

Report of Director of City Development

Report to Executive Board

Date: 12 December 2012

Subject: Response to Deputation from Burley Park Residents to Preserve Yorkshire Paving Stones

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Deputation presented by residents of Kirkstall Ward. Issue in general applicable to many Wards.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

This report is submitted in response to a Deputation from the Burley Park Residents requesting the preservation of Yorkstone paving within the highways of the Burley Park area.

The issue of the retention of stone paving is also a city wide problem and the report refers to the general issues across all areas.

The report outlines the current council policy for such matters and answers the specific questions of process and accountability raised by both the Deputation and other similar enquiries.

The report concludes that the current policy should continue to be implemented but recommends additional engagement with residents and local Ward members and with the additional assurance of accountability for natural stone assets.

Recommendations

The Executive Board is requested to:

- i. Note the content of this report.
- ii. Acknowledge the concerns of residents
- iii. Recommend additional resident engagement on the remaining 2012/13 planned maintenance schemes that contain stone products and to delay the progress of these schemes until such engagement is concluded.

- iv. Recommend a greater elected member and resident engagement in a timely fashion at the planning stage and prior to commencement of works on site on streets outside of conservation areas that contain stone products.
- v. Recommend that an appropriate accounting mechanism be put in place for the reclamation and re-use of natural stone highway materials that are removed and/or replaced within the highway.

1 Purpose of this report

- 1.1 The purpose of this report is to provide a response to the Burley Park Residents Deputation to Leeds City Council to preserve Yorkstone paving in highways.
- 1.2 In addition to the response to the deputation from the residents of Burley Park, a number of enquiries in response to the Member consultation on the proposed 2013/14 annual highway maintenance programme to retain stone paving materials in other wards within the city have been received. This report therefore also considers similar concerns, to those of the Burley Park Residents, across the whole of the city.

2 Background information

- 2.1 The Deputation presented a request from Burley Park Residents for the council to preserve the stone paving on the footways within Burley Park and Stanmore Hill in particular and not to replace them with 'tarmac' when maintenance works are undertaken. The Deputation also described the value of the local community and the locality to Leeds as a whole and made the assertion that retaining stone paving was more sustainable than 'tarmac'.
- 2.2 The Deputation also asked for a response to a number of questions which are answered within the text of this report.
- 2.3 In addition to the Deputation, a number of enquiries and requests for specific stone materials to be either retained or removed during maintenance works from other areas have been received by Highways and Transportation. A summary of the annual programme consultation responses and specific street issues are included in Appendix A and copies of letters and emails relating to these issues have been made available to Executive Board Members prior to the meeting.
- 2.4 To clarify the role and service requirements for highway maintenance, The Highway Maintenance Policy Statement and Plan covering the majority of highway maintenance activities was developed in 1999. The latest revision of this policy was presented to Executive Board on 21st October 2005. The approved policy for stone materials is included at Appendix B. In summary the policy supports the retention of stone materials within conservation areas only. Outside of conservation areas the policy suggests replacement with bituminous footways or in special cases high quality concrete products. The policy recognises that stone products are a diminishing resource, are prohibitively expensive to replace with reclaimed or new and therefore can only be retained in a few cases and where existing supply can be redistributed. The policy also recognises the vulnerability of stone paving to damage from overriding vehicles (in narrow streets

where parking on the footway is prevalent) and the potential for uneven natural stone surfaces to give rise to a higher risk of tripping accidents.

3 Main issues

Decision making

- 3.1 The Deputation questions the decision making for the current highway maintenance programme. The decision to remove Yorkstone paving is based on the 2005 highway maintenance policy as described in paragraph 2.4 above. If the street is within a conservation area then the footways and kerbs are replaced in the existing material. If the street is not within a conservation area then the treatment depends on the extent of good stone materials that exist and the nature of the street. A view will be taken as to how many are in a suitable condition to be retained and whether, allowing for some wastage when disturbed, they can perhaps be reduced in area. Priority for retention is given to locations within the street adjacent to house frontages etc, but may be removed from other areas where the footways contribute less to the street such as at gable ends or away from residential properties. In streets where the stone paving or kerbs are severely damaged or missing, replacement with concrete kerbs and bituminous footways will be proposed.
- 3.2 As a general rule, if it is cost effective within the annual programme to retain the stone materials, then they will be retained.

