

## Delegated Decision Notice

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

<b>Decision type</b>	<input type="checkbox"/> Key Decision	<input type="checkbox"/> Significant Operational Decision	<input checked="" type="checkbox"/> Administrative Decision
<b>Approximate value</b>	<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 type="checkbox"/> Over £500,000	<input checked="" type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
<b>Director<sup>1</sup></b>	Director of City Development		
<b>Contact person:</b>	Gordon Maclay		Telephone number: 0113 37 88090
<b>Subject<sup>2</sup>:</b>	Design & Cost Report for S278 Highway Works and S116 Stopping Up Order Associated with Development at Lucent Square, 32 York Road, Leeds, LS9 8SY		
<b>Decision details<sup>3</sup>:</b>	<p>What decision has been taken?            (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.)</p> <p>The Chief Officer (Highways and Transportation) has:</p> <ol style="list-style-type: none"> <li>a. Noted the detail of the highway works described in outline in paragraph 3 of this report and shown on plan 1831-01-03 A General Arrangement Plan attached at <b>Appendix 3</b>;</li> <li>b. Given 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 the developer under Leeds City Council's supervision;</li> <li>c. Given authority to incur capital expenditure of circa £5,000 associated with staff checking and inspection costs. These costs will be fully funded by the developer through the Section 278 Agreement; and</li> <li>d. Instructed the City Solicitor to apply to the magistrates' court for, and promote as required, a Stopping Up Order under Section 116 of the Highways Act 1980 for the areas of adopted highway as hatched red on drawing ref: 996219-SU2310-01 at <b>Appendix 4</b> of this report.</li> </ol>		

<sup>1</sup> Give title of Director with delegated responsibility for function to which decision relates.

<sup>2</sup> 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

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

A brief statement of the reasons for the decision

(Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate)

- 1 The proposals within this report are concerned with the delivery of the off-site highway works associated with planning consent 18/00294/FU which was granted on 25<sup>th</sup> June 2018 for the change of use involving alterations and extension of church building to create 52 residential apartments and a retail unit with car parking and ancillary spaces at Lucent Square, 32 York Road, Leeds, LS9 8SY.
- 2 A parcel of land within the development site is currently adopted as highway and will become redundant on implementation of the off-site highway works, it is therefore proposed that any existing highway rights would be removed from this parcel of land via a Stopping Up Order under Section 116 of the Highways Act 1980.
- 3 The proposed works comprise:
  - The construction of a 42m section of new 2m wide footway along Shannon Street from Plaid Row/Shannon Street junction to tie in with existing footway east of the site
  - Two new dropped crossings within the new footway on Shannon Street for vehicular access to the site
  - Full kerbs at Plaid Row site frontage.
  - All associated civils works including (inter alia) signs, lighting, road markings and drainage
  - Concrete pin kerb to mark the new highway boundary.
  - Any Statutory undertakers works resulting from the works described above
- 5 To meet the requirements of the planning permission and deliver the highway works, the developer has requested Leeds City Council enter a minor Section 278 Agreement of the Highways Act 1980.

Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision

The scope of the highways access and other works was assessed and agreed at Planning Application stage therefore no other options formed part of this proposal.


<b>Affected wards:</b>	<b>Burmantofts &amp; Richmond Hill</b>
<b>Details of consultation undertaken<sup>4</sup>:</b>	Executive Member Cllr Helen Hayden
	Ward Councillors
	Others
<b>Implementation</b>	Officer accountable, and proposed timescales for implementation
<b>List of Forthcoming Key Decisions<sup>5</sup></b>	Date Added to List:- N/A
	<b>If Special Urgency or General Exception</b> a brief statement of the reason why it is impracticable to delay the decision
	<b>If Special Urgency</b> Relevant Scrutiny Chair(s) approval Signature _____ Date _____
<b>Publication of report<sup>6</sup></b>	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 _____
<b>Call In</b>	Is the decision available <sup>7</sup> for call-in? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<b>If exempt from call-in</b> , the reason why call-in would prejudice the interests of the council or the public:

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

<sup>5</sup> See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

<sup>6</sup> See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

<sup>7</sup> 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.

<b>Approval of Decision</b>	Authorised decision maker <sup>8</sup> Gary Bartlett (Chief Officer, Highways & Transportation)	
	Signature 	Date 13 <sup>th</sup> March 2024

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<sup>8</sup> Give the post title and name of the officer with appropriate delegated authority to take the decision.