

Report to the Chief Officer (Highways and Transportation)

Date: 15 March 2016

Subject: Declaring Land Bordering Leeds and Bradford Road and Rock Lane, Bramley, Surplus to Highway Requirements

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Bramley and Stanningley		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. To declare two parcels of land bordering Leeds and Bradford Road and Rock Lane in Bramley surplus to highway requirements.

Recommendation

2. The Chief Officer (Highways and Transportation) is requested to declare the land coloured blue on Drawing SD/217600/RL/01 (Appendix A), excluding the wall alongside the larger parcel but including the wall alongside the smaller parcel, surplus to highway requirements.

1. Purpose of this report

- 1.1 For the Chief Officer (Highways and Transportation) to declare a rectangular shaped parcel of land bordering Leeds and Bradford Road and a smaller triangular parcel bordering Rock Lane in Bramley surplus to highway requirements.

2 Background information

- 2.1 The land coloured blue on Drawing SD/217600/RL/01 is owned by the City Council. It is deemed to be Leeds City Council Land vested with highways, although not adopted Highway, and is vacant. The area between the two parcels is in unknown ownership.
- 2.2 There is no statutory undertakers' equipment on site.

- 2.3 Leeds and Bradford Road is at a higher level than properties on Rock Lane and a mortared, coursed stone burr wall supporting the highway runs along the back of the footway on Leeds and Bradford Road for a distance of approximately 102m from the steps next to the junction with Rock Lane. The retained height varies between 0 and approximately 1.4 m along the wall's length.
- 2.4 The wall runs alongside the larger parcel of land for a distance of approximately 68m. The retained height varies between 0 and approximately 1.4 m along this length and the land below slopes up towards the wall's base.
- 2.5 The undeveloped land between the junction and the first property in Rock Lane slopes steeply down from Leeds and Bradford Road to Rock Lane and a stone slab on edge retaining wall supporting the land above runs along the back of the footway on Rock Lane for a distance of approximately 44m from the steps next to the junction with Leeds and Bradford Road. The retained height varies between 0 and approximately 0.4 m along the wall's length.
- 2.6 The wall runs alongside the smaller parcel of land for a distance of approximately 10m. The retained height varies between 0 and approximately 0.1 m along this length.
- 2.7 The owners of the four properties in Rock Lane nearest to the junction with Leeds and Bradford Road have extended their gardens to include, between them, the whole of the areas marked A and B on Drawing SD/217600/RL/01 and the owner of the property nearest the junction has applied to buy the areas marked B, C and D.

3 Main issues

- 3.8 The Chief Officer (Highways and Transportation) is requested to declare the land coloured blue on Drawing SD/217600/RL/01 surplus to highway requirements.
- 3.9 The Council's Asset Management Division is to arrange for disposal of the areas of land marked B, C and D on Drawing SD/217600/RL/01 and consider what action to take in relation to the area marked A.
- 3.10 To ensure continued maintenance of the wall alongside Leeds and Bradford Road, the wall should remain in council ownership. Sale agreements for any land next to the wall will need to include:
- an easement for maintenance access over the full width of the land;
 - a ban on any excavation which could undermine the wall without consent from the Council's Bridges Section;
 - a ban on erecting structures or planting trees, hedges or large shrubs which could either hamper access or damage the wall without consent from the Council's Bridges Section.

The Council's Asset Management Division will need to take steps to prevent property owners who have encroached on this land from claiming ownership without an agreement which includes these provisions.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Ward members have been consulted by a letter and drawing dated 23 February 2016. To date, no responses have been received.

4.2 Equality and Diversity / Cohesion and Integration

An equality, diversity, cohesion and integration screening (Appendix B) has been carried out and confirms that a full impact assessment is not required as the proposals are only seeking authority to transfer ownership of land and will therefore have no impact on protected equality characteristics.

4.3 Council policies and City Priorities

- 4.3.1 There are no specific implications for council policies or city priorities.

4.4 Resources and value for money

- 4.4.1 The City Council will benefit from disposing of the land by receiving a small capital receipt and removing an ongoing maintenance liability.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 None of the content of this report is exempt from public display or contains confidential information.
- 4.5.2 Any decisions arising as a result of this report are eligible for Call In.

4.6 Risk Management

- 4.6.1 Garden reinstatement following maintenance work on the wall could incur costs.

5 Conclusions

- 5.1 The land coloured blue on Drawing SD/217600/RL/01 is surplus to highway requirements. Part of the land has already been included in adjacent gardens and one property owner has applied to buy the land adjoining their property.
- 5.2 To ensure continued maintenance, the wall alongside the larger parcel of land but not the wall alongside the smaller parcel should remain in council ownership.
- 5.3 The City Council will benefit by receiving a small capital receipt and removing an ongoing maintenance liability.

6 Recommendations

The Chief Officer (Highways and Transportation) is requested to declare the land coloured blue on Drawing SD/217600/RL/01, excluding the wall alongside the larger parcel but including the wall alongside the smaller parcel, surplus to highway requirements.

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.

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Appendix B

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: Nick Flood	Contact number: 0113 247 6382

1. Title: Declaring City Council Owned Land Bordering Leeds and Bradford Road and Rock Lane, Bramley, Surplus to Highway Requirements

Is this a:

☐

Strategy / Policy

☒

Service / Function

☐

Other

If other, please specify:

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

Declaring a small rectangular shaped parcel of land bordering Leeds and Bradford Road and a smaller triangular shaped parcel bordering Rock Lane in Bramley surplus to highway requirements to enable a neighbouring landowner to extend their garden. The proposals are only seeking authority to transfer ownership of land and will therefore have no impact on protected equality characteristics.

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**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

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)

- **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)

<ul style="list-style-type: none"> • Actions (think about how you will promote positive impact and remove/ reduce negative impact)

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
Dave Stainsby	Group engineer, Site Development	9 February 2016

7. 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. If this screening relates to a Key Delegated Decision, Executive Board, full Council or a Significant Operational Decision a copy should be emailed to Corporate Governance and will be published along with the relevant report. A copy of all other screening's should be sent to equalityteam@leeds.gov.uk . For record keeping purposes it will be kept on file (but not published).	
Date screening completed	9 February 2016
If relates to a Key Decision - date sent to Corporate Governance	
Any other decision – date sent to Equality Team (equalityteam@leeds.gov.uk)	9 February 2016