

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

**Date: 12 February 2019**

**Subject: South Parkway to Brooklands View Link Road, Works Associated with the East Leeds Brownfield Land Programme**

**Capital Scheme Number : 16982/SEA/000**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Killingbeck & Seacroft	<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 The Leeds Core Strategy sets out the requirement for 66,000 net new homes by 2028 to meet the needs of a growing population.
- 2 There are a number of former housing sites in the Seacroft and Halton Moor area which are earmarked for redevelopment, in addition to other large sites which already have planning consent including land to the rear of Seacroft Hospital. The Council's Brownfield Land Programme was established in July 2013 and included 33 sites across the city, with a large proportion in East Leeds. Thirteen sites across Seacroft and Halton Moor were marketed through the Homes & Communities Agency's Development Partner Panel in Summer 2015. Keepmoat Homes and Strata who submitted a joint bid were selected as preferred developers and the planning applications for the sites were submitted in November 2016 and approved in summer 2017.
- 3 The Council has been successful in securing £1.1m of loan funding from the Local Growth Fund to support the viability of the brownfield sites in East Leeds through the delivery of infrastructure and site preparation works. In September 2016, Executive Board approval was granted to inject into the Capital Programme and give authority to spend £1.1m of recoverable loan funding from the local growth fund to support enabling works associated with the delivery of new homes on Council owned brownfield sites in East Leeds.

## Recommendations

- 4 The Chief Officer (Highways and Transport) is requested to:
- i) note the contents of this report;
  - ii) note the highway works as outlined in Section 3.1 and indicated on Drawing Number 716982\_LCC\_HWT\_XX\_DR\_EP\_01\_01a; and
  - iii) give authority to complete the detailed design, tender and implement the works as set out in Section 3.1; and
  - iv) note the total estimated cost of this scheme is £1,345,000 to be funded from a £1,100,000 loan from the Local Growth Fund as previously authorised at Executive Board, and £ 245,000 new injection of LCC Capital borrowing resource.
  - v) give authority to incur expenditure of £245,000 consisting of £185,000 staff costs and £60,000 works costs to be funded from LCC Capital borrowing resource; and
  - vi) approve the adoption of new highway construction so that it can be added to the Council's maintenance regime; and
  - vii) give authority to display a notice on site under the provisions of Section 23 of the Roads Traffic Regulation Act 1984 in order to inform the public of the proposed pedestrian crossing on Brooklands Avenue as shown on drawing no. 716982\_LCC\_HWT\_XX\_DR\_EP\_01\_01a; and
  - viii) give authority to request the City Solicitor to draft and advertise a notice under the provision of Section 90C of the Highway Act 1980 for the implementation of speed cushions as shown on drawing no. 716982\_LCC\_HWT\_XX\_DR\_EP\_01\_01a; and
  - ix) approve with reference to the powers contained in Section 66(4) of the Highways Act 1980, that the relevant lengths of footway shown on the marked up Drawing No. 716982\_LCC\_HWT\_XX\_DR\_EP\_MI\_17 are removed and that following the removal of the designation of footways, that shared cycle/pedestrian designation is assigned under the powers contained under the provisions of Section 65(1) of the Highways Act 1980.

### 1 Purpose of this report

- 1.1 To note the principle of the implementation of highway works associated with the approved brownfield residential development sites at Seacroft.
- 1.2 To obtain authority to incur expenditure associated with the implementation of highway works associated with the development.

### 2 Background information

- 2.1 In September 2016, Executive Board approval was granted to inject into the Capital Programme and give authority to spend £1.1m of recoverable loan funding from the local growth fund to support enabling works associated with the delivery of new homes on Council owned brownfield sites in East Leeds.

**2.2** Highway works are required to provide a new link road between South Parkway and Brooklands View that will also operate as a bus route and provide improved vehicular and pedestrian access to the proposed housing development sites. These highway works are shown indicatively on the attached drawing No. 716982\_LCC\_HWT\_XX\_DR\_EP\_01\_01a and are detailed in Section 3.1.

**2.3** Construction work for Phase 1 of the housing development commenced on site in late 2017 to the east of the proposed link road and Phase 2 is due to be completed in early 2020.

### **3 Main issues**

#### **3.1 Design Proposals and Full Scheme Description**

3.1.1 The proposals within this report are concerned only with the delivery of the highway works, the principal of these works having been considered and accepted as part of the planning process.

