

Response from Highways Team.

Please note below copies of all correspondence about the Public Right of Way. It is not possible to provide the original emails which contain individuals names/personal details, under GDPR.

1. Email to residents from Graeme Clark re closure request - Thu 13/08/2020 12:38

****EXTERNAL****

Dear resident, I have received a number of separate emails re (subject) and endeavoured to be clear in my initial holding responses.

To avoid any misinterpretation I have collated each email contact with in this correspondence using Bcc. and the following bullet points are a clear update as to where the situation currently stands.

- We have noted the matter and that it has been reported by residents to the Police, NTC officers, members, MP's and the Elected Mayor's Office.
- I have contacted the 3 ward Councillors (copied in) myself setting out the concerns and the legal process required to stop up the highway via a formal Order.
- I have also liaised with the Elected Mayor's Office and they are collating the necessary detail prior to a formal response.
- The Community Protection Team are also aware and will discuss further with Police colleagues.

In light of the above, may I request that any future residential correspondence comes from one point only and that their details are provided?

The Elected Mayors Office will respond in due course but in the mean time please bear with us while we fully investigate the matter and discuss further with all interested parties. Graeme.

Graeme Clark (MIPRoW)

Public Rights of Way, Definitive Map & Cycle Network Officer

Highways

Block C, Harvey Combe, Killingworth, NE12 6UB

[North Tyneside Council](#)

Tel: (0191) 643 6086

2. Further email to residents from Graeme Clark re:closure request - Thu 13/08/2020 12:38

Dear resident, I have received a number of separate emails re (subject) and endeavoured to be clear in my initial holding responses.

To avoid any misinterpretation I have collated each email contact with in this correspondence using Bcc. and the following bullet points are a clear update as to where the situation currently stands.

- We have noted the matter and that it has been reported by residents to the Police, NTC officers, members, MP's and the Elected Mayor's Office.

- I have contacted the 3 ward Councillors (copied in) myself setting out the concerns and the legal process required to stop up the highway via a formal Order.
- I have also liaised with the Elected Mayor's Office and they are collating the necessary detail prior to a formal response.
- The Community Protection Team are also aware and will discuss further with Police colleagues.

In light of the above, may I request that any future residential correspondence comes from one point only and that their details are provided?

The Elected Mayors Office will respond in due course but in the mean time please bear with us while we fully investigate the matter and discuss further with all interested parties. Graeme.

Graeme Clark (MIPRoW)

Public Rights of Way, Definitive Map & Cycle Network Officer

Highways

Block C, Harvey Combe, Killingworth, NE12 6UB

[North Tyneside Council](#)

Tel: (0191) 643 6086

3. Further email to residents from Graeme Clark re:closure request - Fri 14/08/2020 11:21

Dear residents, further to our most recent emailed correspondence and my latest request to you to narrow communication to one point of contact being largely dismissed, I have discussed the matter further (as promised) with my line manager Mr Andrew Mollon (who has also been party to all previous correspondence).

To clarify matters further from a Public Rights of Way perspective and my actions:

- I was first made aware of your concerns in relation to ASB in 2018 from colleagues in Community Protection Team to whom I supplied a detailed response.
- In 2019 I responded directly to a resident setting out our wider statutory duties and what is required in law to meet the criteria to delete a public path for all users (not just those who are unfortunately directly and negatively affected by the ASB)

The most recent correspondence has been over these last few weeks, following which I have:

- Contacted all 3 Ward Councillors for the area to ascertain the history of the path / the planning stages of the housing development, and their thoughts on a proposed formal closure.
- Discussed the matter with the Elected Mayor's Office – following I believe correspondence between residents and their MP – the Mayor's Office have arranged to discuss the matter with the Community Protection Team manager, who in turn is in contact with local Police.

My line manager (Mr Andrew Mollon) has instructed me to forward his contacts details (below) - all future correspondence (in relation to the highways aspect of this

matter) should be sent directly to Mr Mollon regarding any formal request to close / delete the Public Right of Way and he will respond accordingly.

Furthermore - Mr Mollon has clarified that if residents as a group wish to proceed with petitions supporting the path closure they are perfectly entitled to do so without requiring any 'permissions' or other from the Council.

Regards, Graeme.

PS – If I have omitted to include all of the residents from the emails I have collated please do forward this email to them.

