

### Dealing with crime and antisocial behaviour on public rights of way

#### Introduction

If you have a problem with antisocial or criminal behaviour on a public right of way then you should contact the police or other relevant agency to try and deal with the problem directly.

If all other reasonable means to reduce these problems have been exhausted then there are provisions whereby public access to problem routes can be restricted although stringent tests will need to be met before such action can be taken.

National legislation allows two options to restrict public access in response to criminal behaviour.

#### 1. Crime Prevention Orders

Within the provisions of the Countryside and Rights of Way Act 2000 (CROW) councils have the powers to divert/stop up rights of way under sections 118B and 119B of the Highways Act 1980 for the purpose of crime prevention. However this enables the Highway Authority to close and divert Rights of Way only within areas designated by the Secretary of State as high crime areas of which there are currently none in Shropshire.

#### 2. Gating Orders

Gating Orders enable councils to restrict public access to a highway by erecting and locking gates either at certain times of the day or night or permanently without removing underlying highway status. Since the implementation of the Clean Neighbourhoods and Environment Act 2005 these orders can now be made outside of areas designated as high crime areas and could therefore be used in Shropshire.

Gating Orders will still only be considered as a last resort and the council must be satisfied that a number of conditions have been satisfied before making an order.

Gating Orders are kept under regular review and can be varied or revoked following the reduction of crime or antisocial behaviour.

Shropshire Council has published a **Highway Gating Policy** which gives more detail on the criteria and processes involved.