

REPORT ON: UPDATE ON MALLARD DRIVE DEVELOPMENT – FOOTPATH ISSUES

1 PURPOSE OF THE REPORT

To update LAF members about the situation with the Mallard Drive housing development; the current access paths available in the area, the residents' petition for closure of a new link path into the development and an existing public footpath adjacent to the development.

2 UPDATES

- 2.1 A palisade fencing to close off the link path through to the development has been erected officially closing this route.
- 2.2 A usage survey has been done over a five day period for the existing path running north/south known as FP4C. The results from this survey show that the path is being used at varying times during the day. Another survey has been arranged over another 5 day period to take place in April 2012 to see if the results show consistency of use.
- 2.3 Community Safety has acquired the crime and anti-social behaviour statistics available for Eagle Road and Swift Close dating from 2011 07 16 to 2012 01 15. See below;

Crime and ASB reports for Eagle Road (incl. Brook Path adjacent to British Legion club) and Swift Close, for the 6-month period of 16 July 2011 to 15 January 2012

Brook Path

ASB

- Occupants of vehicle in British Legion club car park smoking drugs and making noise (Jul 2011)
- Noise nuisance from British Legion club (Sep 2011)
- 2 youths on motorbike on footpath (Sep 2011)
- 6 youths on footpath by British Legion club fighting (Dec 2011)

Crime

- 1x arson (Aug 2011) in British Legion club car park
- 2x assault (Jul 2011, Oct 2011) in British Legion club
- 1x dwelling burglary (Dec 2011) and 1x shed burglary (Aug 2011) at properties next to footpath adjacent to British Legion club

Eagle Road

ASB

No ASB reports

Crime

- 1x burglary other than in a dwelling (Nov 2011)
- 1x criminal damage (Dec 2011)
- 2x public health offences (Nov 2011) on footpath

Swift Close

ASB

No ASB reports

Crime

No crime reports

- 2.4** Legal criteria for permanently closing a public path under S118 The Highways Act 1980 – there needs to be strong evidence that the path is not being used. However, reasons for closing the path due to asb/crime can be included under legal expediency arguments along with the fact that there are nearby alternative routes which also hold public rights (ie; Brook Path). The alternative route through the development cannot be strongly relied upon in a legal context as there are not continuous public rights across it.
- 2.5** The SD card security camera has been investigated and requires a flat surface for mounting and a power source. This would mean the camera could only be mounted on the British Legion building and use their power. The camera is restricted in the angle it can be set at and two cameras would therefore be needed to cover the both north and south of the path. The British Legion will be contacted to request their co-operation with possible security cameras.

3 BACKGROUND (as provided at previous meeting)

- 3.1** The design for the Mallard Drive development known now as Eagle Rd and Swift Close included a new public right of way to link the existing footpaths to the development and provide an alternative lit walking route through the site. This path is to run from the existing Footpath 4b (adjacent to no. 19 Eagle Rd) in front of properties 18 and 19 Eagle Road to what will be the adopted highway of Eagle Road. This new path along with the rest of Eagle Road and Swift Close has not yet been legally adopted by the Council and therefore remain under the control of the developers, Taylor Wimpey.
- 3.2** The alleyway located to the east of the British Legion is an existing public footpath known as Footpath 4c. This path is unlit and narrow at approximately 1.6m width with a tall mature hedge on one side and the fence of the British Legion on the other. There

is no street lighting on this path or the path it links to at the north end which leads to Mallard Drive (east) and Brook Path (west). The existing footpath 4c runs parallel to another public footpath 3b (known as Brook Path) on the other side of the British Legion which is lit.

3.3 Residents in the new development have been reporting anti-social behaviour/crime since occupation of the new houses began in April 2011. The issues being experienced in terms of anti-social behaviour and crime are summarised as follows;

- Youths loitering in the existing path at the point where it joins the development
- Youths jumping over the metal heras fencing where the path joins the existing footpath adjacent to 19 Eagle Rd (the path has now been opened by the developer)
- Bottles and litter being thrown into the gardens of the houses adjacent
- Arson attacks on the fencing and hedge along the existing footpath at the rear of gardens
- People having sex in the existing path at the rear of gardens
- A serious incident took place on the evening of 23rd Nov just after Taylor Wimpey opened up the link path. The resident in the bungalow immediately adjacent to the path was assaulted by a man who came into his car port; the man then fled through the link path gap and up the existing paths.

3.4 Residents in Eagle Rd and Swift Close submitted a petition on 9th November 2011 requesting the closure of the link path through to the development along with closure of the existing public footpath adjacent to the development.

3.5 An anti-social behaviour case conference took place on 9th November 2011 on this issue where the Police confirmed their support of closing the paths.

3.6 In opening the link path in the development where it links to the existing public footpath, Taylor Wimpey has fulfilled their obligation under the planning consent. This will allow an assessment to be made with the paths open during a trial period of three months. If after this time there is anti-social behaviour/crime being reported as a result of the link path being open, the Highways Authority can look at a variation being made of the planning obligation/closing the link and assess the further need to close the existing footpath.