Mr Mollon's contact details:

Andy Mollon, BEng (Hons) CEng FIHE
Associate for Asset Management

Capita Local Public Services

Block C | Harvey Combe | Killingworth | Newcastle | NE12 6UB

Office Land Line: 0191 643 4815

Email: Andrew.Mollon@capita.com

4. Email from Ritchie Mitchell (Community Protection Manager) to Cllrs. And Mayors office re: measures being put in place – Tue 25/08/2020 – 07:58

Hi all

Yesterday I met with Andrew on site to have a look at how we could solve the problems at Backworth Court.

As an agreed measure we are going to

- Apply for a temporary closure of the public path (up to 6 months) will happen by end of week
- Divert people to metro station via the main road
- Clear and cut back all overhanging trees and shrubs
- Clear all litter
- Look into whether meets long term closure legislation
- Look at possible CCTV options if the path is reopened including the possibility of a new connection pole
- All youths identified will be visited and legal action warning letters served on parents/guardians in joint Op Respect with Police

Thanks to Andrew and Graeme for their help yesterday and hopefully this brings some peace and quiet to those who live in the area

Richie

Richie Mitchell

Community and Public Space Protection Manager

Environment, Housing and Leisure

[North Tyneside Council](#)

Tel: (0191) 643 7710

5. Email thread from Graeme Clark to Councillors re: request to close path from resident – Thu 13/08/2020 11:29

****EXTERNAL****

Morning Cllrs – I tried all of your numbers first but was unable to make contact.

I have received a number of emails from residents of Backworth Court re the stopping up of a public path due to ASB. Some of them have suggested they have made you aware of same.

In my responses I feel I have been polite and clear – and have stressed the matter has been forwarded to my line manager for his consideration and that I will get back to them at the earliest opportunity.

The implication is that the public path is the reason for the ASB – I suspect it is more to do with the guilty parties but have not reiterated that in response. Moving a social problem to another street does not address the wider issue – which in essence is a Police Matter. Incidentally, this has not been reported to me by the Police and I do not know what they have said to the residents when on attendance to incidents.

There are many public rights of way in the immediate area - to, through and across estates where crime is very minor (although I do appreciate that any crime and its effects are personal to the individual victims, and I fully understand that).

From Station Road (point A) to Algernon Drive (point B) is approx. 332 metres using the adopted footways within the estate

If closed off – and the walked line between the same points as suggested by the residents – the distance is 591 metres – note: their suggestion is that users walk to the rear of N'land Park Retail park – there is no doubt the 'way' is walked regularly – but, this is the staff car park and where deliveries are made (heavy plant) – although walked this is private land and the layout was not intended for pedestrians (see notice in google screen dump) – there is a sign stating 'deliveries and staff only'



Therefore, if we were to proceed with a closure (subject to objection) we would need to demonstrate that the legal highway line between points A to B would in fact be along Earsdon Road via point C – approx. 730 metres. One of the measures when deleting a way is to make the alternative equally or more comdodius.

Also, to the north of point A there are public paths on the east side of Station Road with access to a park and many other newly resurfaced public paths under the bypass to Backworth and across the mineral line to new estates and Earsdon.

In light of the above (and example of correspondence below) – I would really appreciate an opportunity to discuss the matter more fully – with this in mind please do get back to me with possible meeting days/times at your earliest convenience. Graeme.

Graeme Clark (MIPRoW)

Public Rights of Way, Definitive Map & Cycle Network Officer

Highways



Block C, Harvey Combe, Killingworth, NE12 6UB

[North Tyneside Council](http://www.northtyneside.gov.uk)

Tel: (0191) 643 6086

Mobile: 07976962625

From:

Sent: 13 August 2020 09:17

To: Graeme Clark <Graeme.Clark@northtyneside.gov.uk>

Subject: Re: Backworth Court - Complaint

EXTRNL

Dear Mr Clark

I find your email doesnt even address any of the points I've raised in my correspondence to you. What does a Covid 19 response have to do with the violence and destruction we're experiencing in a nightly basis!

You say "you're not in a position to grant a petition, but if you wish to, please do so", that doesnt even make sense. Can you please clearly explain what you mean by that??