Consultation

- 3.3 The deterioration of stone materials and shortage of replacement supply makes it difficult to undertake meaningful consultation on individual streets. As there is not enough stone materials to go around and insufficient resources to replace with new material it is difficult to offer a choice to residents. There may also be some streets that although outside of a Conservation Area, have a particular character locally where it may be desirable to maintain stone materials within the highway. In an attempt to identify these, local Ward members have been informed at programme preparation stage that stone products may be removed from certain streets. It was hoped that this may capture those that were of a higher priority for maintaining character but on occasions, this approach, so far in advance of the start of works has not worked and has culminated in complaints when the work has started on site when this does occur, works are stopped on site and further discussions take place with the residents and local ward Members. More often than not, an acceptable compromise is reached.
- 3.4 The consultation on the 2013/14 programme has resulted in Ward members requesting that stone materials in the vast majority of streets proposed for maintenance should be kept. Officers have also received a petition asking for the stone paving to be replaced with a bituminous surface in one street where it was proposed to maintain the stone paving. The most recent consultation responses are summarised in Appendix A of this report.

Preservation of stone products

- 3.5 Stone kerbs and paving stones were extensively used for paving materials when they were relatively cheap and easy to resource up to around the 1960's. They are still used in some areas with an increasing emphasis on prestige developments as the price has increased. The early footways and kerbs are increasingly in need of maintenance. Most require maintenance because they are damaged or broken due to old age or vehicle over-run. In some cases the stone appears to have lasted the test of time and is just in need of relaying but increasingly and inevitably for every kerb or paving stone lifted a number will break or fall apart (see paragraph 3.12). Re-laying stone products will nearly always result in a shortage of reinstatement material. The extent of the shortage varies from street to street and sourcing material has its difficulties.
- 3.6 Replacement stone products can be obtained by removing them from elsewhere in the city, buying second hand stone paving or buying new.
- 3.7 There are some areas where stone paving and kerbs can be removed and used elsewhere in the city but the available 'stock' is reducing and demand to retain stone in the remaining locations is increasing. The council has some stock but often sizes and thicknesses vary, making it difficult to transfer stock. Storage of large quantities of stone products has been avoided because of the limitations on storage space, the labour intensity of safe stacked storage and security of the stock. Current practice prefers to identify one street to refurbish in stone and a suitable donor street to repair in bituminous material. Any surplus material is stored for re-use elsewhere.
- 3.8 It is understandable that the retention of the character of stone products is seen as desirable. The highest priority areas have been identified by the authority as conservation areas and where stone exists within the streets in these areas it will be retained. Outside of conservation areas there needs to be a balance of retention that matches the available depleting resource, as the stone deteriorates with age, is broken by overrunning vehicles or is stolen.

Cost implications and accountability

- 3.9 The most scarce products are stone paving flags. The main reasons for this are that paving flags are stolen and rarely recovered, and are also damaged by over-riding vehicles. Buying second hand stone paving flags has been considered but one of the main reasons for not going down this route is that it generates demand at stone merchants, which may in turn increase the likelihood of more widespread theft. Second hand paving costs in the region of £94 per square metre to buy and lay.
- 3.10 Buying new stone paving is extremely expensive. Currently the market price is around £134 per square metre to buy and lay and can be sourced readily in bulk from a number of regional suppliers. Secure storage of the new material would be a major issue. It should be noted that new paving flags are sawn on all sides and as such, are perfectly smooth and made to regular sizes. They do not match with the older paving which were produced by riving (splitting) stone blocks, which were then hand trimmed to size giving many varying flag sizes.

