

## Delegated Decision Notice

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

<b>Decision type</b>	<input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
<b>Approximate value</b>	<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 type="checkbox"/> £100,000 to £500,000 <input checked="" type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
<b>Director<sup>1</sup></b>	Director of City Development		
<b>Contact person:</b>	Gema Garcia	Telephone number: 0113 378 6412	
<b>Subject<sup>2</sup>:</b>	Design & Cost Report for Section 278 Works associated with the outline planning application ref.: 14/00315/OT for a residential development up to 150 dwellings including means of access and associated highway improvements at Leeds Road, Collingham, Wetherby, LS22. The development has also been granted reserved matters approval in December 2021 (ref.: 19/07608/RM) for a residential development up to 129 dwellings.		
<b>Decision details<sup>3</sup>:</b>	<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.)            The Chief Officer (Highways and Transportation:</p> <ul style="list-style-type: none"> <li>a) Noted the detail of the highway works described in outline in paragraph 3 of the DC Highways Board Report and shown on plan 732695/LCC/HWT/PH1/DR/CH/01_01 attached at Appendix 3;</li> <li>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.</li> <li>c) Gave authority to complete the detailed design, tender and implement the works as set out paragraph 3 of the DC Highways Board Report.</li> <li>d) Gave authority to incur expenditure of £457,800 works costs, statutory undertakers' costs (if Known) and £148,524 staff costs to be fully funded by the developer through the S278 Agreement.</li> <li>e) Approved the adoption of new highway construction on land shaded red on</li> </ul>		

<sup>1</sup> Give title of Director with delegated responsibility for function to which decision relates.

<sup>2</sup> 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

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

drawing number 732695-LCC-HWT-PH1-DR-CH-MI\_04 so that it can be added to the Council's maintenance regime.

- f) Authorised the City Solicitor to advertise a Draft Speed Limit Order to extend the speed limit of 30mph from the west of Crabtree Green to the west up to the existing substation and relocate the existing VAS sign, and if no valid objections are received, to make, seal and implement the Orders as advertised;
- If objections are received when advertised these will be reported back to the Chief Highways Officer

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)

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 the DC Highways Board Report are concerned only with the delivery of the off-site highway works at the proposed site access, the principle of these works having been considered and accepted as part of the planning process for the extant planning consent (ref.: 14/00315/OT). The location of the development site is provided on Location Plan Drawing no: P13 4827 02 Rev.0 at Appendix 2 of the DC Highways Board Report. A General Arrangement Plan (drawing ref: 732695/LCC/HWT/PH1/DR/CH/01\_01) is provided at Appendix 3 of the DC Highways Board Report.
3. The highway works are required to ensure 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 at the proposed site access comprise:
  - Carriageway widening to the northern side of Leeds Road as shown indicatively on drawing No. 732695/LCC/HWT/PH1/DR/CH/01\_01.
  - Realignment of the existing footway on the northern side of Leeds Road to run parallel alongside the proposed carriageway widening as shown