As a member of North Tyneside Council, similar to myself working for a government office, you're supposed to provide a service. However I find you extremely unhelpful, blinkered and heartless. The service I require clearly cannot be provided by you, therefore I would like this matter passed onto someone that can help our estate, starting with who are the 3 ward councillors and a clear description of what the next steps are in taking a legal process of closing this pathway.

I would also like to point out that there is an alternative route to the metro which I have attached on a map!

I will be copying you into the emails to my MP going forward so that you have a better understanding of this mess, which can easily be resolved by the council.

Yours sincerely

On Thu, 13 Aug 2020, 08:55 Graeme Clark, <Graeme.Clark@northtyneside.gov.uk> wrote:

Morning – I have collated the various emails from fellow neighbours and forwarded to my line manager – he is currently working on a long term Government directive related to covid 19 (amongst other projects) - we will discuss the matter at the earliest and report back.

I am not in a position to grant your 'right to petition' – if you wish to do so please do. May I recommend you contact (as a group) the 3 ward Councillors to garner their thoughts on same??

As set out previously – deleting a public right of way is extremely difficult. The first duty of a highway authority is to protect and preserve – if it were decided to proceed with an Order it would be subject to objection from statutory bodies and any other person from any other place.

Speak soon, Graeme.

PS please pass on my response to your neighbours.

Graeme Clark (MIPRoW)

Public Rights of Way, Definitive Map & Cycle Network Officer

Highways

Block C, Harvey Combe, Killingworth, NE12 6UB

[North Tyneside Council](#)

Tel: (0191) 643 6086

From:

Sent: 12 August 2020 19:52

To: Graeme Clark <Graeme.Clark@northtyneside.gov.uk>

Subject: Backworth Court - Complaint

EXTRNL

Dear Mr Clark

I'd be obliged if you could respond to my previous emails in relation to closing the wagonway path from Backworth court leading into shiremoor.

Our estate has been subjected to nightly anti social behaviour, violence, destruction, loud music and verbal abuse by youths passing through. The police have been called numerous occasions, paramedics due to violence towards a neighbour. Our MP Alan Campbells office is fully aware and contacted on a daily basis.

This pathway needs to be closed for the safety of our neighbourhood residents. I find it quite disturbing that the council value the protection of a wagonway more than actual people.

If you wont provide us with the right to petition to get this closed I would like our request to be escalated to a senior member of staff at the council.

Regards

6. Email from Resident to Graeme Clark – Thu 13/08/2020 13:45

From:

Sent: 13 August 2020 13:45

To: Graeme Clark <Graeme.Clark@northtyneside.gov.uk>

Subject: Backworth Court - wagon way / cut / pathway closure

EXTRNL

Dear Graeme

I understand you are aware of the nightly disturbances Backworth Court is experiencing at present (normally a quiet, peaceful street) due to the plethora of emails you have been receiving from perturbed neighbours.

I have read the correspondence between yourself and other residents regarding closing the pathway between our estate and the B1322. I am disappointed in your apparent nonchalant and dismissive attitude to the topic which is causing numerous residents stress and anxiety which has led to two properties being put up for sale.

You have stated that correspondence you have received has been forwarded to your line manager who is working on a directive related to Covid 19 amongst other projects and that you will discuss the matter at the earliest and report back. Can you please share with us who the line manager is because even though I appreciate that we are in a pandemic this response gives the impression that the streets concerns about the antisocial behaviour and criminal damage are being put to the bottom of the pile and the lack of empathy gives the impression there is a lack of urgency on your part, this is not a satisfactory response. Might I add, without meaning to sound harsh, your workload is not mine or any of the streets concern. Can we please have a time frame as to when we will receive an invested response that acknowledges everyone's concerns.

You mention you cannot grant a right to petition and for us to contact the 3 ward councillors to garner their thoughts. Why have you not provided the information of who the councillors are along with a method of contact or asked them to contact us directly? I would kindly ask you to contact them on the group's behalf and send me a copy of the information you send.

When diverting or closing a public right of way any alternative route / path should be just as convenient as the existing path - you have been provided an alternative path which is just as convenient in map form on numerous occasions which has not yet been addressed. Can you please explain in detail the benefits to the public keeping this open especially with the unsafe state of the footpath at present which is over grown, glassed covered with dangerous inadequate lighting come evening time.

What are the next steps you or your line manager advise we take? Whether you agree or disagree with us or not is none of our concern, our concern is having a safe environment for the community which benefits the whole area.