- 3.11 The comparatively high cost of stone paving needs to be considered in the context of the significant reductions on highways expenditure in recent years. In 2008/9 the total expenditure on highways maintenance was £27m. In 2012/13 it is £22m. Consequently, consideration of this issue needs to take account of the significant financial pressures of maintaining the integrity of the highway network and the need to maintain it to a standard that mitigates against negligence claims. Accordingly, should stone paving be a local priority, it may become necessary to have a greater dialogue with Area Committees about their funding priorities, so that they can inform and potentially contribute to stone products.
- 3.12 During the course of highway maintenance work, paving flags which are taken up and deemed suitable for re-use are removed as carefully as possible, placed on pallets and taken to Highways depots for storage. It is not current practice to hold a full auditable stock count of the stone products removed and/or replaced. Officers in Resources have been working with Highways and Transportation to extend the current material stock control system to include reclaimed stone and this report recommends that this work continues.
- 3.13 It should be noted that stone paving flags, due to the variation in size and thickness, can be extremely heavy, often weighing more than 100kg. Paving flags are, therefore, often lifted using mechanical means in order to safeguard operatives and comply with health and safety legislation. When paving flags break but are of sufficient size, they are re-cut by stone masons. Once again, this increases the size variation in the flags that we see on our streets. Pieces which are too small to “re-dress/re-cut” are sent to the recycling plant for crushing.
- 3.14 Re-useable stone products removed by Leeds City Council from the streets of Leeds are not currently sold or disposed of without the an appropriate formal decision. There are no proposals to change this in the future. They will be stored for re-use primarily within streets in conservation areas but also within other streets as quantities allow.
- 3.15 Typical costs for repairing footways with paving flags or bituminous surfacing are as follows:

Remove paving and replace with bituminous surface	£23	m ²
Provide and lay stone paving from donor street or current limited stock	£29	m ²
Buy, provide and lay second hand stone paving	£94	m ²
Buy, provide and lay new stone paving	£134	m ²

Summary

- 3.16 Officers understand the desire to maintain stone products in streets outside of conservation areas and will endeavour to do so where there are sufficient stocks of replacement materials available either in store or within donor streets. However, the current demand to retain and restore stone products within streets exceeds the available useable resource. Where more than a small quantity is missing or damaged then a balance must be made as to whether to reduce the extent of stone in the street, source additional material from a 'donor' street or whether funding beyond that available for routine maintenance can be found to enable material to be purchased. This is a city wide concern and it may be necessary to relocate stone products across ward boundaries.
- 3.17 Without additional resources it is necessary to consolidate the existing re-useable stone products into fewer streets and/or smaller areas which will be undertaken with full engagement and consultation with elected members and residents.

Completion of the 2012/13 Highway Maintenance Programme

- 3.18 Following the concerns of elected members and residents with the removal of stone products from streets within the current 2012/13 programme, work on a number of streets has currently stopped. Officers have agreed a way some streets and subject to the outcome of this report will arrange for work to recommence. On others the proposals within this report recommend a process of engagement with elected members and residents to reach an agreed scheme. Where this cannot be concluded in time to complete the scheme this financial year then an alternative similar condition 'non-stone' street will be substituted from within the ward and the stone scheme will become a priority for 2013/14.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Highway Maintenance Policy Statement and Plan was subjected to full Member consultation before being approved by Executive Board on 21 October 2005.
- 4.1.2 Schemes within the highway maintenance programme are subjected to individual ward member consultation each year. Streets within the programme containing stone products that are to be removed are highlighted. A summary of the responses received so far during the 2013/14 consultation are included in Appendix A.
- 4.1.3 Further consultation on individual streets can and has been undertaken only where specific issues arise.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality, Diversity, Cohesion and Integration Screening has been undertaken and is included in Appendix C. The screening process identified that by replacing Yorkshire Paving Stones with bituminous surfaces it has the following positive impacts:

- Provides a more regular surface that people with mobility issues and the elderly find easier to walk on;
- provides a smoother and more comfortable ride for wheelchair and pushchair users, whilst enabling the carer to push them more easily;
- reduces the potential of accidents happening as stone products have a tendency to accumulate detritus (debris /rubbish/waste/litter) that is particularly hazardous in wet and inclement weather and has a significant impact on the disabled, particularly people who are visually impaired.

4.3 Council policies and City Priorities

- 4.3.1 Maintenance of the highways assets contributes to the Council Business Plan objective to Provide, manage and maintain a safe and efficient transport network for the city.
- 4.3.2 The maintenance of streets contributes to the City Priority to make Leeds the Best City to Live.

