

Delegated Decision Notice

This form is the written record of a key, significant operational or administrative decision taken by an officer.

Decision type	<input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
Approximate value	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input type="checkbox"/> over £1,000,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input type="checkbox"/> £100,000 to £500,000 <input checked="" type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	Director of City Development		
Contact person:	Andrew Fosbueary	Telephone number: 0113 378 5179	
Subject²:	Design & Cost Report for S278 Highway Works Associated with developments at Radial Park, Manston Lane, Leeds		
Decision details³:	<p>What decision has been taken?</p> <p>The Chief Officer (Highways and Transportation) is requested to:</p> <ol style="list-style-type: none"> a. Note the detail of the highway works described in paragraph 4 of this report and shown on plan 733366-LCC-HWT-XX-DR-CH-01_001 attached at Appendix 3; b. Give authority to negotiate the terms of and enter into an agreement with the developer under the provisions of Section 278 of the Highways Act 1980; whereby the works associated with the development are carried out by Leeds City Council, fully funded by the developer. c. Give authority to complete the detailed design, tender and implement the works as set out in outline in paragraph 4. d. Give authority to incur expenditure of £750,000 works costs, £150,500 staff costs plus statutory undertaker costs, to be fully funded by the developer through the S278 Agreement. e. Authorise the City Solicitor to erect notices under s23 of the Road Traffic Regulation Act 1984 on site as required for the establishment of a new raised toucan crossing on Manston Lane located to the east of Sandreas Way. If no valid objections are received, to thereafter implement. f. Adoption recommendation wording- Appendix 4, plan to follow. g. Approve with reference to the powers contained in Section 66(4) of the Highways Act 1980, that the relevant lengths of footway along the northern side of Manston Lane, either side of the proposed raised toucan crossing are removed and a shared use cycletrack constructed under the powers contained under the provisions of section 65(1) of the Highways Act 1980. 		

¹ Give title of Director with delegated responsibility for function to which decision relates.

² If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list

³ Simply refer to supporting report where used as these matters have been set out in detail.

- h. Approve with reference to powers contained in Section 65 (1) of the Highways Act construction of shared used footways / cycleways as shown on plan 733366-LCC-HWT-XX-DR-CH-01_001.
- i. Approve with reference to powers contained in Section 66 (1) of the Highways Act construction of footways as shown on plan 733366-LCC-HWT-XX-DR-CH-01_001, along both sides of the new vehicular accesses.
- j. Approve with reference to powers contained in Section 96 (2) of the Highways Act the removal or alteration of existing grass verge along the northern side of Manston Lane to allow for footway widening in relation to the new raised toucan crossing as shown on plan 733366-LCC-HWT-XX-DR-CH-01_001.

Authorise the City Solicitor to advertise a notice under the provisions of Section 90C of the Highways Act 1980 in order to inform the public of the new raised tables on each of the new site accesses road and if no valid objections are received, to continue with the works as advertised.

A brief statement of the reasons for the decision

1. Section 278 of the Highways Act 1980 allows Highways Authorities to enter into agreements with developers for the execution of highway works at the developer's expense. The preconditions for an agreement under Section 278 of the Highways Act 1980 are, first, that the Highway Authority should be satisfied that it will be of benefit to the public to enter into an agreement for the execution of the works and, secondly, that the work must fall within the Highway Authority's powers of road building, improvement and maintenance.
2. The proposals within this report are concerned only with the delivery of the off-site highway works, the principle of these works having been considered and accepted as part of the planning process for planning consent A full planning permission (18/07433/FU) was granted in 26th August 2020 for a proposed development of 437 dwellings with new roads, open space, landscaping, drainage and associated works. The location of the development site is shown on drawing LOCATION_PLAN-4076252 provided at **Appendix 2** of this report. A General Arrangement Plan (drawing ref: 733366-LCC-HWT-XX-DR-CH-01_001) is provided at **Appendix 3** of this report.
3. The development requires a package of highway improvements along Manston Lane which are described in detail in paragraph 4 below.
4. The highway works are required to provide adequate and safe vehicular, pedestrian and cyclist access to/from the development and to/from the surrounding community/ facilities. The proposed works as shown on 733366-LCC-HWT-XX-DR-CH-01_001 will comprise:
5. Construction of 2 new vehicular accesses (a third, eastern access is to be provided by the developer and included in the S38 agreement) for the development as follows:

Western Junction
6. Vehicular access with provision of a right turn ghost island lane with widened carriageway and new kerb lines to tie-in with the existing and footway to both sides

7. Informal crossing on Manston Lane to the east and west of the Western Access with dropped kerbs, tactile paving and refuge island to facilitate pedestrian movements.
8. Bus Stops ID 45012074 and ID 45012073 on the southern side of Manston Lane to be removed and consolidated into one bus stop between the Western and Central Junctions.