Regards

7. Email response to Members Enquiry – Tue 18/08/2020 14:36

Dear Cllr, as you are aware I have copied all three ward Councillors into recent correspondence on this matter suggesting we meet to discuss in more detail. I would appreciate it if you could liaise with your colleagues and report back on a time that suits all.

My line manager (Andy Mollon) is fronting matters from a highways perspective – colleagues in the community protection team are also aware of this matter and are liaising with Police to establish the background on the ASB.

Once all of the factors are established and the appropriate meetings have been held we will be better placed to offer further advice. Graeme.

Subject Matter

We are getting emails from Backworth Court regarding anti social behaviour in the area. There appears to be

around 40+ youths causing problems, fights, attacking residents, smashing up cars and a whole load of other problems.

Action Required

Please can we respond I have also emailed Whitley Bay Police

8. Email thread between resident and Graeme Clarke Fri 14/08/2020 12:03

Hi Graeme / Andy

Thank you for your email which acknowledges this was raised with you 2 years ago. So its accepted and we can agree this is not a new issue.

You did indeed say what the wider legal technicalities were around closing the path and strongly expressed the opinion of 'don't even bother trying because you will fail'. You did not explain how we launch the legal process and have still not answered this question.

On behalf of the residents of Backworth Court, I am formerly requesting that you put a public spaces protection order in place to close off entry to the path under ASB Crime and Policing Act 2014 section 2.5. With the view to making this permanent.

Please keep me informed of progress.

Thank you

On Fri, 14 Aug 2020, 11:20 Graeme Clark, <Graeme.Clark@northtyneside.gov.uk> wrote:

Dear residents, further to our most recent emailed correspondence and my latest request to you to narrow communication to one point of contact being largely dismissed, I have discussed the matter further (as promised) with my line manager Mr Andrew Mollon (who has also been party to all previous correspondence).

To clarify matters further from a Public Rights of Way perspective and my actions:

- I was first made aware of your concerns in relation to ASB in 2018 from colleagues in Community Protection Team to whom I supplied a detailed response.
- In 2019 I responded directly to a resident setting out our wider statutory duties and what is required in law to meet the criteria to delete a public path for all users (not just those who are unfortunately directly and negatively affected by the ASB)

The most recent correspondence has been over these last few weeks, following which I have:

- Contacted all 3 Ward Councillors for the area to ascertain the history of the path / the planning stages of the housing development, and their thoughts on a proposed formal closure.

- Discussed the matter with the Elected Mayor's Office – following I believe correspondence between residents and their MP – the Mayor's Office have arranged to discuss the matter with the Community Protection Team manager, who in turn is in contact with local Police.

My line manager (Mr Andrew Mollon) has instructed me to forward his contacts details (below) - all future correspondence (in relation to the highways aspect of this matter) should be sent directly to Mr Mollon regarding any formal request to close / delete the Public Right of Way and he will respond accordingly.

Furthermore - Mr Mollon has clarified that if residents as a group wish to proceed with petitions supporting the path closure they are perfectly entitled to do so without requiring any 'permissions' or other from the Council.

Regards, Graeme.

PS – If I have omitted to include all of the residents from the emails I have collated please do forward this email to them.

Mr Mollon's contact details:

Andy Mollon, BEng (Hons) CEng FIHE
Associate for Asset Management

Capita Local Public Services

Block C | Harvey Combe | Killingworth | Newcastle | NE12 6UB

Office Land Line: 0191 643 4815

Email: Andrew.Mollon@capita.com

9. Email from resident to Andrew Mollon in response to the above Mon 17/08/2020 19:40

Hi Andrew

Can you provide me a timescale and detail of the steps involved for my request to have the path closed using a public spaces protection order please, so I do not send you reminders unnecessarily.

Could you also provide me a copy of the email Graeme sent to the councillors as requested in my previous email.

We've had several more evenings of consistent ASB. All reported to the police. Even when this bout is over, we will keep pressing to have the cut closed because ASB continues on a consistent basis throughout the year.

In the past year as a result of that cut there have been instances of the following ASB.

