

Flexi®-Pave & FOI / 1259 (January 2016 to November 2017):  
THE SHEFFIELD CITY COUNCIL RESPONSE TO DECISION NOTICE  
FS50637180, ISSUED BY THE INFORMATION COMMISSIONER  
(DATED 4<sup>th</sup> OCTOBER 2017)

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**From:** Xxxx  
**Sent:** 04 January 2016 11:46  
**To:** FOI  
**Subject:** Use of flexible paving to retain trees

Dear Sir

I wish to register a FOI request. On Monday, December 28th, 2015, in the Sheffield Star, Councillor Terry Fox was stated as saying "*solutions put forward by campaigners were already used including flexi paving which has on 143 occasions retained trees.*"

I would be grateful if you would let me know the location of these 143 occasions, the date these were used, the actual product that was used on each occasion and the contractors that carried out the work.

Thank you in anticipation of your response,

Xxxx

**From:** Cowen Stacey (CEX) **On Behalf Of** FOI

**Sent:** 18 January 2016 15:05

**To:** Xxxx

**Subject:** Response – Freedom of Information Request – Reference – FOI / 1259

Re – Freedom of Information Request – Reference – **FOI / 1259**

Dear Xxxx

Thank you for your recent request for information relating to **Flexible Paving applications around highway trees** which we received on 04/01/2016

Please find below, Sheffield City Council's response to your request:

On 28 December 2015, the Sheffield Star printed in its article the following- "*Coun Fox also said solutions put forward by campaigners were 'already used' including flexi paving which has on 143 occasions retained trees.*" The only direct quote from Cllr Fox used by the Sheffield Star was that solutions being put forward by campaigners were "already used". We have no information relating to flexi-paving being used to retain trees on 143 occasions although we can confirm that the current permeable paving product in use on the Streets Ahead project around trees is "flexi pave".

I hope the information we have provided is of help to your enquiries. If you have any queries about this response, please do not hesitate to contact us.

If you are unhappy with the response you have received in relation to your request, you are entitled to have this reviewed. You can ask for an internal review by either writing to the above address or by emailing [FOI@sheffield.gov.uk](mailto:FOI@sheffield.gov.uk).

If you remain dissatisfied with the outcome of your internal review, you can contact the Information Commissioners Office. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, telephone 0303 123 1113, or for further details see their website [www.ico.org.uk](http://www.ico.org.uk)

Kind Regards,

### **Resources Business Support**

Moorfoot Level 8 West Wing

Sheffield S1 4PL

Tel : 0114 20 53478

E-mail : [FOI@sheffield.gov.uk](mailto:FOI@sheffield.gov.uk)

From: "FOI" <[FOI@sheffield.gov.uk](mailto:FOI@sheffield.gov.uk)>

Date: **7 Nov 2017** 5:48 p.m.

Subject: EIR request 1259 - Sheffield City Council's response related to the associated Decision Notice

To: Xxxx

Cc:

Dear Xxxx

Following the Information Commissioner's review of your EIR request (our reference 1259) and the issuing of a Decision Notice against the Council, we have attempted to provide a response to your initial request.

The Council has concerns that the 143 figure was initially interpreted incorrectly and is likely to have been based on estimated locations suitable for flexi paving rather than specific sites. As no underlying data or records were held in regard to the 143 figure we have no details of the methodology used in the original collation of this information or simple reference to the records held. Two years on from the initial statement being issued, the underlying data held by the Council has moved on significantly. As the possible solutions for the management of a tree are suggested as part of a "walk and build" process carried out by a number of officers representing different technical area specialisms anything up to a year and a half prior to any works, the data produced proceeds through a number of stages before resulting in a final action or decision to retain or replace a highway tree.

The walk and build process includes a number of Amey officers from numerous service areas (trees, street lighting, kerbing, carriageway surfacing, drainage etc.) who would all individually carry out their assessments of the works required on a particular street during the initial planning stage for street improvements. Their individual findings would then all be fed to the designers for these streets.

The view of a tree officer in their walking of a street where they considered that a flexible paving solution may be applicable for consideration in the design for the street/ an individual tree, does not mean that the tree in question was not also causing irreparable damage to other elements of the network. This damage may have rendered the consideration of a flexible paving solution inappropriate or a secondary issue may have made the suggestion defunct, such as proximity of a fire hydrant. Such issues would result in the initial suggestion of flexible paving as a potential solution not being proceeded with at design stage.

Continued...

As a result an exhaustive exercise has been undertaken in an attempt to provide a response to your initial request. This has included over 300 hours of staff time searching for relevant records and site locations in respect to your request. Through this review we have identified 29 sites where a flexible paving solution has been used and records to this effect have been provided in the attached document. We have highlighted the location, species and pit dimensions in the attached documentation for your information. The Council appreciates that we have to this point been unable to identify any further sites where flexible paving has been used or prescribed for use within the Sheffield City Council area. We do appreciate that it will likely have been used as a solution elsewhere on the highway network to retain a tree or as a result of new planting; but the data we hold does not identify these sites directly within the records we hold. As a result we would have to create records to provide information on each site where flexible paving has been utilised and this would require the Council or Amey staff to visit each highway tree in the City and complete a visual assessment of in excess of 36,000 trees.

Through the attempts to collate any relevant records held by the Council and Amey, a review of site inspection notes was completed where available. This review also included identifying and considering information recorded within the “walk and build” and “as built” site drawings that were made for each site. This yielded no useful information related to your initial request as no sites where flexible paving was indicated as a potential solution were identified. We do note that where a flexible paving solution has been designed out at the “as built” stage, that underlying data would not be retained as there would be no value to the Council or Amey in retaining it i.e. there is no value in retaining records of what we *might have done* but was then not considered necessary or appropriate in the final design and decision for the relevant street and individual street tree.

I do hope that the information disclosed is of assistance to your request.

Kind regards

Mark

Mark Knight

Information Management Officer

Business Change and Information Solutions (BCIS)

Resources Portfolio, Sheffield City Council

Postal Address: Sheffield City Council, PO Box 1283, Sheffield S1 1UJ