



Report author: Nicholas Gardiner

Tel: 0113 3788086

Report to: The Chief Officer (Highways and Transportation)

Date: 14 July 2020

Subject: Section 116 Highways Act 1980 – Stopping Up Order – Bridle Path, York Road, Seacroft, Leeds 14

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s): Killingbeck & Seacroft	
Has consultation been carried out?	<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
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:	
Appendix number:	

Summary

This report seeks to declare an area of adopted highway – comprising of an existing road named Bridle Path – unnecessary in accordance with Section 116 of the Highways Act 1980. It is located off the A64 York Road, adjacent to Seacroft Hospital, Leeds 14 and shown in red on drawing SD/217960/Z236/01 in Appendix A.

1. Main issues

- As the result of planning permission being granted (App, No.15/07300/FU) for a residential development off York Road, off-site highway works are required to provide two new signalised junctions. Subsequently, an existing length of road named Bridle Path will no longer be required and will revert to a grass area once the highways works have been completed at junction No.2. The area of highway to be stopped up is therefore considered unnecessary in accordance with Section 116 of the Highways Act 1980 as shown in red on drawing SD/217960/Z236/01.
- An application to the Magistrates' Court under Section 116 of the Highways Act 1980 is required to stop up the area of adopted highway as shown in red on drawing SD/217960/Z228/01.

2. Best Council Plan Implications

- This report supports the Best Council Plan and Key City Priorities. The Stopping Up Order supports the delivery of Section 278 Agreement works and the development of the adjacent Seacroft Hospital housing development sites. A number of improvements are being introduced which will enhance the safety and quality of life of Leeds residents by enabling safe pedestrian, cycling and vehicular journeys in local communities. These improvements include:
 - a. The provision of signalised toucan crossings.
 - b. Improved footway and cycleway facilities
 - c. Improved carriageway capacity and the re-positioning of bus lanes.
- The improvements to the city's infrastructure will help reduce traffic collisions and make a specific contribution to the Best Council Plan 2019/20 to 2020/21 and the Best City priorities for Safe, Strong Communities, Sustainable Infrastructure and a Child Friendly City.

3. Resource Implications

- The applicants, Strata Homes and Keepmoat, have given authority for all fee costs associated with the Stopping Up Order to be charged to the Section 278 Seacroft hospital development junction 2 capital scheme number 33189. The standard fee for a stopping up order is £3,800, which includes £800 for advertising. The applicants have agreed to meet the costs, if any, which may be incurred by statutory undertakers exercising their rights under Section 116 of the Highways Act 1980 to recover from the Council the cost of removing, diverting or abandoning any equipment located in, on, over, along or across any highway affected by an order granted under Section 116.

Recommendations

- a) The Chief Officer (Highways and Transportation) is requested to instruct the City Solicitor to apply to the Magistrates' Court for a Stopping Up Order under Section 116 of the Highways Act 1980 for the area of adopted highway as shown in red on drawing SD/217960/Z236/01.

1. Purpose of this report

- 1.1 To seek approval to promote a Stopping Up Order for an area of adopted highway comprising of the adopted road named Bridle Path at York Road, Seacroft, Leeds 14.

2. Background information

- 2.1 Planning permission for residential development on land adjacent to the Seacroft Hospital site and A64 York Road in Killingbeck was granted on 12th May 2016 (planning application reference:15/07300/FU) subject to off-site highway works.
- 2.2 The Stopping Up Order is required to facilitate the new junction, No.2, to be provided from York Road. The section of road named Bridle Path to be stopped up

is no longer required as a new junction is proposed that will provide an alternative route for the road named Bridle Path.

- 2.3 The area of highway to be stopped up is shown in red on drawing SD/217960/Z236/01. The total area of highway to be stopped up is approximately 700 square metres.
- 2.4 For information purposes the extents of existing adopted highway is shown in red on drawing SD/217960/Z236/02.

3 Main issues

- 3.1 The area of adopted highway is no longer required due to the provision of a new signalled controlled junction on York Road which also involves a re-alignment of the road named Bridle Path. The area of highway to be stopped up is therefore considered unnecessary in accordance with Section 116 of the Highways Act 1980 as shown in red on drawing SD/217960/Z236/01.
- 3.2 An application to the Magistrates' Court under Section 116 of the Highways Act 1980 is required to stop up the area of adopted highway shown in red on drawing SD/217960/Z228/01. The area to be Stopped Up will then revert to the original land owner that in this case is Leeds City Council.

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Ward Members were consulted by e-mail dated 24th April 2020 and one member had some initial concern regarding access to the Blood Centre accessed off Bridle Path; however, access will be provided to the centre during construction and will continue to be provided after the scheme is completed. After confirmation of the access situation, Members are in full support of the proposals. The City Solicitor will inform statutory undertakers and emergency services as part of the statutory consultation process of promoting a Stopping Up Order.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 An Equality, Diversity, Cohesion and Integration screening (Appendix A) has been carried out and confirms that a full impact assessment is not required. The proposals will not impact on any equality characteristic more significantly than any other.

4.3 Council policies and the Best Council Plan

- 4.3.1 The report supports the Best Council Plan and Key City Priorities. The Stopping Up Order supports the delivery of Section 278 Agreement works. The provision of improvements to A64 York Road (in the form of signalled toucan crossings, improved footway and cycleway facilities, improved carriageway capacity and the re-positioning of bus lanes) contributes to this ambition by improving the safety and quality of life of Leeds residents by enabling safe pedestrian, cycling and vehicular journeys in local communities. The improvements to the city's infrastructure will also help reduce traffic collisions, and make a specific contribution to the Best Council

Plan 2019/20 to 2020/21 and the Best City priorities for safe, Strong Communities Sustainable Infrastructure and a Child Friendly City.

4.4 Climate Emergency

- 4.4.1 The Stopping Up Order will enable the delivery of the Section 278 Agreement works that will provide improved infrastructure. This will accommodate pedestrian and off-carriageway cycle movement to and from the heart of the housing site, and enhance access to high frequency public transport facilities adjacent to the site on York Road. It will therefore encourage travel by more sustainable transport modes. Additionally, the bulk of the section of highway to be stopped up will become part of a grassed area and the net increase in biodiversity resulting from this by the permanent removal of hard standing would help support the aims of tackling the climate emergency in Leeds.

4.5 Resources, procurement and value for money

- 4.5.1 The applicants, Strata Homes and Keepmoat, have given authority for all fee costs associated with the Stopping Up Order to be charged to the Section 278 Seacroft hospital development junction 2 capital scheme number 33189. The standard fee for a stopping up order is £3,800, which includes £800 for advertising. The applicant has agreed to meet the costs, if any, which may be incurred by statutory undertakers exercising their rights under Section 116 of the Highways Act 1980 to recover from the council the cost of removing, diverting or abandoning any equipment located in, on, over, along or across any highway affected by an order granted under Section 116.

4.6 Legal implications, access to information, and call-in

- 4.6.1 None of the content of this report is exempt from public display or contains confidential information.

4.7 Risk management

- 4.7.1 There is negligible risk to the council in pursuing this Stopping Up Order.

5 Conclusions

- 5.1 The area of adopted highway comprising of Bridle Path is considered unnecessary in accordance with Section 116 of the Highways Act 1980.

6 Recommendations

- a) The Chief Officer (Highways and Transportation) is requested to instruct the City Solicitor to apply to the Magistrates' Court for a Stopping Up Order under Section 116 of the Highways Act 1980 for the areas of adopted footpath and carriageway as shown in red on drawing SD/217960/Z236/01.

7 Background documents

- 7.1 None