3.7

New link path through to Eagle Road





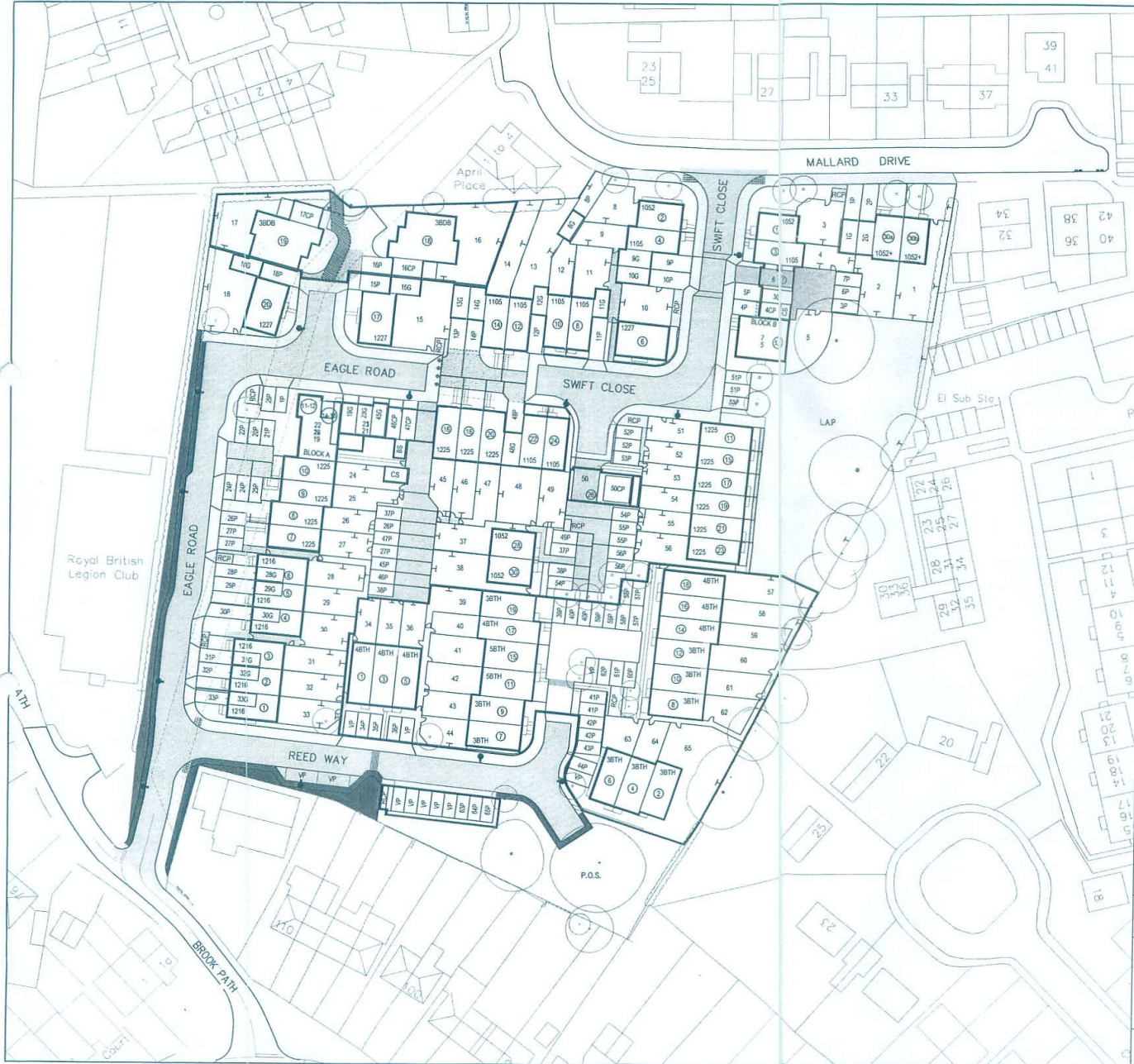
Existing FP4b between Brook Path and Mallard Drive



Existing FP4c between British Legion and Eagle Road

LOCAL ACCESS FORUM REPORT – 29th MARCH 2012 – AGENDA ITEM 7

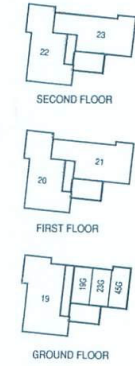
From TW 4/11/10



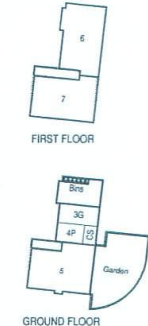
- KEY**
- SECTION 38 ADOPTABLE ROADS
 - SECTION 38 ADOPTABLE PATHS
 - SECTION 38 ADOPTABLE VERGES
 - OPEN SPACE AREAS
 - AFFORDABLE HOUSING
 - SHARED ACCESSWAYS
 - PUBLIC RIGHT OF WAY
 - SEWER EASEMENTS
 - POSTAL NUMBERS
 - STREET LIGHT COLUMNS