1. Youths jumping on cars.
2. Arrests on the cut with people using it to hide.
3. Drunks walking through shouting late night/early morning.
4. Stoned person walking through, stick in hand pretending he's a wizard. I kid you not. Scary for the many under 5s on the estate.
5. Windows smashed.
6. Car doors being tried and stolen from if open.... multiple times. Day and night.
7. Fights.
8. Attacking neighbours
10. Stones thrown at cars.
11. Stones thrown at garages.
12. Wheelie bins stolen, taken to the cut and emptied on the cut.... the rubbish is still there, and has been since the beginning of the year.
13. Other rubbish dumped in the cut.
14. Glass bottles smashed late night on the path.
15. Dodgy "meetings" late at night/early hours held on the path.
16. Motorbikes using the cut.

Many of these instances have gone unreported because we've all been of the opinion 'what's the point in reporting it', but now that we have the WhatsApp group, we will report everything and keep pressing for a permanent solution. We just want to be a peaceful neighbourhood that feels safe. We do not wish to waste anyones time, but for us the conclusion is clear.... close the cut.

I hope to hear an update from you very soon.

Thank you

10. Further email from resident to Andrew Mollon in response to the above Thu 20/08/2020 22:35

More ASB tonight, 20 plus youths drunk using the cut through the estate drunk. Trying to get into neighbours vehicles, throwing gravel, and I got a laser light on my eyes. Police called 999 this time.

I'm writing this now and I am so so angry with you for your blatant ignorance of my emails. You have until close of play Fri 21st to answer me about the actions you are taken or i will be emailing Norma Redfern and the MP Alan Campbell and highlighting your lack of communication and action.

Hope you've had a pleasant evening because we certainly haven't.

11. Email from Andrew Mollon to Resident in response to the above Fri 21/08/2020 08:47

Dear _____,

Firstly, I can only apologise for not getting back to you sooner, but I have not been able to provide any response to you until I have been able to speak to colleagues from various departments within North Tyneside Council.

From what you and your neighbours have been describing to me about the anti-social behaviour around your homes, I cannot imagine how you are feeling or how it is having an impact on your lives. From correspondence that my colleague Graeme Clark has provided you previously, he has attempted to convey to you all the complexities of implementing your requests to close the Public Right of Way and providing an alternative. It is a very difficult process to implement which is further complicated if we were to receive any objections to a proposal for closure.

It is my view at this moment in time that the Public Right of Way is not the overriding issue here, it is the people who are causing the anti-social behaviour who need to be addressed. So with that being said, there is a meeting being held next week between myself, the Council's Community Protection team and Northumbria Police to ascertain what can be done to eradicate these concerns that you and your neighbours have with regards to anti-social behaviour on this public right of way.

Until we have had this meeting, I cannot provide any advice or guidance as I am only responsible for the public right of way and have no other powers or knowledge into how to deal with the overriding issue. Ultimately, if closing the right of way is the only outcome, then we will look into this option, but I have no confidence that this will happen as Graeme Clark has explained due to the legal rules and procedures associated with this process.

I would like to state that it is not a case of myself and my colleagues having a lack of empathy towards your issues, we are only trying to explain what the probable outcomes will be by going down certain routes. I am not ruling anything out at this time until we have our meeting next week. I would just state that if there is continuing ASB issues then you are correct in continuing to contact Northumbria Police to deal with the ASB issues.

Regards

Andrew Mollon

12. Email trail about fencing to be re-secured Thu 27/08/2020 09:09

Many thanks Rtichie for your swift response.

Kind regards

Liz Livesley

Office Manager to

Alan Campbell MP

Tynemouth

99 Howard Street

North Shields

NE30 1NA

Tel 0191 257 1927

From: Richard Mitchell <Richard.Mitchell@northtyneside.gov.uk>

Sent: 27 August 2020 09:05

To: LIVESLEY, Liz; Marie Marshall; andrew.mollon@capita.com; Carole Burdis (Cllr); Nicola Seymour 7020

Subject: RE: Backworth Court - site visit

Hi

We are going out this morning to secure

Richie

Richie Mitchell

Community and Public Space Protection Manager

Environment, Housing and Leisure

[North Tyneside Council](http://www.northtyneside.gov.uk)

Tel: (0191) 643 7710

Mobile: 07973763630



www.northtyneside.gov.uk

From: LIVESLEY, Liz <LIVESLEYL@parliament.uk>

Sent: 27 August 2020 08:30

To: Marie Marshall; Richard Mitchell; andrew.mollon@capita.com; Carole Burdis (Cllr); Nicola Seymour 7020

Subject: Fw: Backworth Court - site visit

EXTRNL

Please see email we received from

yesterday afternoon.

