
Meeting of Executive Member for Neighbourhood Services and Advisory Panel

18 March 2009

Report of the Director of Neighbourhood Services

Petition requesting the City of York Council repair and maintain the streets in Acomb and Holgate in a safe condition

Summary

1. This report is in response to a petition submitted to full Council by Councillor Bowgett on 27th November 2008 and signed by 198 residents of the area.
2. The petition requests the Council to ensure that the streets in the Acomb and Holgate areas are repaired so they are safe.
3. A copy of the petition is attached as Annex 1.

Background

4. Members will be aware that the Council employ both dedicated safety and reactive highways inspectors to inspect, record and repair the whole of the highway network in the City.
5. The highway inspectors work to national criteria in the Code of Practice for Maintenance Management, "Delivering Best Value in Highway Management" published by the Department for Transport.
6. The Code of Practice lays down requirements as to what is classified as a defect in the highway and defines the frequency of inspections from the busiest city centre shopping street to the smallest of cul-de-sacs, which are undertaken by the pro-active safety highway inspectors. The main shopping areas, along with the important road network, are inspected on a monthly basis with all the other areas inspected on an annual basis.
7. The reactive inspectors carry out inspections and authorize repairs following complaints received from both members and the general public, usually forwarded from the York Customer Centre.
8. The pro-active safety inspections are used to defend the majority of third party public liability insurance claims.

Consultation

9. As this report is to advise the Advisory Panel of the receipt of the petition no external consultation has taken place. The Ward members have been

appraised of the Advisory Panel meeting and are fully supportive of the views of the residents.

Options

10. Option 1 - Members may ask officers to carry out an additional survey of all the roads and footways in both the Holgate and Acomb wards with the view to re-rating these in accordance with our normal criteria for a possible inclusion in a future years resurfacing and reconstruction programme.
11. Option 2 - Members may note and agree that officers already undertake sufficient surveys and inspections in order to ensure the highway is maintained in a safe and satisfactory condition for all users of the highway.

Analysis

12. Members should be aware that each street has already been reassessed on a needs and priority basis and as such Option 1 is not recommended for approval.
13. A list of highway works either undertaken in previous years or proposed for 2009/10 in both the Holgate and Acomb wards are shown in Annex's 2 and 3.
14. In the latest highway condition survey undertaken in 2008 the percentage of both footways and carriageways in Holgate and Acomb to be rated in a poor (grade 3) condition are as follows.
 - Holgate – Carriageway – 13%, Footway – 9%
 - Acomb – Carriageway – 5%, Footway – 4%
 - City (average) – Carriageway – 15%, Footway – 9%
15. Since the introduction of the pro-active safety inspections in 2000 the number of third party insurance claims has continued to fall as detailed below.

| Policy Year | Total Number of Claims | Claims Closed | Claims settled at Zero Cost | Claims Open |
|-------------|------------------------|---------------|-----------------------------|-------------|
| 2003/04 | 199 | 194 | 167 | 5 |
| 2004/05 | 198 | 192 | 165 | 6 |
| 2005/06 | 155 | 141 | 129 | 14 |
| 2006/07 | 132 | 110 | 98 | 22 |
| 2007/08 | 52 | 15 | 14 | 37 |
| 2008/09 | 64 | 7 | 6 | 57 |
| | 800 | 659 | 579 | 141 |

Whilst the number of insurance claims received is continuing to decrease the repudiation rate has increased from as little as 45% to a current 95%. This is all attributable to our pro-active safety inspections and is a good indicator that

the Council continues to maintain all our roads and footways in a safe condition.

Corporate Priorities

16. Members should be aware that the maintenance of the highway network would link in to the Council's Corporate Strategy (2007-2011) Priority for Improvement Statement.
- No.3 "increase the use of public and other environmentally friendly modes of transport".
 - No.4 "Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible areas" and
 - No.8 "Improvement of the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest".

Implications

Financial

17. There are no financial implications in the recommendations of this report as the pro-active safety inspectors area funded from within our existing staffing budgets.

Legal

18. The City of York Council in its capacity as the local highway authority, has a duty under Section 41 of the Highways Act 1980 to maintain the public highway network.

Crime and Disorder

19. There are no crime and disorder implications

Human Resources (HR)

20. There are no human resources implications.

Equalities

21. There are no equalities implications.

Information Technology (IT)

22. There are no IT implications.

Property

23. There are no Property implications.

Other

24. There are no other implications.

Risk Management

25. In compliance with the Council's risk management strategy, the main risks that have been identified in this report are risks arising from hazards to assets and people [physical], those which could lead to financial loss [financial and reputation] and non compliance with legislation [legal and regulatory]

Recommendations

26. That the Advisory Panel advises the Executive Member to approve Option 2

Reason: To ensure the highways are continued to be maintained in a safe condition.

27. That the lead petitioner be notified of the decision of the Advisory Panel

Contact Details

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Report Approved



Date 5 Feb 2009

Specialist Implications Officer(s)

There are no specialist implications.

Wards Affected: Holgate and Acomb

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex 1 – Petition

Annex 2 – List of works in Holgate

Annex 3 – List of works in Acomb