

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 checked="" 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
Director¹	Director of City Development		
Contact person:	Gema Garcia	Telephone number: 0113 378 6412	
Subject²:	Design & Cost Report for S278 Highway Works Associated with Moor Allerton Golf Club, Coal Road, Wike, Leeds, LS17 9NH.		
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> <p>a. Noted the detail of the highway works described in paragraph 9 of this report and shown indicatively on plan 'Proposed Location for Passing Places' attached at Appendix 3;</p> <p>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 and overseen by the Council.</p> <hr/> <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> <p>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</p>		

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.

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 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 21/00444/FU.
3. Planning permission was granted in February 2022 (ref: 21/00444/FU) for alterations to the existing driving range, construction of a new game practice area, creation of six high quality academy golf holes, redevelopment of two existing holes and rationalisation of planting regime to better reflect the moorland setting at Moor Allerton Golf Club.
4. To deliver the planning approved scheme outlined above, the applicant proposes to transport inert material to the site from various construction sites over an estimated period of 18 months. This will have an estimated traffic generation of circa 46 HGV trips per weekday between the hours of 7.30 to 18.30, which equates to circa four trips per hour.
5. The HGV movements will be restricted to the two routes agreed and approved as part of the planning application process. These routes are controlled as part of Condition 15: Construction Traffic Management Plan (CTMP) of the approved planning consent. The two approved HGV routes are:
 - Route 1 – off the A58 via Coal Road, Bay Horse lane and Brandon Lane.
 - Route 2 – off A61 Leeds Road via Wigton Lane and Tarn Lane.HGV movements should not use the same route for arrival and departure
6. To ensure that any damage to the adopted highway, as a result of the development works, is identified and repaired, the developer shall submit a bi-monthly Condition survey and Monitoring Scheme of the approved routes until one week of practical completion. This is secured via the planning decision notice and Section 106 Legal Agreement.
7. The three new permanent passing places are to be constructed on the adopted highway to facilitate the HGV movements required as part of the development and ensure highway safety throughout the construction works. The location of the new passing places was agreed as part of the planning process and is shown in drawing 'Proposed Locations for Passing Places' included in Appendix 3 of the DC Highways Report.
8. The construction details for Passing Place No.1 are shown in 'Proposed Passing Place Construction Details' ref.: 16-1186-102 and construction

	<p>details for Passing Place No. 2 & 3 are shown in drawing 'Proposed Passing Place Construction Details' ref.: 16-1186-101 Rev A, both included at Appendix 4 & 5 of the DC Highways Report respectively.</p> <p>9. The highway works are required as part of the planning permission 21/00444/FU. The works will comprise:</p> <ul style="list-style-type: none"> • Construction of one passing place on Bay Horse Lane (Passing Place No. 1) immediately south of Brandon Crescent as shown in 'Proposed Passing Place Construction Details' ref.: 16-1186-102 Rev A included in Appendix 4. • Construction of two passing places (Passing Place No. 2 & 3) on Coal Road between Wetherby Road and Main Street as shown in 'Proposed Passing Place Construction Details' ref.: 16-1186-101 Rev B included at Appendix 5 of the DC Highways Report. • 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. <p>10. 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.</p> <p>11. 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.</p> <p>12. The planned highway works will contribute to the Best Council Plan by improving the safety of Leeds residents using the routes where the passing places are to be provided and enabling safe circulation of construction traffic throughout the duration of the works and post completion of the works.</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>
<p>Affected wards:</p>	<p>Harewood</p>

Details of consultation undertaken⁴:	Executive Member Infrastructure and Climate – 19 December 2022
	<p>Ward Councillors</p> <p>Harewood Ward Members were consulted by email dated 19th July 2022, no comments have been received at the time of writing this report.</p>
	Chief Digital and Information Officer ⁵
	Chief Asset Management and Regeneration Officer ⁶
	<p>Others</p> <p>The Emergency Services and West Yorkshire Combined Authority (WYCA) were consulted by email dated 19th July 2022, no comments have been received at the time of writing this report.</p> <p>Internal consultation has taken place with colleagues in Highways and Transportation Services by email dated 19th July 2022. Flood Risk Management and Bridges raised concerns about the impact the proposed HGV movements would have on the existing masonry arch culvert located at the junction of Coal Road / Main Street & Carr Lane which forms part of the agreed HGV Route 1.</p> <p>A Principal Inspection survey was undertaken in September 2022, which identified the structure to be in fair condition. However, the high number of HGV vehicles that would traffic over it during the 18 month period could have an impact on the structural integrity of the culvert.</p> <p>To overcome these concerns, the developer has agreed to fund two structural surveys for this structure and any repairs deemed to be necessary on completion of the works as a result of the traffic movements from the development.</p> <p>The developer will fund the cost of two structural surveys, estimated to be £900/survey, plus any additional costs required for traffic management, permits or vegetation clearance to gain access to the structure at the time of the inspection. Any repairs deemed to be necessary on completion of the works will also be funded by the developer. This will be secured via the Section 278 Legal Agreement.</p>
Implementation	<p>Officer accountable, and proposed timescales for implementation</p> <p>Works for the proposed development are expected to commence during the first quarter of 2023 and be fully implemented by mid-2023.</p>

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

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

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

List of Forthcoming Key Decisions⁷	Date Added to List:-
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision
	If Special Urgency Relevant Scrutiny Chair(s) approval Signature _____ Date _____
Publication of report⁸	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 ⁹ 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 ¹⁰ Chief Officer Highways & Transportation, Gary Bartlett
	Signature _____ Date _____ G J Bartlett. 11 January 2023

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

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

⁹ 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.

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