Kind regards

Liz Livesley
Office Manager to
Alan Campbell MP
Tynemouth
99 Howard Street
North Shields
NE30 1NA
Tel 0191 257 1927

From:

Sent: 26 August 2020 14:05

To: LIVESLEY, Liz <LIVESLEYL@parliament.uk>

Subject: Re: Backworth Court - site visit

Good afternoon,

Thank you for your email, the response has been amazing, the plan sounds good too.

But sadly the metal fence which was not secured properly has been opened up by a lady and people are back to walking through the gap.

Who should we contact to get this looked at within the council? Sadly these temporary fences will just get moved, pushed over again and again if not secured properly.

Any assistance to direct me to the right department would be lovely.

Thanks,

***13. Separate email trail with resident/MPs Office/Andrew Mollon/Graeme Clark – Mon
24/08/2020 10:25***

Morning Liz – apologies for delayed response.

In 2018 I received an email from Richie's team regarding ASB in the area – I supplied a response outlining our duties as a Highway Authority (HA) and the legal test required for a legal closure of the associated public path.

In 2019 I received a direct email from a resident and responded as above but did not hear back.

This year the residents have opted to submit complaints individually - again, I have attempted to be clear from a legal perspective and also informed them I will touch base with Richie (copied in), Mayors Office and Local ward Cllrs to discuss in more detail and to arrange on site meeting.

My line manager Andy Mollon (copied in) has now taken a lead on this matter and meeting with Richie on site this morning.

As a background:

- The first duty of a HA in relation to public rights of way is to assert and protect the rights of the public to the use and enjoyment of them.
- An extinguishment order can be made only if the authority considers it expedient that the way should be stopped-up because it is not needed for public use or is unnecessary. Authorities must disregard temporary circumstances, including any buildings or other structures preventing or diminishing the use of the way. (HA 80, section 118(1))

If we are satisfied it is not required for public use (this includes the public at large and not just the local residents) we can move to a formal Order.

Now, this is where we will no doubt face objections – we are obliged to consult with statutory bodies as part of the Order process – these groups are fully aware of the bullet points set out above. They will object in my view.

This would mean we cannot confirm the Order – at this stage it would move to SoS for DEFRA – a planning inspector (or other) would be appointed and make a decision based on the facts and set against the bullet points.

There is also however a ‘special extinguishment’ order – section 118B

‘A right of way may be extinguished (section 118B) or diverted (section 119B) for reasons of school security {for the purpose of protecting pupils and

staff from violence; threat of violence; harassment; alarm or distress arising from unlawful activity; any other risk to their health and safety arising from such activity}, or, if it falls within a designated high crime area, for reasons of crime prevention.’

I do not know at this stage if the immediate area would apply – Andy and I will liaise with Richie and legal and get back to you in due course. Graeme.

Graeme Clark (MIPRoW)

Public Rights of Way, Definitive Map & Cycle Network Officer

Highways



Block C, Harvey Combe, Killingworth, NE12 6UB

[North Tyneside Council](#)

Tel: (0191) 643 6086

Mobile: 07976962625

From: LIVESLEY, Liz <LIVESLEYL@parliament.uk>

Sent: 24 August 2020 09:04

To: Graeme Clark <Graeme.Clark@northtyneside.gov.uk>; andrew.mollon@capita.com

Subject: Re: Backworth Court ASB

EXTRNL

Graeme

I cannot locate a response to my email to you of 13th August - can you advise when we may be receiving one?

regards

Liz Livesley

Office Manager to

Alan Campbell

Tynemouth

99 Howard Street

North Shields

NE30 1NA

Tel 0191 257 1927

From: LIVESLEY, Liz <LIVESLEYL@parliament.uk>

Sent: 13 August 2020 12:53

To: graeme.clark@northtyneside.gov.uk <graeme.clark@northtyneside.gov.uk>

Subject: Fw: Backworth Court ASB

Graeme

As you may have noted I was copied into the email to you this morning regarding the ASB Backworth Court have been subjected to. I thought I should identify that Alan is now taking an interest in the case but up until now only the ASB aspect of it. I have also advised Ritchie Mitchell of our interest and hope to receive a response from him shortly. In the meantime are you able to give me a quick briefing on what's been happening with the request to close the outlet onto the waggon way and how long the request has been going on so we have the full facts?