3.1.2 The adjacent proposed residential development requires the provision of new carriageway linking vehicular and pedestrian access. The highway works form only one section of a larger overall link road with the objective of improving connectivity in stages.

The proposed works comprise:

- Widening of South Parkway and formation of a junction to the new link road, together with pedestrian crossing islands and relocation of affected bus stops.
- New carriageway construction connecting the new junction on South Parkway to Brooklands View, including a new junction with the minor South Parkway. Reconstruction of the parking area at the top of Brooklands View and extension to Brooklands Avenue.
- Introduction of a roundabout to reconfigure the junction of the extended Brooklands View with Brooklands Avenue and the northern part of Brooklands View.
- Provision of a 3m wide off road shared use footway/cycleway connecting to the adjacent housing development and previously constructed section of the link road on the northern part of Brooklands View.
- 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 above works.
- Any works reasonably required following safety audits of the design and construction of the highway works.

3.1.3 The proposed works are shown indicatively on the attached drawing number 716982\_LCC\_HWT\_XX\_DR\_EP\_01\_01a.

- 3.1.4 The Civil Engineering section will be responsible for the detailed design and delivery of the works.
- 3.1.5 Safety Audits and Maintenance Audits were carried out as part of the detailed design process. The stage 2 safety audit was completed on 8<sup>th</sup> June 2018.
- 3.2 Programme** - It is envisaged that the detailed design will be completed in February 2019 and the works will be procured using the Highways Term Contract with the works due to be completed by Winter 2019.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

#### **4.1.1 Ward Members:**

Ward Members of Killingbeck & Seacroft Ward were consulted by email on the specific highway proposals on 29<sup>th</sup> June 2017 and no adverse comments were received. Ward Members had previously been consulted at the Planning Application stage in Summer 2017 and also as part of the wider Brownfield land programme consultations which were the subject of an Executive Board report approved in September 2016. As all three current ward members have only recently been elected, they were issued with the General Arrangement plans and the scheme background for their information on 12<sup>th</sup> February 2019 and no adverse comments have been received to date.

#### **4.1.2 Emergency Services and West Yorkshire Combined Authority (WYCA):**

The Emergency Services and WYCA were consulted by email on 29<sup>th</sup> June 2017. No adverse comments were received from the Emergency Services. WYCA commented that an existing bus shelter required upgrading, and the scheme proposals now include a kerbed build out feature and new bus shelter provision.

#### **4.1.3 LCC Internal Teams:**

Internal consultation has taken place with colleagues in the Highways & Transportation Services on 29<sup>th</sup> June 2017 and all relevant comments received have been incorporated into the detailed design scheme proposal.

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

- 4.2.1 An EDCI Impact Assessment has been prepared for developer funded projects and is attached as Appendix 1. The assessment confirmed that the consideration given to the highway proposals as part of the planning application process addressed the impact of the proposals in terms of equality, diversity, cohesion and integration and that a separate screening or impact assessment was not required for the approvals requested for each individual developer funded project.

### **4.3 Council policies and City Priorities**

- 4.3.1 The proposed highway works which allow the brownfield housing development sites to take place accord with the Council's Local Transport Plan and other policies in that they provide a safe means of access for all users of the highway, to and around the development sites.

#### 4.4 Resources and value for money

4.4.1 The total estimated costs for this scheme are £1,345,000 being £1,160,000 for the works and Statutory Undertaker's costs and £185,000 staff fees.

#### 4.5 Capital Funding and Cash Flow

Funding: The works costs of £1.16m are being funded in the main part through a £1.1m loan from the Local Growth Fund to support the viability of brownfield sites in East Leeds through the delivery of infrastructure and site preparation works. The loan is to be repaid by Keepmoat Homes to LCC through an enhanced receipt received for the sites. The remaining £60,000 works costs and £185,000 staff fees are to be funded from an additional injection of £245,000 LCC Capital borrowing resource.

