

Decision Session - Executive Member for Transport and Planning

12 July 2018

Report of the Corporate Director of Economy and Place

Petition requesting that the Council adopt streets on a Persimmon Homes estate, including Arlington Road and Tamworth Road

Summary

1. To report the receipt of a petition and advise on the current position with adoption. Copy of petition at Annex A.

Recommendation

2. It is recommended that:
 - The recent progress on progressing towards adoption of the streets (as shown in attached plan, Annex B) is noted.
Reason: This will respond to residents request to adopt the streets concerned.
 - A verbal update will be made at the decision session due to the nature of ongoing work covering different components needed to complete the process.
Reason: To provide a comprehensive and up to the minute picture and provide assurances as to the timeline for adoption.
 - Upon completion of the adoption of the streets (as per the attached plan), officers will notify the lead petitioner, the ward councillors and Executive Member.
Reason: To confirm that the adoption has been completed.

Background

3. The housing estate was developed by Persimmon Homes between approximately 1997 and 2000. Originally prior to local government

reorganisation being a development approved by North Yorkshire County Council.

4. On transition to the City of York Council, the estate roads were subject to the usual procedures in terms of the design and specification being to council standards. An agreement (Section 38) was put in place, in which a number of standard criteria have to be satisfied in order to allow ultimate adoption by the local highway authority.
5. The works to the streets were substantially completed it is estimated in 2000. However a number of key items were not addressed at that time and have unfortunately (until quite recently) not been a primary focus for the developer. During this period Persimmon Homes have been fully responsible for maintenance the streets including verges and street lighting.
6. Perhaps the primary issue which has led to the very protracted delay in adoption of these streets is because of issues largely outside the scope of the local highway authority. This relates to a surface water pumping station built by the developer and intended to be adopted by Yorkshire Water. It is standard practise in new developments to ensure that the sewers (under the prospective highway) are vested with the appropriate body (in this situation YW) prior to the council adopting the streets. This being to mitigate the risk and liability of the sewer system not being designed, constructed (and adopted) to YW standards and/or needing upgrading/replacement prior to the highway being adopted. This is standard procedure for local highway authorities in England and Wales.
7. The reason for the delay in the adoption (by YW) of the surface water sewers is due to an issue with land ownership; the pumping station being built on private land and thus not transferable. This long standing matter has very recently been resolved. Foul sewers are now adopted and the surface water component will follow. As such, this no longer presents a stumbling block for highway adoption.
8. Drawings which accurately represent the streets, known as 'as built' have now been received, these forming a record of the asset which will transfer to local authority responsibility..
9. Council officers have been pushing the developer for several months to seek to finalise the process and in the last couple of months have met with the developers site engineer, to 'walk through' and agree upon any issues apparent with the condition of the surface of the highway, this including street lighting and gully's. A series of relatively minor civils

works have been undertaken and these have been signed off by council officers.

10. The remaining items at the time of writing relate to street lighting and gully cleaning. With regards to both parts, the authority has sought a commuted sum which Persimmon Homes will pay to the council. This will cover a schedule of works which the council will then undertake including the jetting (cleaning out) of gulleys and bulb replacement on street lighting.
11. It is anticipated that a further update will be presented at the meeting on these aspects.

Council Plan

12. The adoption of streets within developments contributes to the City Council's draft Council Plan of:
 - A prosperous city for all,
 - A council that listens to residents

Implications

13. This report has the following implications:

Financial – None.

Human Resources – None

Equalities – None.

Legal – None.

Crime and Disorder – None

Information Technology - None

Land – None

Other – None

Risk Management

14. None.

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Report Approved ✓

Date 28/06/18

Specialist Implications Officer(s)

None.

Wards Affected: Rawcliffe & Clifton Without

For further information please contact the author of the report.

Background Papers:

None.

Annexes:

Annex A - Petition e-mail

Annex B - Street plan

List of Abbreviations used in this report:

YW – Yorkshire Water