

**Report to the Chief Officer (Highways and Transportation)**

**Date: 13 February 2018**

**Subject: High Royds – Junction G**

**Capital Scheme Number: 13220**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):GUISELEY & RAWDON	<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. As part of the planning conditions for the housing development of the former High Royds Hospital site in Menston, seven highway junctions around the site were identified as requiring alteration/improvement.
2. In March 2005, a delegated decision was made to;
  - i) negotiate the terms and enter into a S278 agreement with the Developer,
  - ii) approve the implementation of the highway works at the 7 Junctions, and
  - iii) approve the injection and expenditure of £3,000,000
3. Due to delays with the pace of the housing development and rising costs, six out of the seven junctions were completed with insufficient funds remaining to complete the seventh, Junction G.
4. Following some recent additional planning applications on the High Royds site, the Developer has now agreed to pay the additional cost for Junction G and whilst there is still authority to implement these works, approval is required for the additional expenditure.

**Recommendations**

5. The Chief Officer (Highways and Transportation) is requested to:

- i) note the contents of this report; and
- ii) give authority to incur the additional expenditure of £720,000 (£595,000 works and £125,000 fees) all to be fully rechargeable to the Developer.

## **1 Purpose of this report**

- 1.1 This report provides a brief update on the current position with the highway works associated with the High Royds housing development.
- 1.2 Its main purpose is to seek approval to incur additional expenditure of £720,000 to enable the works at Junction G to be completed.

## **2 Background information**

- 2.1 Planning permission for the development of 562 dwellings, offices, a creche, medical and retail facilities (application reference 28/198/03/FU), was granted in December 2003, subject to a Section 106 Agreement. Drafting of the agreement included an obligation for the developer to enter into a Section 278 Agreement for the design and implementation of off-site highway works.
- 2.2 The Developer entered into a S278 Agreement with Leeds City Council to deliver the seven junctions identified through planning, with each one being triggered by a particular stage in development of the site.
- 2.3 The development site is within the Leeds boundary, however, some of the junctions identified for improvements straddle the boundary with Bradford. With the majority of junctions being in Leeds, it was decided that Leeds City Council undertake the the design and construction of the highway works. Junction G, which is the final junction and the subject of this report, sits wholly within the Leeds boundary.
- 2.4 A budget estimate of £3,000,000 was identified to cover all seven junctions although this cost excluded any necessary statutory undertakers' diversions.
- 2.5 In 2005, authority to implement the works was granted and six of the seven junction were delivered with the seventh, Junction G, remaining outstanding.

## **3 Main issues**

- 3.1 In entering into the S278 Agreement with the Council, a budget estimate of £3,000,000 to cover the whole of the seven junctions was determined. This excluded any potential statutory undertakers' diversion costs.
- 3.2 As a result of a number of factors including inflation, cumulative overspends, and the requirements for some statutory undertakers' diversions, the initial £3m was spent on the first six junctions leaving the seventh, Junction G, unfunded.
- 3.3 Due to the downturn in the housing market, and the pace of the development, the developer was not in a position to fund the additional costs of the final junction.
- 3.4 The Council has repeatedly informed the Developer of his obligation to fund this work without success.

- 3.5 In October 2016, the Developer agreed to fund a value engineering exercise to try and realign the junction in an attempt to reduce statutory undertakers' diversions.
- 3.6 Further recent planning applications on the High Royds site for additional housing has again conditioned the need for Junction G to be completed and the Developer has now agreed to fund these works.
- 3.7 Payment for these works was received in January 2018.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Internal consultation was undertaken in 2016 when the latest design work on the junction was undertaken. Internal consultees have been informed of the current position.
- 4.1.2 Local Ward Members have been consulted on the current position with positive responses being received.

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

- 4.2.3 As this report is seeking a purely financial decision, no equality, diversity, cohesion and integration screening has been undertaken.

### **4.3 Council policies and the Best Council Plan**

- 4.3.1 The construction of Junction G is a planning condition of the ongoing housing development on the former High Royds Hospital site
- 4.3.2 Objectives within the Best Council Plan aim to ensure high quality public services with a focus on improving roads and also target the reduction of people KSI on the city's roads. The proposals in this report are consistent with the Plan. The signalling of this staggered cross roads will improve safety for both vehicular traffic and pedestrians.

### **4.4 Resources and value for money**

- 4.4.1 The proposals within this report can be accommodated within the current level of staff resource.
- 4.4.2 All costs, fees and charges are to be fully rechargeable to the Developer.

### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.3 Other than the normal statutory processes involved in procuring and carrying out works on the highway, there are no further legal implications directly related to this report.

### **4.6 Risk Management**

- 4.6.1 The total cost of the works will be funded by the Developer. Agreement has been made with the Developer to implement these works using the Highway Works Term contact to provide some assurance over outturn cost.

## **5 Conclusions**

- 5.1 The housing redevelopment of the former High Royds Hospital site has been ongoing for over 10 years. Despite numerous ongoing requests from the Council, for various reasons the Developer has been reluctant and not funded the construction of Junction G.
- 5.2 Due to recent planning applications on the site, the Developer is now in a position to fund this final junction.
- 5.3 Previous approvals are in place to construct the works but the total cost exceeds the financial approval that is in place. This report seeks that financial approval.

## **6 Recommendations**

- 6.1 The Chief Officer (Highways and Transportation) is requested to:
- i) note the contents of this report; and
  - ii) give authority to incur the additional expenditure of £720,000 (£595,000 works and £125,000 fees) all to be fully rechargeable to the Developer.

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

- 7.1 Design and Cost Report 1458/2004 March 20

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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.