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2018 £000's	FORECAST				
			2018/19 £000's	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	1100.0		1100.0				
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
<b>TOTALS</b>	<b>1100.0</b>	<b>0.0</b>	<b>0.0</b>	<b>1100.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2018 £000's	FORECAST				
			2018/19 £000's	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	60.0		60.0				
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	185.0	90.0	10.0	85.0			
OTHER COSTS (7)	0.0						
<b>TOTALS</b>	<b>245.0</b>	<b>90.0</b>	<b>10.0</b>	<b>145.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2018 £000's	FORECAST				
			2018/19 £000's	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022 on £000's
LCC Supported Borrowing	245.0		245.0				
Revenue Contribution	0.0						
Capital Receipt	1100.0	90.0	10.0	1000.0			
Insurance Receipt	0.0						
Lottery	0.0						
Gifts / Bequests / Trusts	0.0						
European Grant	0.0						
Health Authority	0.0						
School Fundraising	0.0						
Private Sector	0.0						
Section 106 / 278	0.0						
Government Grant	0.0						
SCE ( C )	0.0						
SCE ( R )	0.0						
Departmental USB	0.0						
Corporate USB	0.0						
Any Other Income ( Specify)	0.0						
<b>Total Funding</b>	<b>1345.0</b>	<b>90.0</b>	<b>10.0</b>	<b>1245.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Balance / Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

4.6.1 The works are exempt from call in as the Executive Board approved the spend of £1.1m in September 2016 and the remaining balance being approved is for £245k.

## **4.7 Risk Management**

4.7.1 There is a risk that if the scheme proposals are not introduced as programmed, then suitable access for residents to the new brownfield site housing developments will be severely restricted and planned future stages of the development could be jeopardised.

## **5 Conclusions**

5.1 This report seeks authority to complete the detailed design and construct the works. Such works as detailed in Section 3.1, at an estimated cost of £1,160,000 (excluding design fees).

## **6 Recommendations**

6.1 The Chief Officer is requested to:

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- iii) give authority to complete the detailed design, tender and implement the works as set out in Section 3.1; and
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## **7 Background documents**

7.1 None

# Appendix 1 Equality, Diversity, Cohesion and Integration Impact Assessment



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. In all appropriate instances we will need to carry out an equality, diversity, cohesion and integration impact assessment.

This form:

- can be used to prompt discussion when carrying out your impact assessment
- should be completed either during the assessment process or following completion of the assessment
- should include a brief explanation where a section is not applicable

<b>Directorate: City Development</b>	<b>Service area: Highways &amp; Transportation</b>
<b>Lead person: Gillian MacLeod</b>	<b>Contact number: 0113 37 88091</b>
<b>Date of the equality, diversity, cohesion and integration impact assessment: 18<sup>th</sup> September 2012, updated 15 May 2017</b>	

<b>1. Title: Equality Implications of Section 278 Process</b>
Is this a:
<input checked="" type="checkbox"/> <b>Strategy /Policy</b> <input type="checkbox"/> <b>Service / Function</b> <input type="checkbox"/> <b>Other</b>
<b>If other, please specify</b>

## 2. Members of the assessment team:

<b>Name</b>	<b>Organisation</b>	<b>Role on assessment team e.g. service user, manager of service, specialist</b>
Gillian MacLeod	LCC	Service Manager
Adrian Hodgson	LCC	Service Officer
Andrew Thickett	LCC	Service Officer
Mary Levitt-Hughes	LCC	Equality Officer
Lisa Powell	LCC	Performance Manager

<p><b>3. Summary of strategy, policy, service or function that was assessed:</b></p> <p>Section 278 (S278) of the Highways Act 1980 makes provision for the Highway Authority to enter into an agreement to execute works with any other person (either an individual / organisation / developer) to make modifications, improvements and changes to the highway and for those works to be funded by that person / developer or organisation.</p> <p>Generally, a S278 is applied when, for example, a developer builds a housing estate and there are changes required to the highway to enable access to the site, footways, roads etc...</p> <p>This Equality Impact Assessment considers the process of determining the requirements of such developments and how this process gives due regard to the equality characteristics.</p>
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<p><b>4. Scope of the equality, diversity, cohesion and integration impact assessment</b> (complete - 4a. if you are assessing a strategy, policy or plan and 4b. if you are assessing a service, function or event)</p>
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<p><b>4a. Strategy, policy or plan</b> (please tick the appropriate box below)</p>	
The vision and themes, objectives or outcomes	<input checked="" type="checkbox"/>
The vision and themes, objectives or outcomes and the supporting guidance	<input type="checkbox"/>
A specific section within the strategy, policy or plan	<input type="checkbox"/>
<p><b>Please provide detail:</b></p>	

