

## 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 checked="" type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input 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
<b>Director<sup>1</sup></b>	City Development		
<b>Contact person:</b>	Matthew Woodrow		Telephone number: 0113 37 81261
<b>Subject<sup>2</sup>:</b>	Design & Cost Report for S278 Highway Works Associated With Construction of 8 Dwellings at Forsythia Avenue, East Ardsley, Wakefield, WF3 2HT.		
<b>Decision details<sup>3</sup>:</b>	<p>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 this report and shown on plan 1907 101F General Arrangement and Highway Dedication plan 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 the developer, fully-funded by the developer, and overseen by the Council.</li> <li>c) Gave authority to incur expenditure of £5,000 staff costs to be fully funded by the developer through the S278 Agreement.</li> <li>d) Approved alterations to the footway with reference to the powers contained in Section 66(4) of the Highways Act 1980.</li> <li>e) Approved the adoption of new highway construction on land outlined blue on drawing number 1907 101F (Appendix 3) so that it can be added to the Council's maintenance regime through the powers of Section 38 of the Highways Act 1980.</li> </ul> <p>A brief statement for the reasons for the decision:</p> <p>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.</p>		

<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.

	<p>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 17/02395/RM. The location of the development site is provided on 1907-01 at Appendix 2 of this report. A General Arrangement Plan (drawing ref: 127.003.20 RevB) is provided at Appendix 3 of this report.</p>
	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p>
<b>Affected wards:</b>	Ardsley & Robin Hood
<b>Details of consultation undertaken<sup>4</sup>:</b>	<p>Executive Member: Councillor Helen Hayden 25.11.22</p>
	<p>Ward Councillors</p> <p>Ardsley and Robin Hood Ward Members were consulted by email dated 1<sup>st</sup> October 2021.</p>
	<p>Others</p> <p>The Emergency Services and West Yorkshire Combined Authority (WYCA) were consulted by email dated 1<sup>st</sup> October 2021.</p> <p>Internal consultation has taken place with colleagues in Highways and Transportation Services by email dated 1<sup>st</sup> October 2021.</p>
<b>Implementation</b>	Gillian Macleod – the works must be implemented prior to occupation of the development.
<b>List of Forthcoming Key Decisions<sup>5</sup></b>	Date Added to List:-
	<b>If Special Urgency or General Exception</b>
	<b>If Special Urgency</b> Relevant Scrutiny Chair(s) approval
	Signature _____ Date _____
<b>Publication of report<sup>6</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

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

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

	Signature	Date
<b>Call In</b>	Is the decision available <sup>7</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>8</sup> Gary Bartlett – Chief Officer, Highways & Transportation	
	Signature	Date
	<i>GJ Bartlett.</i>	16.11.22

<sup>7</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>8</sup> Give the post title and name of the officer with appropriate delegated authority to take the decision.