BLOCK A PLOTS 19-23



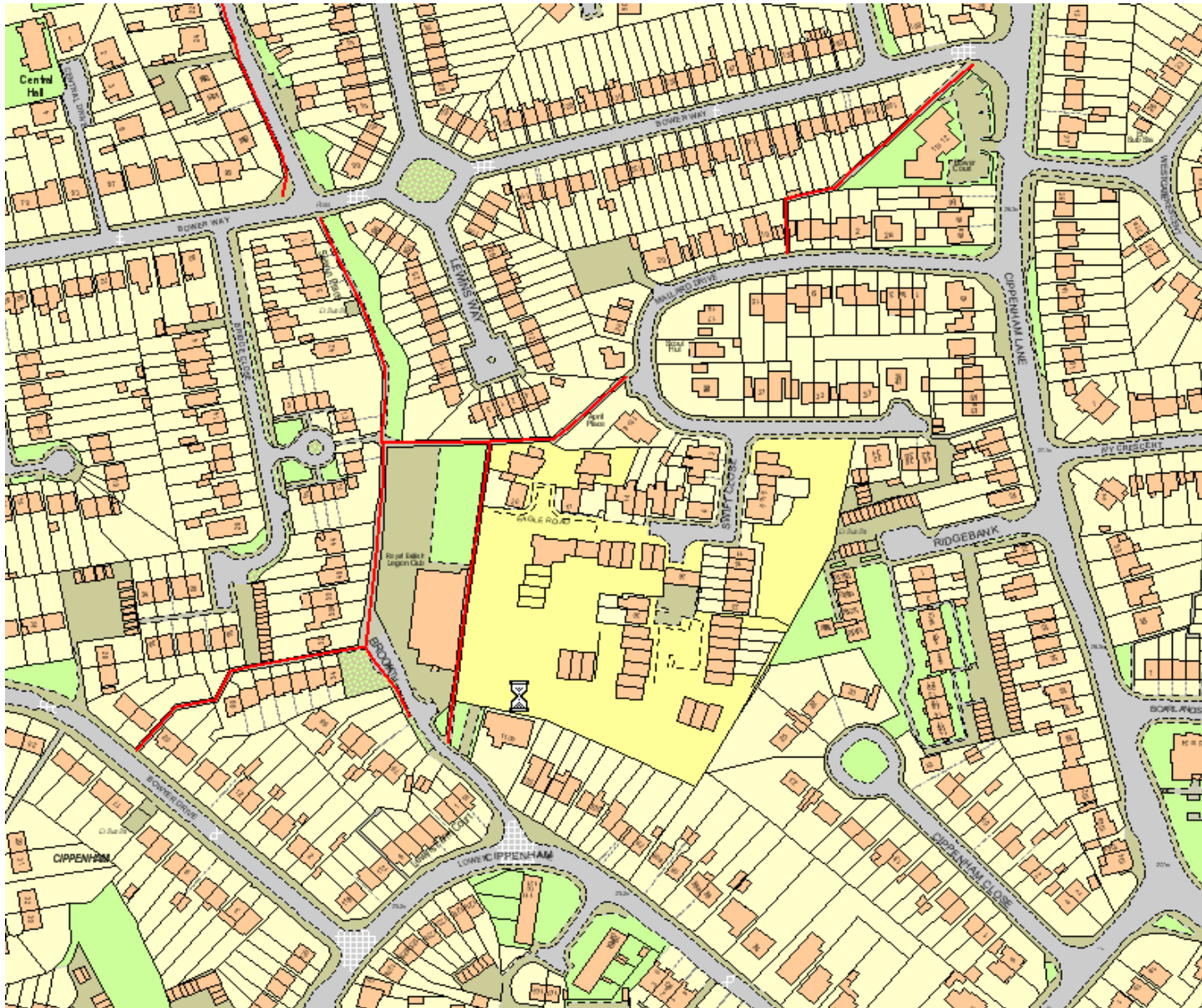
BLOCK B PLOTS 5-7



- F 26-07-10 Parking for 19 and 22 switched.
- E 24-06-10 Rear boundaries to 29-32 amended. Parking allocations for 51-52 amended.
- D 20-05-10 S.38 adoptable verge areas amended. Parking to plots 24,25,37 and 38 amended. Extent of 51 amended.
- C 03-02-10 Extent of 50 amended.
- B 29-01-10 Extent of 25 and 45 amended. Lamp columns added.
- A 19-01-10 End of Eagle Road extended affecting 13,15 and 45.

REV	DATE	DETAILS	BL
JOB KINGS PARK, SLOUGH			
TITLE CONVEYANCE PLAN			
SCALE 1:500@A2	DRN TJS	CHKD	
	DATE 04-01-10	DATE	
		Taylor Wimpey West London Limited Stratfield House, Station Road, Hook, Hampshire, RG27 9PQ Telephone 01256 760606 Fax 01256 765884	
DRC.No. 150-448/CONVEY			Rev. F

3.8 Location Plan



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