

**Report to:** The Chief Officer (Highways and Transportation)

**Date:** 13 February 2018

**Subject:** Section 116 Highways Act 1980 – Stopping Up Order –Wetherby Road/Red Hall Lane Junction

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Cross Gates and Whinmoor	<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 A request has been made by a member of public for the Stopping Up of the Highway shown red on drawing SD/217960/WR/01 under Section 116 of the Highways Act 1980.
- 2 This area of highway is necessary for the proposed junction improvements at Wetherby Road/Red Hall Lane junction.

### Recommendations

- 3 The Chief Officer (Highways and Transportation) is requested to approve:
  - i) the refusal of the request to the Stopping Up of the Highway shown red on drawing SD/217960/WR/01 under Section 116 of the Highways Act 1980; and
  - ii) return the advance payment in full to the applicant.

### 1 Purpose of this Report

- 1.1 To consider a request to the Stopping Up of part of the Highway at Wetherby Road/Red Hall Lane junction under Section 116 of the Highways Act 1980.

### 2 Background Information

- 2.1 A request has been received to stop up the area of Highway shown red on Drawing SD/217960/WR/01 at Wetherby Road/Red Hall Lane junction under Section 116 of the Highways Act 1980.

### **3 Main Issues**

- 3.1 The Highway Authority deliberately obtained this area of land as a public highway from the land owner during the negotiations for the planning application on the Former Strikes Garden Centre.
- 3.2 This area of Highway provides the opportunity to improve the junction onto Wetherby Road with the possibility of signalling the junction in the future.
- 3.3 Improvements to this junction is being considered in the overall access options designs for the future development of the Redhall site following the construction of the East Leeds Orbital Route.

### **4 Corporate Considerations**

#### **4.1 Consultation and Engagement**

- 4.1.1 Ward members were consulted on the application but not on the recommendation to refuse. No response were received on the application.
- 4.1.2 Officers at Transport Development Services and the Section 38 team of Engineering Projects were consulted and requested that the application is refused.

#### **4.2 Equality and Diversity/Cohesion and Integration**

- 4.2.1 An equality, diversity, cohesion and integration screening was carried out (Appendix B), confirming that a full impact assessment is not needed. The proposals will not impact on any equality characteristic more significantly than any other.

#### **4.3 Council Policies and City Priorities**

- 4.3.1 Stopping up this area of Highway would put at risk the Council priorities on Housing Growth and improving Road Safety at this location.

#### **4.4 Resources and Value for Money**

- 4.4.1 The applicant has made the advance payment that will be returned if the Chief Officer (Highways & Transportation) refuses the request.

#### **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. Any decisions arising from this report are eligible for call in.

#### **4.6 Risk Management**

4.6.1 There is a risk that the applicant may appeal against the decision

## **5 Conclusions**

5.1 An area of Highway at Wetherby Road/Red Hall Lane junction is not 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 approve:

- i) the refusal of the request to the Stopping Up of the Highway shown red on drawing SD/217960/WR/01 under Section 116 of the Highways Act 1980; and
- ii) return the advance payment in full to the applicant.

## **7 Background Documents <sup>1</sup>**

7.1 None

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<sup>1</sup> 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.

# 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.

<b>Directorate: City Development</b>	<b>Service area: Highways and Transportation</b>
<b>Lead person: David Stainsby</b>	<b>Contact number: 0113 37 87465</b>

<b>1. Title: Section 116 Highways Act 1980 – Stopping Up Order – Wetherby Road/Red Hall Lane Junction</b>			
Is this a:			
<input type="checkbox"/> <b>Strategy / Policy</b>	<input checked="" type="checkbox"/> <b>Service / Function</b>	<input type="checkbox"/> <b>Other</b>	
<b>If other, please specify:</b>			

<b>2. Please provide a brief description of what you are screening</b>
Declaring an area of highway at Wetherby Road/Red Hall Lane Junction in accordance with Section 116 of the Highways Act 1980.

<p><b>3. Relevance to equality, diversity, cohesion and integration</b></p> <p>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.</p> <p>The following questions will help you to identify how relevant your proposals are.</p> <p>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).</p>
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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"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>		X X 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**.

<b>4. Considering the impact on equality, diversity, cohesion and integration</b>
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).
<ul style="list-style-type: none"> <li>• <b>How have you considered equality, diversity, cohesion and integration?</b> (<b>think about</b> 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)</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Key findings</b> (<b>think about</b> 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.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Actions</b> (<b>think about</b> how you will promote positive impact and remove/ reduce negative impact)</li> </ul>

<b>5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.</b>
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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

<b>6. Governance, ownership and approval</b>		
Please state here who has approved the actions and outcomes of the screening		
<b>Name</b>	<b>Job title</b>	<b>Date</b>
Dave Stainsby	Group Engineer, Site Development	1 February 2018

<b>7. Publishing</b>	
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 <b>Key Delegated Decision, Executive Board, full Council</b> or a <b>Significant Operational Decision</b> a copy should be emailed to Corporate Governance and will be published along with the relevant report.	
A copy of <b>all other</b> screening's should be sent to <a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a> . For record keeping purposes it will be kept on file (but not published).	
<b>Date screening completed</b>	
If relates to a Key Decision - <b>date sent to Corporate Governance</b>	
Any other decision – <b>date sent to Equality Team (equalityteam@leeds.gov.uk)</b>	1 February 2018