

Report to: The Chief Officer (Highways and Transportation)

Date: 06 April 2021

Subject: Section 116 Highways Act 1980 – Stopping Up Order – Meadow Lane, Hunslet, Leeds.

Are specific electoral wards affected? If yes, name(s) of ward(s): Hunslet & Riverside	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

This report seeks to declare an area of adopted highway – comprising of a section of the south bound carriageway of Meadow Lane, central car park and a section of Hunslet Lane – unnecessary in accordance with Section 116 of the Highways Act 1980. The areas concerned are located in Leeds City Centre to the south of the River Aire and shown in red on drawing SD/217960/Z238/01 in Appendix A.

1. Main issues

- Major Highway scheme LPTIP Corn Exchange Gateway will deliver a series of improvements to bus infrastructure, public realm and pedestrian and cycling infrastructure. The Corn Exchange Gateway scheme centres on the junction of Call Lane, Kirkgate, Vicar Lane, New Market Street and Duncan Street, but also stretches the length of New York and York Street to the bus station and in the other direction along Duncan Street, south on Lower Briggate and across Leeds bridge to Meadow Lane stretching up to the junction with Great Wilson Street.
- Subsequently, an existing length of the south bound carriageway and central car park of Meadow Lane and a section of Hunslet Lane will no longer be required and will be surplus once the highways works have been completed on Meadow Lane. This large surplus area is to be transformed into a city centre park with the remaining space to be marketed for future development.
- 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/Z238/01.

- All alterations to existing Traffic Regulation Orders affected By the LPTIP Scheme and this Stopping Up Order have been advertised by Legal from the 5th March until the 5th April, and no objections have been received.
- 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/Z238/01.

2. Best Council Plan Implications

- This report supports the Best Council Plan and Key City Priorities. The Stopping Up Order supports the delivery of a new 3.5 hectare green city centre park and the delivery of the LPTIP Corn Exchange Gateway scheme. Both schemes would enhance the safety and quality of life of Leeds residents by enabling safe pedestrian, cycling and vehicular journeys in local communities, and provide green space for pedestrians and active travel.

3. Resource Implications

- The applicant Leeds Asset Management, have paid the standard fee for a Stopping Up Order of £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/Z238/01.

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 south bound carriageway and central car park of Meadow Lane and a section of Hunslet Lane Leeds unnecessary in accordance with Section 116 of the Highways Act 1980.

2. Background information

- 2.1 Meadow Lane Highways scheme which forms part of the Corn Exchange Gateway scheme will deliver a series of improvements to bus infrastructure, public realm, pedestrian and cycle infrastructure which will reduce delays and improve bus reliability.
- 2.2 The Stopping Up Order is required to facilitate a new green city centre park with the remaining space to be marketed for future development. The work will involve transforming existing adopted road space into green space for pedestrians and cycles for active travel.

- 2.3 The area of highway to be Stopped Up is shown in red on drawing SD/217960/Z238/01. The total area of highway to be stopped up is approximately 3000 square metres.
- 2.4 For information purposes the extents of existing adopted highway is shown in red on drawing SD/217960/Z238/02.

3 Main issues

- 3.1 The area of adopted highway is no longer required due to the provision of a new major Highway Scheme for Meadow Lane as part of the LPTIP Corn Exchange Gateway. 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/Z238/01.
- 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/Z238/01. The majority of the land to be stopped up is in the ownership of LCC and will return to LCC as owner of the subsoil. The West Yorkshire Combined Authority (WYCA) have an interest in part of the land and discussions between LCC and WYCA are ongoing. There are also several small unregistered strips of land. Following the legal presumption that the owners of the adjoining properties own the subsoil beneath the former highway out to the central line of the former highway, LCC intend to seek to register parts of these unregistered strips into LCC ownership following the successful completion of the stopping up order process with the remainder reverting back to other adjoining landowners.

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Ward Members were consulted by e-mail dated 04 February 2021 and all provided responses immediately and 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 a city centre green park and supports delivery of the LPTIP Corn Exchange Gateway scheme. The improvements to the city's infrastructure and provision of a green park will 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 city centre green park this proposal is a significant step forward in the Council's and the City's commitment to the delivery of a new City Park and our ambition to be carbon neutral by 2030. Additionally, the bulk of the section of highway to be stopped up will become 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 applicant, Leeds Asset Management has paid the standard fee for a Stopping Up Order of £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 an existing length of the south bound carriageway and central car park of Meadow Lane and a section of Hunslet Lane 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/Z238/01;

7 Background documents

7.1 None

8 Appendices

8.1 Appendix 1 – EDCI Screening

8.2 Appendix 2 - SD-217960-Z238-01

8.3 Appendix 3 - SD-217960-Z238-02