Kind regards

Liz Livesley

Office Manager to

Alan Campbell

Tynemouth
99 Howard Street
North Shields
NE30 1NA
Tel 0191 257 1927

From:

Sent: 13 August 2020 09:36

To: graeme.clark@northtyneside.gov.uk <graeme.clark@northtyneside.gov.uk>

Cc: LIVESLEY, Liz <LIVESLEYL@parliament.uk>

Subject: Backworth Court ASB

Dear Graeme

I know you are aware of this topic and the drive and commitment the neighbours have to close the path between our estate and the B1322. Residents so far have received dismissive replies from you.

I wont repeat the detail here. I want to challenge you on the your legal position.

The law says

"Public rights of way can only be moved or closed for one of the following reasons:

- it's necessary to allow development (if planning permission has been granted)
- the diversion benefits the landowner/occupier
- the diversion benefits the public
- the path is not used by the public (closure only) - these circumstances are rare and very difficult to achieve

When diverting or closing a public right of way, any alternative or new route/path should be just as convenient for the public as the existing path."

Our claim benefits the public, point 3. It saves wasting money on

1. Council time dealing with our requests. And they will keep coming believe me.

2. Police time from dealing with ASB. There have been more than 12 reports this week.

3. NHS costs from dealing with neighbours that have been attacked.

4. MP costs from handling our daily reports.

5. Council costs of maintaining the path. Although, it hasn't been tidied since the beginning of the year. See pictures attached.

On the last para in the quote above there is already alternative route available that is of equal distance. See attached map.

So please explain to me, given that this path is not on the definitive map, why it should remain open? Can you quantify the benefits to the public of keeping the path open vs the costs incurred as mentioned above? And what are the next legal steps to get it closed, whether you agree with it on a personal basis or not?

Thank you

14. Separate email trail regarding issues with temporary fence– Sat 29/08/2020 17:01

Re: Response to ASB

To: Carole Burdis (Cllr)

Cc: Richard Mitchell, Andrew Mollon, Tommy Mulvenna (Cllr), Brian Burdis (Cllr)

Good afternoon,

In Backworth Court we have been moving the fence back once moved, repeatedly, but down the bus stop end, the fence which we can't keep an eye on has been chucked wide open. That fence is placed too far down in the first place, as there are at least 6 gaps any one can use to enter the cut, it would be better located at the solid fence behind the shop, where it could be fixed to something both sides. Or keep the one at the end and add a secondary inner fence.

As Carole rightly points out, until the fences are located and secured in better locations, its a pointless task. We know this is temporary, but all its doing is creating more ASB by the kind of people that have been causing the ASB in the first place. Most people just go round, but its that small minority that these are meant to be stopping in the short term. Also some signage by the bridge and on the fences would help redirect people in the short term.

I have attached the current state of the fence at the bottom of the path.

Many thanks,





On 28 Aug 2020, at 09:49, Carole Burdis (Cllr) <Carole.Burdis@northtyneside.gov.uk> wrote:

Good Morning

Thank you and the Officer team for your intervention at Backworth Court, Myself and Residents were happy at the measures put in place to combat the ASB, the fencing is an excellent solution accepting this is temporary it is necessary to make it strong and secure otherwise all efforts will become pointless and could trigger further challenges that the perpetrators will delight in,

Therefore please install a steadfast immovable fencing to be effective in achieving the security of our residents.

Kind regards

Carole

Cllr Carole Burdis

Cabinet member Community Engagement and Safer NT Get [Outlook for Android](#)

From:

Sent: Thursday, August 27, 2020 9:51:08 AM

To: Carole Burdis (Cllr) <Carole.Burdis@northtyneside.gov.uk>

Subject: Re: Response to ASB

EXTRNL

Good morning,

Please find attached photos from the cut. I went down there, from our end you can climb over the low bush or lift the fence panel and and continue down the cut. From the other end, behind the bus stop is 6-12 gaps larger enough for people to climb through and continue down the cut to our road. I would suggest the fence moved to behind the shop, or add a second inner fence.

