
**Meeting of Executive Members for
City Strategy and Advisory Panel**

6 June 2007

Report of the Director of City Strategy

**PETITION FROM THE RESIDENTS OF CLIFTON AREA
REQUESTING THE RETENTION OF YORK STONE FLAGS IN
ST PETER'S GROVE, CLIFTON, YORK**

Summary

1. This report advises Members of the receipt of a petition signed by a number of residents and visitors to St Peter's Grove, York.
2. The petitioners object to the Council replacing the existing defective York stone as concrete flag paving with a new bituminous surfacing.
3. A copy of the petition is attached as Annex 1.
4. Members are asked to consider the options outlined in the report and approve the recommendation to include this section of footway in our 2007/08 Resurfacing and Reconstruction (R&R) programme.

Background

5. This section of footway was included in the Council's 2006/07 R&R programme. The scheme consists of taking up the existing cracked, broken and disturbed mixture of mainly York stone and concrete paving and reconstructing the footway in a bituminous macadam. A plan showing the extent of the scheme is attached as Annex 2.
6. Over a period of time damage and disturbance of the existing flagstones has taken place to sections of this footway, particularly the front course adjacent to the road. This has almost certainly been caused by vehicles either accidentally driving on them whilst attempting to park or by deliberately driving on them to do the same. In either case the flagstones are not designed to take this sort of abuse.
7. Members should note that the footway on the opposite side to the one identified for a scheme has already had the flagstones removed and replaced with a bituminous macadam.
8. The scheme to replace the existing flagstones with a bituminous macadam has been designed in accordance with the City of York Council's Paving

Policy which was approved by Members on 14 February 2002, a copy of which will be provided at the meeting.

9. It has also been designed to the latest guidelines laid down by the Best Value Highway Maintenance Code of Practice. This document imposes a responsibility on Highway Authorities to design out, where possible, increased maintenance liabilities. It encourages the use of materials which will be better able to withstand the traffic likely to use the surface in order that the design life of the pavement is as maintenance free as possible and that the whole life costs are kept as low as possible.
10. The paving policy states that bituminous macadam will be used in all streets with the exception of those identified in Appendices E and F of the policy. Paragraph 3 (E) in Appendix D of the report says "paving flags, concrete or York stone will only be taken up and re-laid where appropriate, i.e. if protected from vehicle or other damage by a verge or other protection, otherwise 3(A) prevails". 3(A) is bituminous macadam.
11. Members will be able to see from the photographs (which will be made available at the meeting) that there is no grass verge, nor any other protection i.e. bollards or trees next to the road which may protect the flagstones from vehicle overrun. Therefore, when considering the design officers determined it should be in accordance with the current Paving Policy and the guidelines given in the latest Best Value Highway Maintenance Code of Practice, leading to the bituminous macadam design being adopted. This approach is consistent with both the current Paving Policy and the current guidance given by the Department for Transport, and the desire to have a relatively maintenance free, cost effective design life.
12. In accordance with our current policy letters were sent out to all residents where flagstones were to be replaced with bituminous surfacing advising them of this and informing them that flagstones could be retained if the extra over-costing for providing an enhanced foundation and flagstones are funded by Ward Committees. Following a receipt of a letter from Mrs Daphne Taylor the scheme was put on hold last year whilst the Ward Members were consulted on whether or not the Ward Committee would wish to fund the extra over-costs for the retention of flagstones. The Ward Members, whilst sympathising with the residents all agreed that the limited funding of the Ward Committee would be better spent on other projects around the Ward and therefore were not prepared to fund the extra over-costs in respect of St Peter's Grove. As a result the Executive Member agreed the scheme was to be taken off hold and re-programmed.
13. Mrs Taylor was informed of this decision and subsequently let it be known that she would compile a petition calling for the retention of the flagstones in St Peter's Grove.
14. Officers being aware of Council policy again put the St Peter's Grove scheme on hold. By the time the petition actually arrived at the Council it was clearly going to be too late to carry out the works therefore two additional schemes were carried out instead of St Peter's Grove. St Peter's Grove is included in

this year's programme of works following approval by Members in April to be reconstructed in a bituminous macadam.

Consultation

15. The new Ward members were consulted regarding funding the extra over costs for the provision and laying of new York Stone paving. At the time of publishing this report no decision had been taken by them. The Ward members views will be reported to committee when the writer presents this report.

Options

16. **Option 1** - Continue with the scheme as designed in accordance with the current Paving Policy.
17. **Option 2** - Redesign the scheme in order to comply with the residents wishes in respect of the retention of the existing paving.
18. **Option 3** - Refer it to the Ward Committee for the extra over funding to provide and lay new thicker York Stone on an enhanced foundation.

