

Report to: The Chief Officer (Highways and Transportation)

Date: 02 September 2014

Subject: Section 116 Highways Act 1980 – Stopping Up Order – Garnet Grove (Part) Hunslet, Leeds LS11

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City and Hunslet	<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 type="checkbox"/> Yes	<input checked="" 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

- 1 To declare two areas of adopted highway known as part of Garnet Grove, Hunslet, Leeds LS11, unnecessary in accordance with Section 116 of the Highways Act 1980.

Recommendations

- 2 The Chief Officer (Highways and Transportation) is requested to instruct the council's City Solicitor to apply to the Magistrates Court for a Stopping Up Order under the provisions of Section 116 of the Highways Act 1980 for two areas of adopted highway, area A and area B, as shown hatched on the attached drawing number SD/258025/GG/02. The total area of highway to be stopped up is approximately 1290 square metres.

1 Purpose of this report

- 1.1 To seek approval to promote a Stopping Up Order on two areas of adopted highway known as part of Garnet Grove, Hunslet, Leeds LS11.

2 Background information

- 2.1 Garnet Grove is situated in the area of Hunslet approximately 2.50 Km south of Leeds City Centre. It encompassed poor quality pre 1919 back to back housing stock.

- 2.2 Funding was secured from the Single Regional Housing Pot to tackle poor quality housing stock in regeneration priority areas of Leeds that would help deliver the objectives of the Vision for Leeds 2004 to 2020 and the Leeds Housing Strategy.
- 2.3 Executive Board in May 2009 approved the clearance of 112 properties as part of a regeneration scheme for the area. The properties were demolished recently leaving a flat vacant site covered with rough grass and vegetation.
- 2.4 Area B is an existing flat vacant site covered with rough grass and vegetation.
- 2.5 It has always been the intention to redevelop the vacant areas with a new affordable housing development.

3 Main issues

- 3.1 The two sections of adopted highway are no longer necessary since the clearance of the properties. The areas of highway to be stopped up are therefore considered unnecessary in accordance with Section 116 of the Highways Act 1980 and are shown on the enclosed plan reference SD/258025/GG/02.
- 3.2 An application to the Magistrates Court under Section 116 of the Highways Act 1980 is required to stop up the areas of adopted highway, area A and area B, shown hatched on the enclosed plan reference SD/258025/GG/02.
- 3.3 The applicant has confirmed that the section of highway to the north-east of area A at its junction with Garnet View will be reinstated as footway.
- 3.4 The applicant has also agreed to provide adequate turning facilities to the south-west of area A for vehicles entering Garnet Grove from Oakley Grove.

4 Corporate Considerations

4.1 Consultation

- 4.1.1 Ward Members have been consulted by a letter and drawing dated 11 February 2014 and again by email on 19 March 2014. To date no responses have been received regarding the stopping up.
- 4.1.2 The City Solicitor will inform the Statutory Undertakers and Emergency Services as part of the statutory consultation process of the proposal to promote a Stopping Up Order.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.3 The proposals are a legal requirement and will not have a more significant impact on the equality characteristics above other pedestrians or motorists.

4.3 Council policies and City Priorities

- 4.3.1 There are no consequences with regard to Council Policies as a result of this decision.

4.4 Resources and value for money

- 4.4.1 The applicant of the stopping up order has agreed to cover the costs incurred in promoting the Stopping Up Order. The estimated cost of the Stopping Up Order is £3000 plus the advertising costs which will be approximately £800.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The applicant of the stopping up order has agreed to meet the costs, if any, which may be incurred from Statutory Undertakers exercising their rights under Section 116 of the Highways Act 1980 to recover from the Council the cost of removing, diverting or abandoning any equipment located in, on, over, along or across the highway(s) affected by an Order granted under Section 116 of the Highways Act 1980.

4.6 Risk Management

- 4.6.1 None

5 Conclusions

- 5.1 The two areas of adopted highway known as part of Garnet Grove, Hunslet, Leeds LS11 are considered to be unnecessary in accordance with Section 116 of the Highways Act 1980.

6 Recommendations

- 6.1 The Chief Officer (Highways and Transportation) is requested to instruct the City Solicitor to apply to the Magistrates Court for a Stopping Up Order under the provisions of Section 116 of the Highways Act 1980 for two areas of adopted highway, area A and area B, as shown hatched on the attached drawing number SD/258025/GG/02. The total area of highway to be stopped up is approximately 1290 square metres (area A approximately 1140 square metres and area B approximately 150 square metres).

7 Background documents ¹

- 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.