



Report to the Chief Officer (Highways & Transportation)

Date: 04 May 2021

Subject: S106 Highways works associated with residential development resulting from the redevelopment of the former DWP site and Bodington Hall site Otley Road, Adel, Leeds – Adel Lane Phase 2 Traffic Calming & A6120 Cycle Route Improvement – Objections to Section 90(c)

Are specific electoral wards affected? If yes, name(s) of ward(s): Adel & Wharfedale	<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

1. Main issues

- A report for S106 Highways works associated with residential development resulting from the redevelopment of the former DWP site and Bodington Hall site Otley Road, Adel, Leeds – Adel Lane Phase 2 Traffic Calming & A6120 Cycle Route Improvement was presented to the Highways & Transportation (H&T) Board on 7th May 2019 where authority was given to advertise a notice under Section 90(c) of the Highways Act 1980 (hereby within known as Section 90(c)) to introduce traffic calming features on Adel Lane.
- The Section 90(c) notice was advertised in a local newspaper on the 7th June and on-street from 7th June to 5th July 2019. In total three objections to the notice were received, one of which was subsequently withdrawn.
- The purpose of this report is to consider the two objectors' (Ob.1 and Ob.2) reasons for objection to the Section 90(c) Notice. Additionally, authority is required to incur additional expenditures of £3,000 for legal fees and £10,000 for works costs.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- According to the Best Council Plan, the success of the Best Council objective: 'Ensuring high quality public services', will be partly measured through reduced numbers of people Killed or Seriously Injured on the city's roads. This scheme meets these objectives by providing a safer and more user friendly road environment, through using traffic calming to discourage its use and moderate the speed of traffic that does use it from the development sites as well as traffic from further afield avoiding the A660 Otley Road.

3. Resource Implications

- There are no implications to the council's resources as the scheme is fully funded by developers under sections 106 agreements.

Recommendations

The Chief Officer (Highways and Transportation) is requested to:

- i) note the contents of this report;
- ii) consider and over-rule the objections to the Section 90(c) Notice
- iii) give authority to implement the traffic calming features as advertised in the Section 90(c) notice;
- iv) request the City Solicitor write to the objectors informing them of the Chief Officer's (Highways and Transportation) decision.
- v) give authority to incur additional expenditures of £3,000 legal fees and £10,000 works costs.

1. Purpose of this report

- 1.1 The purpose of this report is to consider the reasons for objection to the Section 90(c) Notice to install traffic calming features on Adel Lane and the Officer's response to each.
- 1.2 Following consideration, the Chief Officer (Highways & Transportation) is to make the decision as to whether to overrule or uphold the objections.
- 1.3 To obtain authority to incur additional expenditures of £3,000 legal fees and £10,000 works costs.

2. Background information

- 2.1 Through contributions from three development sites it is intended to provide traffic calming on Adel Lane and Church Lane, Adel in order to discourage its use and moderate the speed of traffic that does use it from the development sites as well as traffic from further afield avoiding the A660 Otley Road.
- 2.2 The traffic calming works have been split into three phases. Phase 1 was completed in August 2014 and addressed Adel Lane between its junction with Long Causeway and St Helens Lane.

- 2.3 Phase 2 proposes 3 no. road humps on Adel Lane between its junction with St Helens Lane and Church Lane. A report for Phase 2 was presented at a Highways & Transportation Board meeting on 07/05/2019 and approval was obtained to advertise the necessary Section 90(c) notice for the introduction of these traffic calming features.
- 2.4 The Section 90(c) notice was advertised on 07/06/2019. Three objections to the notice was received, however one objector withdrew their objection following information provided by the Officer.