Analysis

19. **Option 1** – This option is in line with the Council's established Paving Policy and complies with the latest Department for Transport guidelines on giving best value in highway maintenance. It will also ensure this year's programme of resurfacing works can continue on programme and ensure the Council will inherit a safe and sustainable walking surface in St Peter's Grove. Reconstructing this side of the street in a bituminous macadam will also put the street back in symmetry as it will be the same material as that already used on the other side of the street.
20. **Option 2** – This option will clearly please the residents and will also mean the Council will for a time have a safe walking surface. However, experience has shown that over time this walking surface will become cracked, broken and destabilised by the continued overrun of the front course as is the case at present. This will lead to increased maintenance costs over the next 10-20 years and increase the risk of third party highway accident claims as a result of having a more uneven and hazardous walking surface.
21. **Option 3** – Re-consult with the Ward members to see if the Ward Committee wish to fund the extra over costs to retain York Stone paving. This would have to be new 100mm thick paving laid on an enhanced foundation to be better able to withstand vehicle overrun.

Corporate Priorities

Maintenance of the public highway has a direct impact on several of the Council's corporate aims and priorities:

22. Corporate Aim 1: (Environment)

Take pride in the City by improving quality and sustainability, creating a clean and safe environment.

Specific priorities:

1.1 Increase resident satisfaction and pride with their local neighbourhoods.

1.2 Protect and enhance the built and green environment that makes York unique.

1.3 Make getting around York easier, more reliable and less damaging to the environment.

23. Corporate Aim 3: (Economy)

Strengthen and diversify York's economy and improve employment opportunities for residents.

Not directly relevant to any of the specific priorities, but good quality highway infrastructure is vital to the local economy.

24. Corporate Aim 4: (Safer City)

Create a safe City through transparent partnership working with other agencies and the local community.

Specific priority:

4.7 Make York's roads safer for all types of user.

25. Corporate Aim 8: (Corporate Health)

Transform City of York Council into an excellent customer-focused "can do" authority.

Specific priority:

8.9 Manage the Council's property, IT and other assets on behalf of York residents.

Implications

Financial

26. Option 1 - Should Members decide to continue with the scheme as designed, then there will be no additional financial implications other than the £34,000 direct cost of carrying out the scheme budgeted for in this years Capital programme.

27. Option 2 - Should Members choose Option 2 the £34,000 cost to carry out this scheme would be met from this year's Capital programme but as already indicated there would be an ongoing maintenance liability for the design life of

the pavement as this form of paving is not designed to take the vehicle overrun. Additionally there would be an increased risk of the Council receiving additional third party claims for an injury as a result of an incident or incidents arising out of the state of the paving. Clearly the actual costs of these are unquantifiable at this time but over the design life of the pavement it may even outstrip the capital cost of the work.

28. Option 3 would cost around £90,000, £34,000 from this year's capital programme, the remainder, £56,000, from the Ward Committee

Human Resources (HR)

29. There are no human resource implications in respect of Option 1 as this scheme was designed last year and is sitting on a desk awaiting implementation.
30. Should Option 2 or 3 be chosen there are human resource implications in that the scheme would have to be redesigned by a member of our neighbourhood services staff who now manage and build footway schemes for City Strategy.

Equalities

31. There are no equality implications.

Legal

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

Crime and Disorder

33. There are no crime and disorder implications.

Information Technology (IT)

34. There are no IT implications.

Property

35. There are no property implications.

Other

36. There are no other implications.

Risk Management

37. In compliance with the Council's risk management strategy, the main risks associated have been identified in this report as risks arising from hazards to assets and people (Physical), those which could lead to financial loss (Financial), and non-compliance with legislation (Legal & Regulatory).

38. Measured in terms of impact and likelihood of risk, the score if Option 1 or 3 are chosen has been assessed at less than 16. This means that at this point the risks need only to be monitored as they do not provide a real risk to the achievement of the objectives of this report.
39. Conversely if Option 2 is chosen the risk score would quickly rise above 16 meaning precautionary measures would have to be put in hand to reduce the risk. This would take the form of increased inspection frequencies for a moderately used foot fall area and increased maintenance costs. Such measures would ensure that the risk score for Option 2 could be kept at less than 16.

Recommendations

40. Members note the receipt of the petition.
41. Members note and approve the Officers decision in designing the maintenance works in accordance with the current Highway Maintenance Code of Practice and the Council's own Paving Policy as outlined in Option 1 para 15, i.e. approve Option 1.
42. That the lead petitioner be advised of the decision taken by Members.

Reason: To comply with current Council policy and ensure that the highway maintenance budgets are expended in the most cost effective way based on the Council's assessed priorities.

Contact Details

Author:

Fred Isles
Maintenance Manager
– Highway Infrastructure
Tel 01904 551649

Chief Officer Responsible for the report:

Damon Copperthwaite
Assistant Director
(City Development & Transport)

Report
Approved



Date 24/05/07

Specialist Implications Officer(s)

Financial Implications: Report Author

Wards Affected Clifton



For further information please contact the author of the report

Background Papers:

Current Paving Policy approved 14 February 2002.

