

DANESDALE LAND LIMITED

14 Wilton Road
Salisbury
Wiltshire
SP2 7EE

Your Ref: 19/00719/FUL

Our Ref: alicedu\DANQ04

Date: 3 June 2019

Mr Simon Mackie
Infrastructure Planning and Development Service
Southampton City Council
Civic Centre
Southampton
Hampshire
SO14 7LS

Sent via first class post & email

Dear Simon,

Re: The Planning Application for Quay 2000.

As discussed, the Directors of the RTM Management Company came to Danesdale's office in Salisbury last week to meet with us, and brought all the relevant paperwork that we haven't had sight of to this point. It was a very productive meeting, and as a result we are now able to comment on the Application.

1. It seems that the result of policing area boundaries being re-drawn in Southampton and the closure of the 2 police-stations local to this building, Quay 2000 is currently located in an area that is not covered by either policing zone, and as such receives limited police support at this time due to lack of clarity. Presumably this fact now acts as a magnet relocating social problems (gangs) and other anti-social behaviour to this area.
2. Clearly the intention of granting public access to this private land (the maintenance costs of which fall entirely to the flat-owners at Quay 2000) was for "recreational purposes" – this, we would imagine, consists of walking, dog-walking, cycling, sitting and enjoying the view, picnics maybe or fishing etc.
3. This access could not possibly have been granted with the intention that the area be used for illicit business use of various kinds – such as prostitution and drug-dealing & the ensuing violence/turf wars that such illicit business activities engender (these are not recreational activities).
4. In more than 15 years since the building was built, the residents have paid for and maintained this area for public use without any complaints. However, there has been significant abuse of the access rights by anti-social members of the general public during 2018 (could this be as a result of policing boundaries being redrawn?). In 2018 there have been multiple & escalating incidents of drug-dealing, prostitution & violent behaviour within a few feet of residents' windows on their land. This is a terrible situation for residents, and one fears especially for elderly and vulnerable residents, and those with children and teenagers.

5. Every time the residents have sought police-protection to deal with this problem, it has not been available to the required degree (although there have been members of the police-force that have tried their best to assist within their constraints). The residents on the whole have been told, if their calls can even be answered by the police, that they have to allocate resources first to Category A crimes (which the police sadly normally seem to be tied-up with when the residents of Quay 2000 require their assistance), and that the police are under-resourced. The residents are asked if the offenders are "showing a weapon". The response of the law-abiding residents is that "really we aren't prepared to go out to find out!"
6. When there was a violent fight to the degree that an ambulance was called to attend to one party who received a head-injury, the police were unable to attend due to attendance at Category A crimes.
7. The citizen Directors of the RTM Management Company have made numerous attempts to deal with this problem at this Estate; liaising with police, relocating CCTV cameras, consulting with the local Council. No credible neighbourhood watch scheme is available to them.
8. It was originally the police themselves that advised the Management Company that since the police currently could not provide effective policing to the area, that they should close the gates to thus afford some protection for the residents, and apply for a change in the original Planning Permission.
9. There have been incidents logged by the police, whereby the open gates enabled a suspect to escape from a police apprehension. There has also been an incident logged by the police, since the gates were closed pending this application for a change in planning permission, that this particular escape route being cut-off resulted in the successful apprehension of a suspect who had sought to flee the police by entering Quay 2000 grounds.

In conclusion, Danesdale Land Ltd as the Land-owner has 2 covenants – one with the general public to arrange recreational access, and the other to ensure residents' rights to the peaceful enjoyment of their properties. At this point, it seems that sadly without the police's ability to support lawful and recreational use of this area, and no-one but the police enabled to carry-out law-enforcement, then we must support the Residents' application to change access, so as to support their right to peaceful enjoyment. It would be terrible if what is currently an escalating situation were allowed to continue to develop and only be resolved after a tragedy occurred. If it is possible to temporarily suspend the planning requirement for public access with a future review tabled to see if public access for recreational purposes could be enforced by the police in future, then that would be our preferred option. However if the only solution is to permanently change the Planning Requirement, then at this point we must support that, as this is a very serious matter.

We have discussed with the Management Company whether electronic gates on a timer could be an option, however they have rightly pointed out that this could be very dangerous from a health and safety point of view, as a member of the public could get caught-up within the Estate when the gates closed. And if such person happened to be intent on carrying-out anti-social activities, then this could be very dangerous indeed for residents without adequate recourse to a police response.

We would also note that the majority of comments on the Planning Portal do not seem to be from local residents stating that they do currently use this access path and for what purpose – cycling, running, picnics etc., but from residents further away. Whilst normally we would agree with their comments that some incidents of anti-social behaviour during one particular period would not normally merit the right granted to the public to use this area for recreational purposes in perpetuity to be cancelled. However, I'm sure that those who have commented may not have understood the severity of the problem, that the Quay 2000 residents have relocated CCTV cameras, spent money and time, trying to access law & order resources to deal with this problem. However, if the public right of access is adopted by gangs to carry-out illicit business-activities rather than for the wider community to use for recreation, and there is no lawful ability to enforce the intended purpose of that covenant, then the area will simply become dangerous not only for the building's residents but also for everyone in the wider community who will not want to use it.

We would be grateful if you could keep us updated on further developments.

Kind regards,

Tamara Folkesson

Director

For and on behalf of Danesdale Land Limited