

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 checked="" 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 type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	Director of City Development		
Contact person:	Gema Garcia	Telephone number: 0113 378 6412	
Subject²:	Design & Cost Report for S278 Highway Works Associated with the student accommodation development at Cookridge Street, Leeds, LS2 8BL.		
Decision details³:	<p>What decision has been taken?</p> <p>The Chief Officer (Highways and Transportation) was requested to:</p> <ol style="list-style-type: none"> a. Note the detail of the highway works described in outline in paragraph 4 of this report and shown on plan TPHS/377/DR/051 Rev D 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 the developer and overseen by the Council. c. Give authority to incur expenditure of £6,870.00 staff checking and inspection fees to be fully funded by the developer through a Section 278 Agreement. d. Approve the adoption of new highway construction on land shaded red on drawing number 2014-176/0907 Rev B attached at Appendix 4 so that it can be added to the Council's maintenance regime. e. Approve the adoption of new highway construction on land shaded red on drawing 2014_176_0907 Rev A - LCC Education land to adopted highway attached at Appendix 5, which is currently LCC land vested on Education, so that it can be added to the Council's maintenance regime. The Education Department has been contacted to request this land becomes adopted highway to which no concerns have been raised. f. Authorise the City Solicitor to advertise a Draft Traffic Regulation Order to create a new loading bay on Cookridge Street as shown on TPHS/377/DR/051 Rev D attached at Appendix 3; and if no valid objections are received, to make, seal and implement the Orders as advertised; If objections are received when advertised these will be reported back to board. 		

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.

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 19/02841/FU. The location of the development site is provided on Location Plan ref.: 2014-176-0101 at Appendix 2 of the D&C Report. A General Arrangement Plan (drawing ref: TPHS/377/DR/051 Rev D) is provided at Appendix 3 of the D&C Report.
3. There will be additional works on Vernon St, beyond the scope of the S278 works, to improve the environment for pedestrians. These works will be funded through a S106 contribution from this development, which will be the subject of a subsequent D & C Report to Highways Board.
4. Planning permission was granted in March 2021 (ref: 19/02841/FU) for the demolition of the Leeds City College of Technology Campus and erection of a multi-level student accommodation building with flexible commercial space and associated highway improvements at Cookridge Street, Woodhouse Lane and Vernon Street. The site location is as shown on the Location Plan at Appendix 2 of the D&C Report. The planning consent requires a package of highway improvements described in detail below.
5. The highway works are required to provide adequate servicing arrangements for the development and provide enhancements to the public realm area surrounding the site. The proposed works are shown on plan no. TPHS/377/DR/051 Rev D attached in Appendix 4 of the D&C Report and comprise:
 - Provision of a loading bay on Cookridge Street including traffic regulation orders and road markings.
 - Relocation of existing sheffield stands on the northern side of Cookridge Street towards the southern side to provide a more distributed cycle parking provision.
 - Footway works along Woodhouse Lane and Cookridge Street site frontages to match city centre palette and construction for footway works, incorporating a dropped kerb on Cookridge St to facilitate potential future cycle contraflow.
 - Provision of trees and associated tree pits on Cookridge Street and Woodhouse Lane.
 - Provision of a 2m wide footway along the northern side of Vernon Street.
 - Land dedication is required for part of the works. This is shown on plan 2014-176-0907 Rev B. There is also stopping up of small areas of Highway, shown on 2014-176-0908, to be progressed by the developer under S247 of the T & C Planning Act.
 - LCC land vested in Education is to become adopted highway. This land is shown on plan 2014_176_0907 Rev A – LCC Education land to adopted highway.
 - All associated civils works, including (inter alia) reconstruction, tie-ins, resurfacing, lighting, signing, drainage and lining works etc;
 - Any associated statutory undertakers' works resulting from the works; and
 - Any works reasonably required following safety audits of the design and construction of the highway works.

	<p>6. 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> <p>7. This report seeks authority to negotiate terms and enter into a S278 Agreement for the highway works associated with the development to allow the works to be designed and carried out by the developer, overseen by the Council.</p> <p>8. The planned highway works will contribute to the Best Council Plan by maintaining and improving the safety of Leeds residents and enabling safe pedestrian and cycle access in the local community, and safe servicing for the site.</p>
	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>N/A</p>
Affected wards:	Little London & Woodhouse
Details of consultation undertaken⁴:	Executive Member
	<p>Ward Councillors</p> <p>Little London & Woodhouse Members were consulted by email dated 24th October 2023, no comments have been received at the time of writing the Design and Cost Report.</p>
	Chief Digital and Information Officer ⁵
	Chief Asset Management and Regeneration Officer ⁶
	<p>Others</p> <p>The Emergency Services and West Yorkshire Combined Authority (WYCA) were consulted by email dated 24th October 2023, 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 24th October 2023. Colleagues in H&T requested that the cycle contraflow was included as part of the offsite highway work proposals for this scheme. This scheme provides a dropped kerb on Cookridge St to facilitate a potential future cycle contraflow.</p>
Implementation	<p>Officer accountable, and proposed timescales for implementation</p> <p>Works for the proposed development will commence in March-April 2024. The proposed highway works would be fully implemented by July 2024.</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.

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 4 th April 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.