Annexes

Annex 1 – Residents' petition.

Annex 2 – Plan of area.

24 May 2007

FI/NR

comm.emap/city strategy/060607 – Petition re St Peter's Grove

Paul & Daphne Taylor
13, St Peter's Grove
YORK YO30 6AQ

ANNEX 1

Tel 01904 612522
E Mail daphnetaylor@btopenworld.com

2 March 2007

Mr D Copperthwaite
Assistant Director, City development and transport
City Strategy Department
City of York Council
9 St Leonard's Place
York
YO1 7ET

Dear Mr Copperthwaite,

RE Footpath Resurfacing Works – St Peters Grove

I enclose a petition signed protesting at the council's plans to replace the stone pavement in St Peters Grove with tarmac.
The petition has been signed by 60 people, including someone from every address in St Peters Grove, except no 11 where the occupant has been in hospital for over a month. All other signatories signed the petition whilst they were visiting properties in the road, or parking in the road.

The residents and signatories object to the planned change of surface for the following reasons:

- The paving policy is based on the concept of vehicle overrun. This is not an issue in St Peters Grove as the road is wide enough for 4 cars. Overrun does happen occasionally, when the council approves major developments and large delivery lorries attempt to turn in a road with no turning facility. This could be dealt with by ensuring that any future developments (of which there can barely be any as all the gardens in the road have now been built on) require the developers to repair the footpath after any deliveries. The residents object to the council spending £32500 of tax payers funds on an unnecessary project.
- The road is cul de sac with a minimal footfall and therefore any risk assessment would show that the risk of accident on this road is completely different to that on through roads. Again, the project is wasting taxpayers money unnecessarily.
- The council has re-laid the stone flagstones on The Avenue, citing the exemptions from the paving policy because of tree roots and the fact that the trees prevent vehicle overrun. St Peters Grove is also tree lined and has the

same problem with tree roots which can be seen pushing the paving stones up on both sides of the road. The trees on The Avenue have the opposite effect on vehicle overrun, far from preventing it, they actually cause it. Observation on a daily basis by petitionees indicates that due to the wrap-around nature of the car parking spaces, next to the trees, vehicles need to mount the pavement to be able to park in some of the spaces next to the trees, and this happens very frequently during the school drop off and pick up times for St Peters School and Clifton prep school.

- Queen Anne's Road and North Parade have both been laid with concrete flags, despite the councils paving policy. They are significantly narrower than St Peters Grove and vehicle overrun happens to a significant extent several times a day during term time at St Olaves School. If the paving policy was applied fairly then both these roads would have tarmac pavements.
- Signatories find that the significant variations, just within the local ward, in application of the councils paving policy, give rise to discrimination against St Peters Grove which is not acceptable to them.
- St. Peter's Grove is in a Conservation Area. Replacing York stone paving with bitumen clearly degrades the amenity and integrity of the Grove, and runs counter to Conservation policy.
- One particular signatory requested that the council be informed that she had recently slipped on the concrete flags on Bootham and hurt herself and that she found the slightly uneven surface of the York stone paving much safer to walk on.
- This petition is supported by Councillors King and Scott from Clifton Ward.

I have been advised by Fiona Young that this petition will be presented to the next executive group on city strategy, and I look forward to their response.

Yours Sincerely



Daphne Taylor (Mrs)

On behalf of all the signatories

cc. Cllr K King

Cllr D Scott

**PETITION TO SAVE YORK STONE PAVING ON ST PETERS GROVE
To City of York Council**

City of York Council, in accordance with their paving policy, wishes to remove the york stone paving on St Peters Grove and tarmac the pavement
The Council blames the habitual vehicle overrun on the pavement, which we the undersigned claim is not a problem on this road
The cost of the council of £32500, and thus to us as council tax payers is not acceptable to us.
The council has relaid the stone flags in The Avenue, claiming that tree root movement necessitated this work and that that trees prevent vehicle overrun. From observations it is obvious that the trees are causing more vehicle overrun and that the trees in St Peters Grove may also require flags relaying. The discrimination against residents of St peters grove is not acceptable to us.
We object to the council removing the stone flags in a conservation area.

