of each person.

## **STEP 8**

### **PAYMENTS**

A number of contractors should be asked to provide quotes. A date that the gate(s) will be fitted should be agreed with the chosen contractor when all the residents have paid their agreed share of the costs to the committee co-ordinator. Everyone should be given a receipt for his or her contributions. The co-ordinator will then pay for the gate(s) once it has been fitted, and the key keeper will give out the keys to all those who require them. Residents should set up a maintenance fund of a few pounds per year to pay for the future costs of the gate(s), and be given receipts for their contributions.



## CONCLUSIONS

The information in this guide should help you to decide if your area would benefit from a passageway gating scheme. It also informs you how to find out if the passageway in question is likely to be given permission to be gated, and if so how to go about this process. Contacts to help you with the specifics of your scheme are listed on pages 14 and 15.

## APPENDIX 1

### STAKEHOLDER LIST

**1. Stockport Metropolitan Borough Council**

Interested officers of the council (such as Public Rights of Way, Housing, Network Management, and Appropriate Area Committee)

**2. Local User Groups** (These groups will be contacted through the Council's Public Rights of Way Team)

Stockport Walking and Equestrian Forum

Stockport Cycle Users Group

Disability Stockport Transport and Access Forum

**3. HEALTH**

**4. Emergency Services** (See contacts list)

Greater Manchester Fire and Rescue Service

Greater Manchester Ambulance Service

Greater Manchester Police

**5. Utilities** (please refer to your local service provider)

Water

Electricity

Gas

Communications (telephone & cable)

## **APPENDIX 2**

### **USEFUL CONTACTS**

#### **Land Registry**

Citizen Centre, PO Box 6350, Coventry, CV3 9LP

TEL: 0300 006 0411

WEBSITE: <https://www.gov.uk/search-property-information-land-registry>

#### **Greater Manchester Police**

Cheadle Heath Police Station, Spectrum Way, SK3 0SA

Open 8 a.m. – 11 p.m. Daily

TEL: 0161 856 9829 or 101

WEBSITE: <http://www.gmp.police.uk/> [Stockport contacts](#)

#### **Greater Manchester Fire and Rescue Service**

Headquarters, 146 Bolton Road, Swinton, Manchester  
M27 8US

WEBSITE: <http://www.manchesterfire.gov.uk/>

TEL: 0161 609 1627.

Email: [Tameside&stockport@manchesterfire.gov.uk](mailto:Tameside&stockport@manchesterfire.gov.uk)

#### **Greater Manchester Ambulance Service**

Ambulance Headquarters, Bury Old Road, Whitefield, Manchester, M45 6AQ

Tel: 0161 279 4800 Fax: 0161 796 0435

WEBSITE: <http://www.nwas.nhs.uk/>

#### **Public Rights of Way Team - Stockport Metropolitan Borough Council**

Tel: Stockport Direct 0161 217 6111

Email: [stockportdirect@stockport.gov.uk](mailto:stockportdirect@stockport.gov.uk)

#### **Housing Standards**

Tel: Stockport Direct 0161 217 6111

Email: [housing.standards@stockport.gov.uk](mailto:housing.standards@stockport.gov.uk).

#### **Network Management**

Tel: Stockport Direct 0161 217 6111

Email: [Transportation@stockport.gov.uk](mailto:Transportation@stockport.gov.uk)

#### **Public Realm**

Tel: Stockport Direct 0161 217 6111

Email: [stockportdirect@stockport.gov.uk](mailto:stockportdirect@stockport.gov.uk)

#### **Antisocial Behaviour Action Team**

Tel: Stockport Direct 0161 217 6111

Email: [antisocial.behaviour@stockport.gov.uk](mailto:antisocial.behaviour@stockport.gov.uk)

## REFERENCES

*The Alleygater's Guide to Gating Alleys*, <http://thecrimepreventionwebsite.com/> accessed 24/04/15.

Home Office Briefing Note 2/01, *Installing Alley-Gates: Practical Lessons From Burglary Prevention Projects*, July 2001.