
Executive Member for Transport and Planning

13 October 2016

Report of the Corporate Director - Place

Acomb and Westfield Shopping Area Petitions

Summary

1. Two separate petitions have been received calling for works to be carried out to the footways at Acomb and Westfield shopping areas.
2. Annual condition surveys are undertaken to identify areas for large scale renewal works, additional safety inspections identify defects that are in excess of our intervention levels and works are undertaken to repair.
3. The areas were revisited in response to the petitions and although there are concerns raised regarding the visual appearance and amenity of the two areas there are no significant areas where further highway maintenance funding would be targeted using the Council's adopted intervention methodology.

Recommendations

4. The Executive Member for Transport and Planning is recommended to:
 - i. Note the petitions at paragraph 5;
 - ii. Consider the detail of this report and confirm a highway maintenance led approach is not the appropriate policy approach to achieve the expectations of the two petitions
 - iii. Recommend that further work is carried out to appraise the possibilities for a wider renewal and reinvigoration scheme for both locations and a report prepared for the Executive Member for Economic Development and Community Engagement.

Reason: To ensure that the concerns of the petitioners are addressed and council budgets are used effectively to contribute to the development of community improvements.

Background

5. Two petitions were handed into the 21 July 2016 Council Meeting:
 - Work to Improve the Condition of Footpaths in the Front Street Shopping Area of Acomb – 822 signatories
 - Improve the Pavements around Foxwood Shops and Make the Area Safer and More Attractive – 80 signatories
6. Acomb Front Street and Foxwood Lane are inspected by Highway Inspectors monthly to identify any safety defects, the inspection is part driven, part walked. City of York Council sets intervention levels for repair at 40mm deep and 300mm in any one direction on the carriageway and an abrupt level change of 20mm on the horizontal surface of footways, any defects approaching these levels may be addressed as a precaution.
7. Repairs are scheduled in accordance with priority – immediate for a critical issue that may cause risk to life, next day (following initial works to secure the site), 10 working days or 20 working days.
8. Reactive inspections are carried out following reports of issues to the department and any works breaching intervention levels are scheduled as above, reactive inspections are also carried out following reports of accidents.
9. We carry out a survey of all of our roads and footpaths every year and our highway inspectors assign a 1 to 5 condition rating to all – 1 being good and 5 being poor. The grade 4 and 5 locations are then ranked taking into account their condition, safety, location, usage, accidents, hierarchy, affordability and public/member comments. The ranking is required to prioritise maintenance works and develops the annual maintenance programme that we undertake to renew sections or whole lengths of footways or highways.
10. Adopted and unadopted highway surround Front Street and the area around Foxwood shops, this can be seen in Annex 1. Legally adopted highways are maintainable at the public expense and highway maintenance funding is spent in a prioritised way in

accordance with Member approved policies to address these sections of the network.

Unadopted highways are maintainable at private expense and we do not target any funding towards their upkeep.

11. For unadopted highways there is a 'Liability by reason of ownership' for all 'frontagers' (those properties fronting onto the footway or carriageway). Highways Authorities do not have enforcement powers able to ensure that frontagers carry out work, however, S230 of the Highway Act allows a Highway Authority to provide a notice requesting frontagers carry out repairs. In all cases the Highway Authority can recover costs for any works undertaken by themselves.

Analysis

12. Additional inspections carried out following receipt of the petitions have identified any areas where the condition of the footway is approaching or exceeding intervention levels, works have been programmed and delivered where these have been identified within the adopted highway. Letters requesting works from frontagers have been issued to address any similar areas within the undadopted areas.
13. Following this and the continued monthly safety inspections there are no further actions that can be driven from a highway condition perspective, both petitions raise wider concerns over the 'improvement' and 'attractiveness' of the shopping areas, recommendations are made in paragraph 4 to further these concerns.

Consultation

14. This report is written in response to petitions expressing the concerns of a significant number of signatories and are backed by ward councillors. Highway Maintenance officers have addressed these concerns through further on site inspection work and works have been programmed in accordance with normal maintenance procedures.

Options

15. A range of recommendations are made in paragraph 4 of this report, no further options are available to the executive member at this time, the further recommended work will present a range of options for further consideration.

Council Plan

16. This report details how we have received and acted upon petitions calling for further action in Acomb and Westfield, the work completed to date and the recommended further work contribute to the below council plan priorities
 - A Focus on Front Line Services
 - A Council That Listens To Residents

Implications

Financial Implications

17. Highway maintenance led responses to the petitions have resulted in delivery of highway maintenance funding as per our normal procedures. Further improvements will require significant works to reinvigorate the two areas, initial estimates could be in the region of £0.5M for Acomb Front Street and £125k for Foxwood. Additional complications arise with both locations where an additional financial burden would fall to the frontagers who would be expected to contribute significant sums of a similar magnitude to facilitate improvements of the adopted and unadopted areas.

Other implications

18. The highway maintenance programme is delivered in accordance with highway inspection data and need, because of this there are no further implications in this report at this stage, further implications may arise in the progression of the recommendations detailed in paragraph 4.

Risk Management

19. The council's highway maintenance programme and reactive works response is developed solely from the outputs of highway inspection findings and is therefore based on the need of the highway asset. Funding is prioritised in accordance with this need

and risks are managed in a prioritised way across all aspects of the highway network.

Contact Details

Author:

Steve Wragg
Flood Risk and Asset Manager
City & Environmental Services
Tel: (01904 553401)

Chief Officer Responsible for the report:

Neil Ferris
Corporate Director - Place

**Report
Approved**

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Date 18/08/16

Wards Affected: Acomb, Westfield

For further information please contact the author of the report

Background Papers:

Annexes:

Annex 1 - Adopted Highway Plan