4.4 Resources and value for money

- 4.4.1 The proposals for additional consultation and engagement within this report can be met within existing resources.

4.5 Highway maintenance funding is undergoing review and has already experienced an average reduction in allocations of 10.3% year on year for the last 3 years. A widespread demand to maintain stone products within streets would have implications that cannot be met from within existing resources for highway maintenance.

4.6 Legal Implications, Access to Information and Call In

- 4.6.1 There are no legal implications. This report is eligible for call-in.

4.7 Risk Management

- 4.7.1 There is a risk that high demand for stone materials within the highway could lead to a significant financial pressure on highway maintenance resources that may not represent best value for the council. Failure to repair or remove deteriorated stone paving and kerbs could give rise to an increase in personal injury accidents and claims against the Council.

5 Conclusions

- 5.1 The approved Highway Maintenance Policy Statement and Plan 2005 provides the decision making approach for the retention of stone products in highways. There is a shortage of stone materials and outside of conservation areas there needs to be a balance of availability of material and costs with the desire to retain it in the most appropriate areas. Where it is economical to retain stone materials and where there is sufficient replacement stock they can be retained. Consultation and engagement has been undertaken with elected members at an early stage

but not with members or residents at work delivery stage. This report recommends additional engagement with residents and members in a more timely fashion at the planning stage and prior to commencement of works on site.

6 Recommendations

6.1 Executive Board is requested to:

- i. Note the content of this report.
- ii. Acknowledge the concerns of residents
- iii. Recommend additional resident engagement on the remaining 2012/13 planned maintenance schemes that contain stone products and to delay the progress of these schemes until such engagement is concluded.
- iv. Recommend greater elected member and resident engagement in a timely fashion at the planning stage and prior to commencement of works on site on streets outside of conservation areas that contain stone products, before any planned maintenance is undertaken.
- v. Recommend that an appropriate accounting mechanism be put in place for the reclamation and re-use of natural stone highway materials that are removed and/or replaced within the highway.

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Summary of enquiries and responses in relation to stone products.

Date: September 2012

From: Ward Member, City and Hunslet

Summary: Strongly against the removal of Yorkstone pavements. Unaware of the Highway Maintenance Policy of 2005. Understood that the council supported the retention of stone pavements.

Date: September 2012

From: Ward Member, Hyde Park and Woodhouse

Comment: Would like to know the rationale behind the replacement of stone products with bitumen and concrete. Is it cost and are the removed products likely to be transferred to other parts of the district?

Date: September 2012

From: Ward Members, Burmantofts and Richmond Hill

Comment: Do not want the Yorkshire Stone removed and replaced by bituminous pavements/paths on the grounds that it would be detrimental to the look of the area and a loss of heritage.

Date: August 2012

From: Ward Members, Weetwood

Comment: Would like an explanation why kerb stones are being replaced with concrete. The Neighbourhood Design Statement is under review and may result in more streets in the conservation area. Receiving many complaints about the loss of stone products.

Date: September 2012

From: MP (on behalf of local residents)

Comment: Disappointed that the council has decided to remove York Stone and asked them to urgently consult with local residents. York Stone really adds to the aesthetic of the area.

Date: August 2012

From Local Resident

Comment: Discussed the plans for maintenance of the street with most local residents and the majority support the removal of stone paving due to safety concerns.