3. Main issues

- 3.1 Both Objector 1 (Ob.1) and Objector 2 (Ob.2) are members of the public. A summary of their reasons for objection along with the response by the LCC Officer is presented in the table in Appendix 1 for consideration and review.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Details regarding the consultation of the proposed scheme can be found in the Report S106 Highways works associated with residential Development resulting from the redevelopment of the former DWP site and Bodington Hall site Otley Road, Adel, Leeds – Adel Lane Phase 2 Traffic Calming & A6120 Cycle Route Improvement which was presented to the H&T Board on 7th May 2019.
- 4.1.2 Section 90(c) Notices were displayed from 7th June to 5th July 2019 on-street at the location of each proposed traffic calming feature. The Notice was also advertised in a local paper on the 7th June 2019.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 An equality, diversity, cohesion and integration screening has been carried out on the proposals and this was included in the report presented to the H&T Board on the 7th May 2019.
- 4.2.2 Further screening is not required for the approvals requested in this report.

4.3 Council policies and the Best Council Plan

- 4.3.1 According to the Best Council Plan, the success of the Best Council objective: 'Ensuring high quality public services', will be partly measured through reduced numbers of people Killed or Seriously Injured on the city's roads. This scheme meets these objectives by providing a safer and more user friendly road environment, through using traffic calming to discourage its use and moderate the speed of traffic that does use it from the development sites as well as traffic from further afield avoiding the A660 Otley Road.

4.3.2 Local Transport Plan 3:

Strategic Approaches:

Connectivity: P18. Improve safety and security

P22. Develop networks and facilities to encourage cycling and walking.

Climate Emergency

4.3.3 The scheme will contribute to a safer road environment within the locality, by reducing mean vehicle speeds and thus promoting more sustainable forms of transport.

4.4 Resources, procurement and value for money

4.4.1 £73,716 being £40,716 works costs, £27,000 staff fees, and £6,000 legal fees was approved in the previous report presented to the Highways & Transportation Board meeting on 07/05/2019.

4.4.2 Authority for additional expenditure of £13,000 will change the total expenditure to £86,716 being £50,716 works cost, £27,000 staff fees and £9,000 legal fees.

4.4.3 The scheme is fully funded by Section 106 receipts.

Funding Approval :	Capital Section Reference Number :-		32852				
Previous total Authority to Spend on this scheme	TOTAL	TO MARCH	FORECAST				
	£000's	2016 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's	2019/20 £000's	2020 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	40.7					40.7	
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	27.0					27.0	
OTHER COSTS (7)	6.0					6.0	
TOTALS	73.7	0.0	0.0	0.0	0.0	73.7	0.0
Authority to Spend required for this Approval	TOTAL	TO MARCH	FORECAST				
£000's	£000's	2016 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's	2019/20 £000's	2020 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	10.0					10.0	
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	3.0					3.0	
TOTALS	13.0	0.0	0.0	0.0	0.0	13.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL	TO MARCH	FORECAST				
£000's	£000's	2016 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's	2019/20 £000's	2020 on £000's
LCC Supported Borrowing	0.0						
Revenue Contribution	0.0						
Capital Receipt	0.0						
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	86.7					86.7	
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						
Total Funding	86.7	0.0	0.0	0.0	0.0	86.7	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0

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

4.5.1 The works are exempt from call in being a consequence of and in pursuance of a regulatory decision.

4.6 Risk management

- 4.6.1 Non-delivery would result in the LCC not meeting the S106 Agreements entered into and clawback of the S106 monies if not spent.

5. Conclusions

- 5.1 The scheme will provide traffic calming on Adel Lane and Church Lane, Adel in order to discourage its use and moderate the speed of traffic that does use it from the development sites as well as traffic from further afield avoiding the A660 Otley Road. The works on the shared cycle footway on the A6120 will improve the condition of the route for cyclist and pedestrians.

6. Recommendations

- 6.1 The Chief Officer (Highways and Transportation) is requested to:

- vi) note the contents of this report;
- vii) consider and over-rule the objections to the Section 90(c) Notice
- viii) give authority to implement the traffic calming features as advertised in the Section 90(c) notice;
- ix) request the City Solicitor write to the objectors informing them of the Chief Officer's (Highways and Transportation) decision.
- x) give authority to incur additional expenditures of £3,000 legal fees and £10,000 works costs.

7. Background documents

- 7.1 None

8. Appendices

- 8.1 Appendix 1 – List of reasons for objection to Adel Lane Traffic Calming Scheme Phase 2
- 8.2 Appendix 2 – Summary of Traffic Speed Surveys