Hopefully this helps show it needs just a few tweaks to stop the lazy few. Most people are being well behaved.

Thanks,

On 26 Aug 2020, at 21:59, Carole Burdis (Cllr) <Carole.Burdis@northtyneside.gov.uk> wrote:

Apologies in my delay in replying I hope all is quite with you,

When you emailed me I was in the Safer NT Partnership meeting discussing Backworth Ct, along with other issues across the borough.

Ritchie from Community protection team was. In the meeting and I made it known I had received your email and Ritchie was going to get onto it, the Police were in the same meeting so they know the situation.

I have been in other meetings and just finished therefore hoping it has been resolved?

Please let me know if you have had any further problems.

Take care

Carole

Cllr Carole Burdis

Cabinet member for

Community Engagement and Community Safety NT.

Get [Outlook for Android](#)

From:

Sent: Wednesday, August 26, 2020 2:03:40 PM

To: Carole Burdis (Cllr) <Carole.Burdis@northtyneside.gov.uk>

Subject: Re: Response to ASB

EXTRNL

Good afternoon,

Sadly the metal fence which was not secured properly has been opened up by a lady and people are back to walking through the gap.

Who should we contact to get this looked at within the council? Sadly these temporary fences will just get moved, pushed over again and again if not secured properly.

Any assistance to direct me to the right department would be lovely.

Thanks,

On Wed, 26 Aug 2020 at 11:19, Carole Burdis (Cllr) <Carole.Burdis@northtyneside.gov.uk> wrote:

Morning

Thank you for your response

I hope the actions we put in place will dispel any future ASB and if you need any further assistance please let me know.

Take care

Carole

Cllr Carole Burdis

Cabinet member

Community Engagement and Community Safety

Get [Outlook for Android](#)

From:

Sent: Monday, August 24, 2020 8:33:10 PM

To: Carole Burdis (Cllr) <Carole.Burdis@northtyneside.gov.uk>

Subject: Re: Response to ASB

EXTRNL

Good evening,

Thank you for the swift action and quick response.

This decision means a lot to us all. Even 6 months sounds like heaven, but we appreciate the reasoning behind it and the way it's all been implemented.

It truly means a lot, thank you to every one involved in making this happen.

You can get some peace and quiet from us now!

Stay safe,

On 24 Aug 2020, at 20:12, Carole Burdis (Cllr) <Carole.Burdis@northtyneside.gov.uk> wrote:

Dear Residents

Thank you for your emails concerning the anti-social behaviour that you are suffering and for bringing it to my attention.

I have stressed to council officers, (that visited the area today) police and other agencies that we must return normality to the residents of Backworth Court and deal with the perpetrators of the anti-social behaviour.

I have asked that the path that the youths are using be closed. As you will be aware there is a 'right of way' and would require a 100% support to close off. The process of closure of a 'right of way' can take some time to do, so unfortunately it will not be overnight. However, the council will need to do a clean up of the path, cutting back vegetation and other work so they will need to close and fence the path off - this work could take up to six months. During this time we will be working to have the path permanently closed. I have been assured that the fence will go up this week.

The area will also be monitored by Council Community teams and the police.

I hope that the anti-social behaviour that has caused you so much suffering comes to an end and that you, your family, and neighbours can return to a life free from the terrible behaviour perpetrated by these youths

Yours sincerely

Cllr. Carole Burdis

Cabinet Member for Safer North Tyneside and Community Engagement.

15. Further email from resident regarding the temporary fence – Sun 30/08/2020 11:21

Good morning all,

So I checked on the fence our end this morning, a "group of unsavoury youths" as one neighbour pointed out have trashed the fence now to a point that we can't even place it back in the blocks they are meant to be housed in.

No one has direct CCTV of the cut so can't give you photo's of the offenders but as you can see from the pictures, they have actually broken the fence panel using a lot of force.

The contractor being used has returned before the weekend to not change a thing and sadly this is the result. Personally I would of put the block in the middle of the bush to the right, then strapped the panels to the bollard which would of most likely deterred them, may be not, but it was an easy challenge they have now won. Even bracing struts on the inside would of provided some strength.

May be using a temporary CCTV unit on a poll, a more secured fence both ends and some signage to help guide people around it all will help make this temporary solution actually work. Like I said previously, the good people that don't cause ASB are following the rules and not using the cut.

Thanks



