

## **Design & Cost Report for S278 Highway Works Associated With Land off Pit Lane, Micklefield**

**Date: 12 January 2022**

**Report of: Transport Development Services Manager**

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

**Capital Scheme Number: 33394**

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

### **What is this report about?**

#### **Including how it contributes to the city's and council's ambitions**

- Planning permission was granted in May 2021 (ref: 19/05296/FU) for the construction of 104 dwellings and associated highway improvements at Pit Lane, Micklefield. The site location is as shown on the Location Plan at Appendix 2. The planning consent requires a package of highway improvements described in detail in paragraph 3 below.
- 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. The works are to be carried out by the developer and overseen by the Council.
- 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.
- The planned highway works will contribute to the Best Council Plan by widening footways on Pit Lane and Great North Road and introducing a raised table incorporating an informal pedestrian crossing on Great North Road contributing to the provision of safe pedestrian, cyclist and vehicular movements.

### **Recommendations**

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

- a) Note the detail of the highway works described in outline in paragraph 3 of this report and shown on plan 45051\_001 Rev H – S278 General Arrangement 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) Approve the adoption of new footway construction on land shaded pink on drawing number 45051\_005 Rev A so that it can be added to the Council's maintenance regime.
- d) Authorise the City Solicitor to advertise a Draft Traffic Regulation Order to extend the no waiting at any time restrictions from Station Hill into Great North Street as shown on plan 45051\_001 Rev H – S278 General Arrangement; and if no valid objections are received, to make, seal and implement the Orders as advertised;

- e) Give authority to advertise a notice under the provisions of Section 90c of the Highways Act 1980 in order to inform the public of the new raised speed table on Great North Road and if no valid objections are received, to continue with the works as advertised.

### **Why is the proposal being put forward?**

- 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 19/05296/FU. The location of the development site is provided on Location Plan drawing no: P18-5270-02 Rev B at Appendix 2 of this report. A General Arrangement Plan (drawing ref: 45051\_001 Rev H) is provided at Appendix 3 of this report.
- 3 The highway works are required to ensure that pedestrian and vehicular movements associated with the development can be safely accommodated and do not have a detrimental effect on the surrounding highway network. The proposed works comprise:
  - Carriageway & footway realignment and alterations to utilities & road markings at Pit Lane and its junction with Great North Road, including the following:
    - Relocation of carriageway centre line and southern footway to provide 6m carriageway width and 2m footway width. Land dedication required to enable the footway widening.
    - Introduction of new kerb radii at the junction between Pit lane and Great North Road to facilitate the realignment works along Great North Road.
    - New give way and centre line white lining to tie in with the new alterations
    - Relocation of lighting column, road name post, sign, telegraph pole and post box.
    - Realignment of southern footway kerb radii to the east on Pit Lane to provide a 1.9m footway width.
    - Provision of warning signs on the approaches of the Pit Lane junction to warn motorists about the new raised table.
    - Relocation of road gullies and manhole covers.
  - Carriageway & footway realignment, alterations to utilities & road markings and introduction of traffic calming along Great North Street as per the following:
    - Realignment of road centre line prior to the junction with Pit Lane/Station Hill to allow the introduction of a build out (widening of existing footway) and traffic calming (raised table) north of the bus stop while maintaining a 6m carriageway width.
    - Extension of existing TRO (double yellow lines) for an additional 20m south from the existing junction tangent.
    - Widening of the north west footway to tie in with Pit Lane kerb radii alterations and provide 6m carriageway width.
    - Realignment of road centre line from junction to the north of Great North Street.
    - Any resurfacing works deemed necessary by Leeds City Council Highways Inspector due to the above works.

- Provision of warning signs on the approaches of the junction to warn motorists about the new raised table.
    - Relocation of road gullies.
  - Renew give way white lining at Station Hill.
  - 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.
- 4 To meet the requirements of the planning permission and deliver the highway alterations the applicant has requested that Leeds City Council, as Highway Authority, enters into a Section 278 Agreement to enable the highway works to be carried out.
  - 5 This report seeks authority to negotiate terms and enter into a Minor S278 Agreement for the highway works in order to allow the developer to complete the detailed design and construction of the works under the supervision of the Council.
  - 6 The S278 agreements will include commuted sums for future maintenance.

### What impact will this proposal have?

**Wards Affected: Kippax & Methley**

Have ward members been consulted?

Yes

No

- 7 Site specific issues raised in EDCI - The proposals will contribute to improve access to the site for pedestrians, cyclists and vehicles through the provision of new raised tables with incorporated pedestrian crossing facilities, carriageway realignments and footway widening. Such improvements will be made to accommodate the needs of all users.
- 8 An Equality, Diversity, Cohesion and Integration (EDCI) impact assessment has been carried out on the Section 278 process and is included in **Appendix 1**. The assessment confirmed that individual designs put forward as part of this process will take into account the needs of each of the equality characteristics and will aim to meet Section 278 (4) which 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*". As part of the design and construction process further equality screenings and impact assessments will be undertaken as required.