Date: August 2012

From: Local Resident

Comment: Strong opposition to the removal of stone products in a number of areas

Extract from the Highway Maintenance Policy Statement and Plan 2005

- 1.7.24 The approach to maintenance in the past was to maintain whatever was there without changing it. Hence surfacings were replaced in matching materials, grass verges were retained without any consideration of their condition or use and kerb lines were left where they were. The resolving of other highway or street scene issues was not within the scope of a maintenance scheme.
- 1.7.25 Over recent years the opportunity to build in added value to maintenance schemes to generate improvements has been encompassed. In addition there is no longer a policy of replacing materials like with like. While this might still be the outcome in the majority of cases, this conclusion should be reached after consideration of the circumstances and changes can be made, for example
- Where alternative materials are likely to reduce the occurrence of highway accident claims;
 - Where there is a need to strengthen the construction, for example to reduce future damage from vehicles over-riding the footway;
 - Where there is the need to manage the use of scarce materials.
- 1.7.26 The most difficult material to consistently replace like with like is York Stone. Wherever possible York Stone materials are retained for re-use. Unfortunately breakages occur through deterioration and replacement costs are not affordable except for the occasional prestige scheme. Hence the amount of available York Stone flagging is continually reducing. Preference is therefore given to ensuring that York Stone surfaces in conservation areas are maintained with matching material and these surfaces are only disturbed if their condition is such that they are becoming a safety liability.
- 1.7.27 Outside of conservation areas it may be necessary to replace York Stone products with other materials. At some locations a strong community desire to retain the natural material becomes apparent when work commences. Consultation with Members allows any sensitive locations to be identified in advance with a view to agreeing appropriate maintenance solutions of a style which is consistent with the area. Use of high quality concrete products will be considered as an option in areas which are central to the community.
- 1.7.28 For footways the need to maintain safety and minimise tripping accidents is the prime consideration. The need for maintenance is rarely caused by excessive pedestrian use but is more likely to be a combination of:
- Disturbance by statutory undertakers excavations;
 - Over-riding by parked vehicles;
 - Tree root damage.

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: City Development	Service area: Highways and Transportation
Lead person: Andrew Molyneux	Contact number: 0113 2475316

1. Title: Highways Maintenance Yorkshire Paving Stones

Is this a:

Strategy / Policy

Service / Function

Other

If other, please specify

2. Please provide a brief description of what you are screening

The screening focuses on the report to the Executive Board in response to the Burley Park Residents Deputation to Leeds City Council to preserve Yorkshire Paving Stones.

LCC's current policy is to replace stone paving with bituminous materials unless the street is within a conservation area or unless there is a particularly strong community desire and materials are available to retain it.

In addition to the response to the deputation from the residents of Burley Park, Leeds City Council has received a number of enquiries in response to their annual highway maintenance programme proposals to retain stone paving materials in other wards within the city. This report therefore also considers similar concerns to the Burley Park Residents across the whole of the city.

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	X	
Have there been or likely to be any public concerns about the policy or proposal?	X	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on <ul style="list-style-type: none">• Eliminating unlawful discrimination, victimisation and harassment• Advancing equality of opportunity• Fostering good relations		X

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

Considering the impact on equality, diversity, cohesion and integration

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?**

(**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

Consultation has taken place with Ward members as part of the preparation of the annual highway maintenance programme 2012/13. Particular attention is drawn to the Members attention with regards to the type of materials to be used whilst carrying out maintenance work.

We have received conflicting information back from local residents and Ward members in relation to whether the Yorkshire Stone should be replaced or retained. However, in the majority of cases where we've had comments they wish for it to remain.

- **Key findings**

(**think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

Highways Liability Claims for 2011/12 show that over 32% more accidents occurred on flagged paving as opposed to bituminous surfaces.

Positive Impacts

The screening process identified that by replacing Yorkshire Paving Stones with bituminous surfaces it has the following positive impacts:

- Provides a more regular surface that people with mobility issues and the elderly find easier to walk on;
- provides a smoother and more comfortable ride for wheelchair and pushchair users, whilst enabling the carer to push them more easily;
- reduces the potential of accidents happening as stone products have a tendency to accumulate detritus (debris /rubbish/waste/litter) that is particularly hazardous in wet and inclement weather and has a significant impact on the disabled, particularly people who are visually impaired

Negative Impacts

As part of the screening no negative impacts were identified in relation to bituminous surfaces.

<ul style="list-style-type: none"> • Actions (think about how you will promote positive impact and remove/ reduce negative impact) <ul style="list-style-type: none"> ○ Provide clarity to the current policy ○ Carry out an EDCI Impact Assessment on Highways Maintenance

5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.	
Date to scope and plan your impact assessment:	N/A
Date to complete your impact assessment	N/A
Lead person for your impact assessment (Include name and job title)	N/A

6. Governance, ownership and approval Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
Roy Coello	Head of Engineering Services	1 st October 2012

Publishing This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published. Please send a copy to the Equality Team for publishing	
Date screening completed	1 st October 2012
Date sent to Equality Team	
Date published (To be completed by the Equality Team)	