

Economic & City Development Overview and Scrutiny Committee

Briefing Note – Potential Scrutiny Topic on Post Development Adoption Procedure – July 2012

Background

There is a recent history of members including scrutiny requesting information on the highway adoption process and I have copied some of the relevant links below for ease of reference. A report was taken to Scrutiny on 14th July 2009, 12th August 2009 and 29th September 2009. An update on the issues was considered by the Executive Member on 6th April 2010. It was subsequently considered by Scrutiny on 13th July 2010. This report perhaps gives the best overview of what has happened so far. The comments given at the time by City Development were provided in Annex C.

<http://modgov.york.gov.uk/ieListDocuments.aspx?CId=668&MID=4719#AI20995>

(Link to Economic & City Development Overview & Scrutiny Committee Tuesday, 13th July, 2010 5.30 pm)

<http://modgov.york.gov.uk/documents/s41258/Report%20-%20Adoption%20of%20New%20Estates.pdf>

(Link to the report that went to the Scrutiny on 13th July)

<http://modgov.york.gov.uk/documents/s41262/Annex%20C%20-%20Comments%20from%20Highways%20Section.pdf>

(Link to the comments from City Development and Transport Group that were submitted as part of the report)

Current Position

There are a number of developments which are currently ready for adoption:

The Brecks, Strensall
Olympian Court, Lawrence Street
Farriers Chase, Strensall Road
Carr Lane, Acomb (former Bowling Green)
Danebury Drive
Peter Hill Drive.

It is anticipated that the formal adoption of these will be concluded before moving to the new HQ at West Offices. There has been a recent stalling of progress in the finalisation as a result of the officer handling procedures leaving the authority; temporary support from another team is assisting with this and permanent recruitment into the post is underway.

Shortly followed by:

Clifton Hospital (Persimmon, five phases)

Jockey Lane (Persimmon)

Water Lane (Home Housing/Persimmon/Barratt)

Manor Lane, including Rawcliffe Grange (Barratt/Persimmon)

The Mile (Backfield Lane)

Bismarck Street (JRHT)

Holgate park (JRHT)

Limetree Avenue (JRHT)

In addition we have 15 developments/schemes that are currently going through the adoption process, from initial design through to construction, examples including Germany Beck, Minster Piazza, Derwenthorpe, former York College, Lilbourne Drive.

Pros/Cons of undertaking a review

The framework and the legal process governing the adoption of development are well established and are covered in detail within the above reports. The level of resources dedicated is equivalent to 2.5 FTE's, comprising an Adoptions Engineer, an Inspector and 0.5 Technician. As can be seen the volume of sites, which also includes non residential schemes e.g. York University and S278 agreements covering development works within the highway, is quite considerable.

- The legal process is set out within the Highways Act 1980 and all developments seeking adoption, have a legal agreement covering the works.
- Prior to formal adoption taking place, the roads, footways, verges are the responsibility of the developer.
- Conditions within the agreements are able to ensure that the construction of the prospective highway is to an acceptable standard (as prescribed through the Council's Design Guide and Specification) and that for example the surfacing is suitable and safe. Also including highway drainage and street lighting.
- As per the previous enquiries and as presented by officers it is difficult to envisage what benefits could be achieved through undertaking a review.

- Because the finite staffing resources need to be dedicated to delivery of the service, any requirement to review procedures would be to the direct detriment of the 'day job', unless specialist/temporary resource was procured.
- A case is being drafted to assess the potential to procure additional resources to the service area; this is at an early stage and will be subject to consideration by CMT/DMT/Members and is also subject securing supporting funding.

Review Scope

In the event of a review being considered beneficial, it is recommended that it should seek to bench mark the service against other Local Authorities, looking particularly at level of resources and procedures.