

25<sup>th</sup> October 2018

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities Councillor A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

Longford

**Title:** Petition – Tarmac area of grass adjacent to Sledmere Close, Coventry.

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**Is this a key decision? :** No

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**Executive Summary:**

This report responds to a petition containing 14 signatures which was submitted to Coventry City Council. The petition is supported by Councillor Harvard a Longford ward Councillor and requests that the Council tarmac a strip of land adjacent to Sledmere Close which forms part of Longford Park.

The petition reads:

“We, the following residents of Sledmere Close, Coventry hereby present the following petition to have the grass verge opposite our houses laid to tarmac. It is currently a major health and safety concern and also a complete eyesore as the grass is constantly churned up by the traffic that drives upon it”

This petition relates to a strip of land which is set to grass which forms part of Longford Park and runs adjacent to Sledmere Close. The strip of grass in question lies between a post and rail fence within Longford Park and the Sledmere Close road and is approximately 3m wide.

Sledmere Close itself is a relatively narrow road, 4m Wide, and vehicles are unable to pass without encroaching on the grassed strip of park land. This causes considerable damage to the grass sward which becomes muddy, unsightly and difficult to maintain.

The grassed strip of land does not form part of the adopted highway but falls within the management remit of the Councils Greenspace Service. The cost to remove the grass strip in order to widen the road would cost in the region of £20,000-£40,000 and beyond their existing resources.

**Recommendations:**

The Cabinet Member for Policing and Equalities is recommended to:

1. Consider the content of the petition and note the concerns of the petitioners'
2. Note that the land in questions forms part of Longford Park and falls within the management remit of the Councils Greenspace Service and does not form part of the adopted highway.
3. Note that the cost of laying the land to tarmac is estimated at in the region of £20,000-£40,000 and beyond the Councils Greenspace Service budget.
4. Note that although the Councils Highways Service would consider adopting the land as highway land they also do not have the resources to set the land out as tarmac.

**List of Appendices included:**

Appendix 1 – Plans and Street view images of Sledmere Close

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel, or other body?**

No

**Will this report go to Council?**

No

Report title: **Petition** - Tarmac area of grass adjacent to Sledmere Close, Coventry.

## **1. Context (or background)**

- 1.1 Longford Park is one of the Cities premier parks and holds the prestigious Green Flag status which is a nationally recognised benchmark for quality. Sledmere Close runs along the northern boundary of the park.
- 1.2 A low post and rail fence was erected many years ago within the park approximately 3 metres from the edge of the Sledmere Close road leaving a strip of grassed land which has the appearance of a verge but forms part of the park. The Councils Streetpride Service maintains the park which encompasses the grassed strip adjacent to Sledmere Close on behalf of the Greenspace Service. Maintenance includes grass cutting, litter collection and turf reinstatement when resources allow.
- 1.3 Sledmere Close is a relatively narrow road at 4m wide, and drivers find it difficult to manoeuvre their vehicles past parked vehicles or oncoming traffic without encroaching on the grassed surface. In addition large vehicles which need to access the road such a refuse vehicles, cleansing vehicles and delivery vehicles etc. inevitably drive over the grass in order to service the road or reach properties within it.
- 1.4 As a result of the continual encroachment onto the grassed strip the surface has become uneven and unsightly and this has been a subject of complaint by residents of Sledmere Close for a number of years.
- 1.5 The strip of grass does not form part of the adopted highway. The only realistic solution would be removing the grass strip and widening the road, however the cost to do so could run between £20,000-40,000, money that the Greenspace Service does not have. The Council's Highway Service would consider adopting the grassed strip of land as part of the highway however they do not have the budgetary resources which would enable them to undertake the construction works. There are four lighting columns and a telegraph pole on the grass strip which makes the proposal to widen the road more difficult therein more costly than usual. There would also be a loss of 400sqm of Parkland to consider, the strip of grass is currently part of Longford Park, which is a Green Flag Park.
- 1.6 It should also be noted that the Councils adopted Verge Policy states that on roads of this type, until prioritised for works, there is the presumption that verge parking will be tolerated unless there are safety concerns and that repairs will be carried out to grass areas in accordance with normal procedures. Priority is given to main roads in and out of the city followed by important secondary routes

## **2. Options considered and recommended proposal**

- 2.1 The option to transfer the land to the Councils Highway Service and adopt the land as public highway has been considered however this has been rejected as the service does not have the budgetary resources to enable a tarmacked road to be constructed
- 2.2 The option to continue to retain and maintain the strip of land as public open space and as part of Longford Park and which can be sustained from within existing budgetary resources is recommended.

### **3. Results of consultation undertaken**

No consultation has taken place on this issue

### **4. Timetable for implementing this decision**

4.1 To be agreed subject to approval of a recommendation within this report

### **5. Comments from the Director of Finance and Customer Services**

#### **5.1 Financial implications**

If a decision is taken to carry out works to the pavement a cost of approx. £20k - £40k will be incurred by the Council.

#### **5.2 Legal implications**

This is not adopted highway land and therefore enforcement action under the Highways Act 1980 is not possible. Other legal action may be possible under the law of trespass or the Anti-social Behaviour, Crime and Policing Act 2014 but the identification of offenders would be problematic and the courts would need to be satisfied that it was appropriate to grant a remedy to the Council in circumstances where vehicles cannot manoeuvre along the road without using the grassed area in question.

### **6. Other implications**

None

#### **6.1 How will this contribute to achievement of the Council's Plan?**

Parks and green spaces are highly valued by the citizens of Coventry and contribute greatly to improving the quality of life to those that live and work in the City, helps address health inequalities and provides valuable wildlife habitats.

#### **6.2 How is risk being managed?**

Risk will be managed through the existing Place directorate risk profile.

#### **6.3 What is the impact on the organisation?**

Continued maintenance of the site will be delivered using existing resources.

#### **6.4 Equalities / EIA Implications for (or impact on) the environment**

No equality impact assessments have been undertaken.

#### **6.5 Implications for (or impact on) the environment**

No direct impact

## 6.6 Implications for partner organisations?

None

### Report author(s):

**Name and job title: Graham Hood, Head of Streetpride and Greenspace**

**Directorate: Place**

**Tel and email contact: 0247683 2194 [graham.hood@coventry.gov.uk](mailto:graham.hood@coventry.gov.uk)**

Enquiries should be directed to the above person.

<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
Maggie Morgan	Accountant (Business Partner) Place Directorate (Finance)	Resources	18-07-18	31/07/18
Gill Carter	Team Leader, (Regulatory) , Legal Services	Resources	18-07-18	27-07-18
Michelle Rose	Governance Services co-ordinator	Place	15-08-18	14/9/18
Colin Knight	Director of Highways	Place	18-07-18	27-07-18
<b>Names of approvers for submission: (officers and Members)</b>				
Andrew Walster	Director (Streetscene and Regulatory Services)	Place	14-08-18	14-08-18
Councillor A S Khan	Cabinet Member for (Policy and Equalities)	-	27/09/18	27/09/18

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