<p><b>4b. Service, function, event</b> please tick the appropriate box below</p>	
The whole service (including service provision and employment)	<input type="checkbox"/>
A specific part of the service (including service provision or employment or a specific section of the service)	<input type="checkbox"/>
Procuring of a service (by contract or grant)	<input type="checkbox"/>
<p><b>Please provide detail:</b></p>	



## **5. Fact finding – what do we already know**

Make a note here of all information you will be using to carry out this assessment. This could include: previous consultation, involvement, research, results from perception surveys, equality monitoring and customer/ staff feedback.

(priority should be given to equality, diversity, cohesion and integration related information)

A S278 agreement is entered into between developers and the Council and ensures that any impact on the highway, or improvements required to the highway, as a result of developments undertaken are agreed, and paid for prior to the works commencing.

S278 agreements can be entered into with an individual, but generally they are made between Developers and the Council.

There are three types of S278 agreements:

### Mini Section 278 Agreements

A Mini Section 278 Agreement is a formal arrangement to enable developers to carry out extremely minor highway works. This type of agreement covers minor footway crossing works, amendments to paving to provide level access, removal and reinstatement of planters, etc where the Developer designs and constructs the works, but provides a bond as surety. Leeds City Council obtains staff fees for checking the design and supervision of the works and fixed legal costs. This type of agreement is very minor in nature and does not include for commuted sums (payments for maintenance).

### Minor Section 278 Agreements

A Minor Section 278 Agreement is a formal arrangement for developers to carry out minor highway works themselves. It follows the same format as a mini S278 agreement but is used for schemes which are slightly more involved than a footway crossing, but not so involved that there is any major requirement for traffic management on a busy road, or likely involvement with statutory undertakers, and the design is not complex in any way. This type of agreement is most often used where the development and highway works are adjacent or make use of the same site, making it very difficult for a separate contractor to be working in the same area, eg re-paving footways, provision of lay-by within a site contractor's working zone. A Minor S278 still requires the provision of a bond but does also allow for the acquisition of commuted sums for maintenance.

### Standard Section 278 Agreements

A Standard Section 278 Agreement is used for all other highway works. The works are designed and supervised by Leeds City Council on behalf of the Developer. This type of agreement is used for most significant off-site highway works associated with planning applications. Standard S278 agreements do not require the provision of a bond as all monies are paid upfront.

## **Process Review**

When considering the requirements of a planning application that will require a S278 agreement to deliver highway works once consent is granted, a pro-forma is completed which considers the following:

- Accessibility – using guidelines laid down in the Leeds Core Strategy, Manual for Streets and LCC Street Design Guide (which has been the subject of an EIA) consideration is given to; walkers, cyclists, public transport users, vulnerable road users and impact on services nearby, for example - schools
- Vehicular access – safety of this relating to width, radii, visibility splays, crossing opportunities
- Internal layout / servicing / bins – shared surface issues. Ability to move around safely.
- Parking – safety issues, availability of disabled spaces in line with the Core Strategy and Parking SPD.
- Travel Plan – Availability and accessibility of public transport.
- Off site highways works – impacts of the development on the surrounding area e.g. – increased traffic flows, do we need a new set of traffic lights.
- Road safety – current statistics and impact on these.
- Planning conditions

These items are considered in terms of the protected characteristics.

S278 (4) states that “A highway authority shall not enter into an agreement under this section unless they are satisfied that it will be of benefit to the public”, and any suggested changes are put forward with this in mind.

**Are there any gaps in equality and diversity information**

**Please provide detail:**

No, however to reinforce the need to consider equality impacts, an additional equality item will be added to the pro-forma. – completed 2012.

Review operation of equality heading on proforma. – May 2017

**Action required:**

Amendments to be made to the pro-forma.- completed 2012.

Update team in Technical Team Meeting to ensure importance of correctly filling in profroma. – May 2017

**6. Wider involvement – have you involved groups of people who are most likely to be affected or interested**

Yes

No

**Please provide detail:**

The guidelines issued by the Department for Transport and other agencies which we

follow have been equality impact assessed, and this involved some element of consultation. We follow these guidelines and as such, wider consultation is not required or relevant however, each S278 proposal is sent to the relevant Ward Member for their input on behalf of residents.

