

Delegated Decision Notice

This form is the written record of a key, significant operational or administrative decision taken by an officer.

Decision type	<input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
Approximate value	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input type="checkbox"/> over £1,000,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input checked="" type="checkbox"/> £100,000 to £500,000 <input type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	Director of City Development		
Contact person:	Catherine Kimuli		Telephone number: 0113 37 88089
Subject²:	Design & Cost Report for S278 Highway Works Associated With Development At Acanthus Golf Club, Thorpe Lane, Tingley, WF3 1SL		
Decision details³:	<p>What decision has been taken? (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.)</p> <p>The Chief Officer (Highways and Transportation):</p> <ol style="list-style-type: none"> a) Noted the detail of the highway works described in outline in paragraph 3 of this report and shown indicatively on plan M16.213.D063A attached at Appendix 3; b) Gave 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 Leeds City Council, fully funded by the developer; c) Gave authority to complete the detailed design, tender and implement the works as provided for within the Section 278 Agreement and as outlined in paragraph 3 of this report; d) Gave authority to incur expenditure of £130,102 works costs, £26,020 staff costs and £10,000 TRO costs to be fully funded by the developer through the S278 Agreement; and e) Authorised the City Solicitor to advertise a Draft Traffic Regulation Order to provide double yellow lines along A654 Thorpe Lane for the overlaid section of the highway shown on plan ref. 733533/LCC/HWT/XX/DR/CH/MI_01 Rev P01 at Appendix 4; and if no valid objections are received, to make, seal and implement the Orders as advertised. 		

¹ Give title of Director with delegated responsibility for function to which decision relates.

² If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list

³ Simply refer to supporting report where used as these matters have been set out in detail.

	<p>A brief statement of the reasons for the decision (Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate)</p> <ol style="list-style-type: none"> 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 20/06103/FU. The location of the development site is provided on M16.213.D.052 at Appendix 2 of this report. The works are shown indicatively on plan M16.213.D063A attached at Appendix 3 of this report. <p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p>
Affected wards:	Ardsley & Robin Hood
Details of consultation undertaken⁴:	<p>Executive Member: Councillor Helen Hayden 09/05/22</p> <p>Ward Councillors Consulted 27/04/22</p> <p>Others Emergency services and WYPTE were consulted 27/04/22</p>
Implementation	<p>Officer accountable, and proposed timescales for implementation</p> <p>Gillian Macleod – the works must be implemented prior to the development being brought into use.</p>
List of Forthcoming Key Decisions⁵	<p>Date Added to List:-</p> <p>If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision</p>

⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

⁵ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

	If Special Urgency Relevant Scrutiny Chair(s) approval	
	Signature	Date
Publication of report⁶	If not published for 5 clear working days prior to decision being taken the reason why not possible:	
	If published late relevant Executive member's approval	
	Signature	Date
Call In	Is the decision available ⁷ for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public:	
Approval of Decision	Authorised decision maker ⁸ Gary Bartlett – Chief Officer, Highways & Transportation	
	Signature <i>G. J. Bartlett</i>	Date: 04/05/22

⁶ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

⁷ See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call in. Key decisions are always available for call in unless they have been exempted from call in under rule 5.1.3.

⁸ Give the post title and name of the officer with appropriate delegated authority to take the decision.