### What consultation and engagement has taken place?

- 9 Kippax & Methley Ward Members were consulted by email dated 22<sup>nd</sup> July 2021; no comments have been received at the time of writing this report.
- 10 The Emergency Services were consulted by email dated 22<sup>nd</sup> July 2021; no comments have been received at the time of writing this report.
- 11 West Yorkshire Combined Authority (WYCA) was also consulted and queried if the location of the existing bus stop would be affected. WYCA was informed on 27<sup>th</sup> July 2021 that the existing bus stop location is proposed to remain as existing.
- 12 Internal consultation has taken place with colleagues in Highways and Transportation Services by email dated 22<sup>nd</sup> July 2021. There were no issues raised that would affect the design. The comments have been passed to the Design Team for information and reference.

13 The applicant has been in liaison with Network Rail with regards to the works that are to be undertaken under the existing Network Rail bridge. The applicant will have to submit the site RAMS and Traffic Management Plans 3 to 4 weeks prior to works commencing.

### What are the resource implications?

14 The developer will meet the Council's costs, estimated to be £18,300.00 fees to check the design and inspect the works, all of which will be fully funded through the Section 278 agreement.

15 Funding: The developer will fund the total cost of the scheme, including works costs, statutory undertaker's costs and staff fees.

16 Staffing: The design and supervision of the works can be carried out within the existing staff resources (i.e. no additional staff resources are required).

Funding Approval :		Capital Section Reference Number :-33394					
Previous total Authority to Spend on this scheme	TOTAL	TO MARCH	FORECAST				
	£000's	2021	2021/22	2022/23	2023/24	2024/25	2026 on
			£000's	£000's	£000's	£000's	£000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
<b>TOTALS</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>
Authority to Spend required for this Approval	TOTAL	TO MARCH	FORECAST				
	£000's	2021	2021/22	2022/23	2023/24	2024/25	2026 on
			£000's	£000's	£000's	£000's	£000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	17.0	0.1	4.9	12.0			
OTHER COSTS (7)	1.3		0.0	1.3			
<b>TOTALS</b>	<b>18.3</b>	<b>0.1</b>	<b>4.9</b>	<b>13.3</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
Total overall Funding (As per latest Capital Programme)	TOTAL	TO MARCH	FORECAST				
	£000's	2021	2021/22	2022/23	2023/24	2024/25	2026 on
			£000's	£000's	£000's	£000's	£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	18.3	0.1	4.9	13.3			
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>18.3</b>	<b>0.1</b>	<b>4.9</b>	<b>13.3</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>

### What are the legal implications?

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

18 All work proposed lies within the framework of highways legislation and national and local standards for design where applicable. All other relevant legislation will also be taken into consideration, including duties under the Equalities Act.

19 The proposals regarding the footway alterations and raised speed tables are to be pursued via the statutory powers available to the Council as highway authority under the provisions of the Highways Act 1980.

20 The TROs will be introduced using the powers contained within the Road Traffic Regulation Act 1984, the Highways Act 1980 and the Local Government Miscellaneous Provisions Act 1976. Further, the procedural steps undertaken will fully comply with the requirements of

### **What are the key risks and how are they being managed?**

- 21 The total cost of the highway works and staff fees are fully developer funded.
- 22 The developer will provide funding for third party claims under The Noise Insulation Regulations 1975 (as amended) and the cost of meeting any other claims properly payable under the Land Compensation Act 1973 which arise as a result of the carrying out and the use of the Highway Works.

### **Does this proposal support the council's 3 Key Pillars?**

Inclusive Growth                       Health and Wellbeing                       Climate Emergency

- 23 The proposals support objectives across the three pillars. The highway works will provide improved infrastructure to support the needs of the development and to enable better pedestrian and cycle movement to and from the site, enhancing access to public transport facilities and thereby encouraging travel by more sustainable transport modes. This impacts positively on health and wellbeing and on reducing carbon emissions.
- 24 The proposed highway works accord with Core Strategy policies, West Yorkshire Local Transport Plan and other policies in that they provide safe and sustainable means of access for all users.
- 25 A Stage 1 Road Safety Audit has been undertaken as part of the planning application and the issues identified by the audit have been addressed through design.
- 26 The proposed footway widenings and raised table incorporating pedestrian crossing facilities will improve pedestrian connections from the development and within the area towards Micklefield train station.
- 27 The development incorporates Electric Vehicle Charging Points, cycle parking provision and sustainable travel options will be promoted through a Travel Plan. Therefore, the proposed development will have the required infrastructure to encourage sustainable travel and reduce its carbon footprint.
- 28 The proposals contained in this report therefore contribute to Leeds target of net zero carbon emissions by 2030 by improving facilities for walking, cycling, public transport and use of electric vehicles.

### **Options, timescales and measuring success**

#### **a) What other options were considered?**

- 24 The scope of the highways access and other works was assessed and agreed at Planning Application stage therefore no other options formed part of this proposal.

#### **b) How will success be measured?**

- 25 Success will be measured by the delivery of the highway works to support planning consent 19/05296/FU, thereby achieving the stated social, environmental and economic benefits to the city.

#### **c) What is the timetable for implementation?**

- 26 Works for the proposed development will commence April 2022. The proposed highway works would be fully implemented by June 2022.

### **Appendices**

- 27 Appendix 1 – EDCI Screening
- 28 Appendix 2 – Location Plan drawing no: P18-5270-02 Rev B

29 Appendix 3 - General Arrangement drawing no: 45051\_001\_E

30 Appendix 4 – Adoption Plan / Land Dedication drawing no: 45051\_005\_A - S278.

## **Background papers**

31 None.