**Action required:**

None

**7. Who may be affected by this activity?**

please tick all relevant and significant equality characteristics, stakeholders and barriers that apply to your strategy, policy, service or function

**Equality characteristics**

Age

Carers

Disability

Gender reassignment

Race

Religion or Belief

Sex (male or female)

Sexual orientation

Other

(Other can include – marriage and civil partnership, pregnancy and maternity, and those areas that impact on or relate to equality: tackling poverty and improving health and well-being)

**Please specify:**

**Stakeholders**

Services users

Employees

Trade Unions

Partners

Members

Suppliers

Other please specify

**Potential barriers.**

**Built environment**

**Location of premises and services**

**Information and communication**

**Customer care**

**Timing**

**Stereotypes and assumptions**

**Cost**

**Consultation and involvement**

**Financial exclusion**

**Employment and training**

**specific barriers to the strategy, policy, services or function**

**Please specify**

The location and heritage of a site may affect the type of improvements allowed.

In the current economic climate, the cost of certain improvements will effect what changes are agreed.

**8. Positive and negative impact**

Think about what you are assessing (scope), the fact finding information, the potential positive and negative impact on equality characteristics, stakeholders and the effect of the barriers

**8a. Positive impact:**

The designs put forward will take into account the needs of each of the equality characteristics and will aim to meet Section 278 (4) states that "A highway authority shall not enter into an agreement under this section unless they are satisfied that it will be of benefit to the public".

**Action required:**

**8b. Negative impact:**

None. All designs will be of benefit to the public to meet the requirements of S278 (4)..

**Action required:**

**9. Will this activity promote strong and positive relationships between the groups/communities identified?**

Yes

No

**Please provide detail:**

Not applicable

**Action required:**

**10. Does this activity bring groups/communities into increased contact with each other? (e.g. in schools, neighbourhood, workplace)**

Yes

No

**Please provide detail: Improving and adding to the public realm with inclusive, accessible and safe design will increase use by the public.**

**Action required:**

**11. Could this activity be perceived as benefiting one group at the expense of another? (e.g. where your activity/decision is aimed at adults could it have an impact on children and young people)**

Yes

No

**Please provide detail:**

**Action required:**

None

**12. Equality, diversity, cohesion and integration action plan**

(insert all your actions from your assessment here, set timescales, measures and identify a lead person for each action)

<b>Action</b>	<b>Timescale</b>	<b>Measure</b>	<b>Lead person</b>
Add 'Additional Equality Considerations to the S278 pro-forma.	December 2012	N/A	Gillian MacLeod
EIA reviewed and updated by Highways Development Services reps.	May 2017	Update team at technical team meeting May 2017	Gillian MacLeod

<b>13. Governance, ownership and approval</b>		
State here who has approved the actions and outcomes from the equality, diversity, cohesion and integration impact assessment		
Name	Job Title	Date
Gillian MacLeod	Transport Development Services Manager	December 2012
<b>Date impact assessment completed</b>		<b>Reviewed May 2017</b>

<b>14. Monitoring progress for equality, diversity, cohesion and integration actions</b> (please tick)	
<input checked="" type="checkbox"/>	As part of Service Planning performance monitoring
<input type="checkbox"/>	As part of Project monitoring
<input type="checkbox"/>	Update report will be agreed and provided to the appropriate board Please specify which board
<input type="checkbox"/>	Other (please specify)

<b>15. Publishing</b>	
Though <b>all</b> key decisions are required to give due regard to equality the council <b>only</b> publishes those related to <b>Executive Board, Full Council, Key Delegated Decisions</b> or a <b>Significant Operational Decision</b> .	
A copy of this equality impact assessment should be attached as an appendix to the decision making report:	
<ul style="list-style-type: none"> <li>• Governance Services will publish those relating to Executive Board and Full Council.</li> <li>• The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.</li> <li>• A copy of all other equality impact assessments that are not to be published should be sent to <a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a> for record.</li> </ul>	
Complete the appropriate section below with the date the report and attached assessment was sent:	
For Executive Board or Full Council – sent to <b>Governance Services</b>	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate <b>Directorate</b>	Date sent:
All other decisions – sent to <a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a>	Date sent: 24 April 2013 Reviewed and re-sent May 2017