Central Junction
9. Vehicular access with provision of a right turn ghost island lane with widened carriageway and new kerb lines to tie-in with the existing, and footway to the eastern side..
10. Informal crossing on Manston Lane between the Western Access and Central Access with dropped kerbs and tactile paving to facilitate pedestrian movements to and from the new bus stop, and a footpath link from the development.
11. Informal crossing to the west of the central access with dropped kerbs, tactile paving and a refuge island to facilitate pedestrians movements
12. Provision of new cycletrack for shared use by pedestrians and cyclists on the southern side of Manston Lane along the frontage of the proposed development, to tie in with existing provision to the east and new provision within the development, with a further relocation of bus stop ID 45032099 to facilitate the eastern access and informal pedestrian crossing of Manston Lane to access this bus stop and the eastern end of the development.
13. A raised toucan crossing on Manston Lane to the east of Sandleas Way, including dropped kerbs and tactile paving, with footway widening on the northern side of Manston to ensure a suitable cycetrack for shared use width once the crossing is installed.
14. The redundant accesses to the development to be closed and reinstated to full height kerbs with verge/cycletrack/footway.
15. All associated Civils works, including (inter alia) reconstruction, tie-ins, resurfacing, signing, lighting, drainage and lining works etc.
16. Any works reasonably required following safety audits of the design and construction of the highway works; and
17. Any associated statutory undertaker's work resulting from the Works.
18. All associated civils works, including (inter alia) reconstruction, tie-ins, resurfacing, lighting, signing, drainage and lining works etc;
19. Any associated statutory undertakers' works resulting from the works; and
20. Any works reasonably required following safety audits of the design and construction of the highway works.
21. To meet the requirements of the planning permission and deliver the highway improvements outlined above the developer seeks to enter into a Section 278 Agreement (Highways Act 1980) to enable the highways works to be carried out.

	<p>22. This report seeks authority to negotiate terms and enter into a S278 Agreement for the highway works associated with the development to allow the Council to design and construct the works at the developer's expense.</p> <p>23. The planned highway works will contribute to the Best Council Plan by maintaining and improving the safety of Leeds residents and enabling safe pedestrian, cycle and vehicular access in the local community.</p>
	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision N/A</p>
<p>Affected wards:</p>	<p>Cross Gates & Whinmoor and Harewood</p>
<p>Details of consultation undertaken⁴:</p>	<p>Executive Member</p> <hr/> <p>Ward Councillors Cross Gates & Whinmoor and Harewood Ward Members were consulted by email dated 12th January 2024 and made no comments on the proposals.</p> <hr/> <p>Chief Digital and Information Officer⁵</p> <hr/> <p>Chief Asset Management and Regeneration Officer⁶</p> <hr/> <p>Others The Emergency Services and West Yorkshire Combined Authority (WYCA) were consulted by email dated 12th January 2024, no comments have been received at the time of writing the Design and Cost report.</p> <p>Internal consultation has taken place with colleagues in Highways and Transportation Services by email dated 12th January 2024.</p> <p>Internal consultation has taken place with colleagues in Highways and Transportation Services by email 12th January 2024. Internal consultations have highlighted issues with regards to geotechnical investigations, carriageway surfacing in the vicinity of the proposed raised toucan crossing and future maintenance of verges and road markings. Issues raised have been passed to the Design Team and will be incorporated into the detailed design stage.</p>

⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

⁵ See Officer Delegation Scheme (Executive Functions) CDIO must be consulted in relation to all matters relating to the Council's use of digital technology

⁶ See Officer Delegation Scheme (Executive Functions) CAMRO must be consulted in relation to all matters relating to the Council's land and buildings.

Implementation	Officer accountable, and proposed timescales for implementation Works for the proposed development will commence in April 2024. The proposed highway works would be fully implemented by September 2024.		
List of Forthcoming Key Decisions⁷	Date Added to List:-		
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision		
	If Special Urgency Relevant Scrutiny Chair(s) approval Signature _____ Date _____		
Publication of report⁸	If not published for 5 clear working days prior to decision being taken the reason why not possible:		
	If published late relevant Executive member's approval Signature _____ Date _____		
Call In	Is the decision available ⁹ for call-in?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public:		
Approval of Decision	Authorised decision maker ¹⁰ Gary Bartlett, Chief Officer – Highways & Transportation		
	Signature 	Date 13 th March 2024	

⁷ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

⁸ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

⁹ See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call in. Key decisions are always available for call in unless they have been exempted from call in under rule 5.1.3.

¹⁰ Give the post title and name of the officer with appropriate delegated authority to take the decision.