	<p>indicatively on drawing No. 732695/LCC/HWT/PH1/DR/CH/01_01.</p> <ul style="list-style-type: none"> <li>• Provision of a new pedestrian crossing including tactile paving and refuge island to allow pedestrians to access the new bus stop on the southern side of Leeds Road as shown indicatively on drawing No. 732695/LCC/HWT/PH1/DR/CH/01_01.</li> <li>• Provision of new footway on the southern side of Leeds Road extending from the new pedestrian crossing to the west up to the new bus stop as shown indicatively on drawing 732695/LCC/HWT/PH1/DR/CH/01_01.</li> <li>• Installation of two new bus stops at both sides of Leeds Road as shown indicatively on drawing No. 732695/LCC/HWT/PH1/DR/CH/01_01.</li> <li>• Widening of the existing footway on the northern side of Leeds Road between Crabtree Green and Mill Lane to 1.5m width, as shown indicatively on drawing No. 732695/LCC/HWT/PH1/DR/CH/01_01.</li> <li>• Relocation of the existing 30mph speed limit further west, VAS sign and associated road markings as shown indicatively in drawing No. 732695/LCC/HWT/PH1/DR/CH/01_01.</li> <li>• Provision of street lighting along the new 30mph speed limit area as shown indicatively in drawing No. 732695/LCC/HWT/PH1/DR/CH/01_01.</li> <li>• All associated civils works, including (inter alia) reconstruction, tie-ins, resurfacing, lighting, signing, drainage and lining works etc;</li> <li>• Any associated statutory undertakers' works resulting from the works; and</li> <li>• Any works reasonably required following safety audits of the design and construction of the highway works.</li> </ul> <p>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.</p> <p>5. The DC Highways Board Report seeks authority to negotiate terms and enter into a Standard S278 Agreement for the highway works in order to allow the Council to design and construct the works at the Developer's expense.</p> <p>6. The S278 agreements will include commuted sums for future maintenance.</p>
	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>No applicable</p>

<b>Affected wards:</b>	Harewood
<b>Details of consultation undertaken<sup>4</sup>:</b>	Executive Member Councillor Helen Hayden 01.08.2022
	Ward Councillors Harewood Ward members were consulted by email dated 03 <sup>rd</sup> December 2021, no comment have been received at the time of writing this report.
	Chief Digital and Information Officer <sup>5</sup>
	Chief Asset Management and Regeneration Officer <sup>6</sup>
	Others The Emergency Services and West Yorkshire Combined Authority (WYCA) were consulted by email dated 03 <sup>rd</sup> December 2021. West Yorkshire Police advised of the controversy in the local community about the development.  Internal consultation took place with colleagues in Highways and Transportation Services by email dated 03 <sup>rd</sup> December 2021. The internal consultations raised the following comments with regards to the area covered by this Highways Board Report: <ul style="list-style-type: none"> <li>• Leeds Road is an abnormal loads route; therefore, a minimum road width of 4.2m is required.</li> <li>• Street lighting adjustments/amendments would be required.</li> <li>• Any unrequired dropped kerbs will need to be removed and any misaligned or damaged kerbs will need to be replaced as part of the footway works.</li> <li>• Resurfacing works along the old 30mph signs and road markings are required due to the existing anti-skid surfacing.</li> </ul> The comments raised were discussed during a meeting with Design Services Team and other relevant LCC teams and will be included as part of the detailed

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

<sup>5</sup> See Officer Delegation Scheme (Executive Functions) CDIO must be consulted in relation to all matters relating to the Council's use of digital technology

<sup>6</sup> See Officer Delegation Scheme (Executive Functions) CAMRO must be consulted in relation to all matters relating to the Council's land and buildings.

	design.	
<b>Implementation</b>	Officer accountable, and proposed timescales for implementation Works for the proposed development will commence in 2022. The proposed highway works would be fully implemented by April 2023	
<b>List of Forthcoming Key Decisions<sup>7</sup></b>	Date Added to List:-	
	<b>If Special Urgency or General Exception</b> a brief statement of the reason why it is impracticable to delay the decision	
	<b>If Special Urgency</b> Relevant Scrutiny Chair(s) approval Signature _____ Date _____	
<b>Publication of report<sup>8</sup></b>	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 _____	
<b>Call In</b>	Is the decision available <sup>9</sup> for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<b>If exempt from call-in</b> , the reason why call-in would prejudice the interests of the council or the public:	
<b>Approval of Decision</b>	Authorised decision maker <sup>10</sup> Gary Bartlett, Chief Officer, Highways & Transportation	
	Signature 	Date 26.07.2022

<sup>7</sup> See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

<sup>8</sup> See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

<sup>9</sup> 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.

<sup>10</sup> Give the post title and name of the officer with appropriate delegated authority to take the decision.