We want the stone flags retained on St Peters Grove

Item	Name	Address	Signature
1	D. Taylor	13 ST PETERS GROVE YORK	D Taylor
2	P Taylor	13 ST PETERS GROVE YORK	P Taylor
3	D GREEN	3 ST PETERS GROVE	D Green
4	C. Taylor	13 St Peters Grove York	C Taylor
5	M Auld	12 St Peter's Grove York	M Auld
6	S. Mawhood	14 ST. Peter's Grove York	S Mawhood
7	D & R BARWELL	FLATS, 6 St Peter's Grove York	D & R Barwell
8	Collinson	40 Clifton York	J.L Collins
9	Pauline	40 Clifton York	Pauline
10	N. Green	3 ST PETER'S GROVE YORK	N Green
11	M. Pugh	25 Camilla Drive - Gillingham	M Pugh
12	J.P. Gual	7 Juno House York	J.P.G
13	M. Shaws	Six and a half St Peter's Grove	M Shaws
14	Suzie Shaws	Six and a half St Peter's Grove	Suzie Shaws
15	A. Rowe	Flat 8, 10 ST PETERS GROVE, YO30 6AQ	A Rowe
16	B. Bond	Flat 8, 10 ST PETERS GROVE YO30 6AQ	B Bond
17	S. Elliot	25 Clifton Street York YO30 6BT	S Elliot
18	[Signature]	51 BEDFORD WAY YO30 5ZG	[Signature]
19	Becky S	16 Grange Court York YO10 4BS	Becky S

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Item	Name	Address	Signature
20	FIONA SEASE	16 GRANGE GARTH, YORK, YO10 4BS	
21	SAM FRANKS	34 BURRILL AVENUE YORK	Sam Franks
22	STEVE ROE	7 ST. PETERS GROVE YORK	Steve Roe
23	ROY BUNNY	STONE RIDGES	Roy Bunny
24	CHRISTINE AUSTIN	12 ST PETERS GROVE	Christine Austin
25	LUCY FINLAY	St Habmooz Drive, Hazyale, York	Lucy Finlay
27	W. J. NICHAS	25 CONISTON ST CLIFTON	W J Nichas
28	MICK HICKLING	19, Clifton Dale	Mick Hickling
29	NAIL REDFERN	19 Queen Annas Lane	Nail Redfern
30	S. M. BELL	2 Coniston Close	S. M. Bell
31	M BELL	2 CONISTON CLOSE	M Bell
32	N. CRATE	131 Windlesham Rd WARD 6TR	N. Crate
33	C WATKINS	1, 10 ST PETERS GROVE	C Watkins
34	JESS TAYLOR	13 th PETERS GROVE	Jess Taylor
35	RUTH BURCH	10 th Pates Grove flat # 7	Ruth Burch
36	KATH PRATT	4 Ribbles Lane York	Kath Pratt
37	LISA CLIFFORD	17 NORTHFIELD TER, YORK	Lisa Clifford
38	CHRIS BATES	3 GREENWICH CLOSE, YORK	Chris Bates

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39	M J CLANT	9 CLIFTON W030 0AG	<i>[Signature]</i>
40	E SHEPPARD	4+5 ST PETERS GROVE, Y030 6AQ.	E Sheppard.
41	H. O'Brien	^{FLAT 2} 6 ST PETERS GROVE	H. O'Brien
42	A WATSON	PLAT 7 6 ST PETERS GROVE	<i>[Signature]</i>
43	S Mcghee	15 St Peter's + 8, 9, 10, 11	<i>[Signature]</i>
	S. Pullen	FLAT 2 10 ST PETERS GROVE	S PULLEN
	T.P. GROVES	FLAT 3. ST PETERS GROVE	T.P. Groves
	JM GALLAGHER	17 Hastings Close Clifton	<i>[Signature]</i>
47	A. SPALAZI	17 ST. PETER'S GROVE	<i>[Signature]</i>
48	S. CHOWN	La Poudrette, la Rue des Pelles, Jersey	<i>[Signature]</i>
49	M. CHOWN	LA POUDETTE LA RUE DES PELLES JERSEY	<i>[Signature]</i>
50	T Walker	10 St Peter's Grove, York, FLAT 4	T Walker.
51	P. Drake	Rosina Farm, Noma, Strigton	<i>[Signature]</i>
52	B. Cairns	30 Appleton Ct. York	<i>[Signature]</i>
53	M. Fooks	13 Fieldside Place, York, Y0103UR	M Fooks
54	J MacRostie	16 St. Peters, Grove	<i>[Signature]</i>
55	S. Noble	16 St Peters Grove	<i>[Signature]</i>
56	T. Bright	16 St. Peter's Grove	<i>[Signature]</i>
57	U. KALOCZI	40 Buedevuch Terr Newmarket	<i>[Signature]</i>
	CIVELLI	36 ST. ANDREW PLACE, YORK.	<i>[Signature]</i>

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Item	Name	Address	Signature
28	KITTY ROBINSON	18 ST PETERS GROVE YORK	<i>[Signature]</i>
29	ADAM STANON	1 ST PETERS GROVE CLIFTON YORK	<i>[Signature]</i>
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St Peters Grove, Clifton

SCALE 1:1000

DRAWN BY DRowntree

DATE 14/2/2007

GRID REF.

Drawing No R&R 07/08 FW-21

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