

Delegated Decision Notice

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

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| Decision type | <input type="checkbox"/> Key Decision | <input type="checkbox"/> Significant Operational Decision | <input checked="" 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 type="checkbox"/> £100,000 to £500,000 <input type="checkbox"/> Over £500,000 | <input type="checkbox"/> below £25,000 <input checked="" type="checkbox"/> £25,000 to £100,000 |
| Director¹ | Director of City Development | | |
| Contact person: | Andrew Fosbueary | Telephone number: 0113 378 5197 | |
| Subject²: | Design & Cost Report for S278 Highway Works Associated with Proposed Residential Development at Westminster Crescent (Phase 2) Halton, Leeds | | |
| 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) was requested to:</p> <ol style="list-style-type: none"> a. Note the detail of the highway works described in outline in paragraph 4 of this report and shown on plan p14743 -520,521 and 522 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; and c. Give authority to incur expenditure of £5,000 staff checking and inspection fees to be fully funded by a developer through a Section 278 Agreement. d. Authorise the City Solicitor 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 Westminster Crescent and if no valid objections are received, to continue with the works as advertised. <p>If amendments are require through objection when advertised any major changes will go back to board</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.

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 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 (ref. 20/07743/FU). The location of the development site is shown on a plan provided in **Appendix 2** of this report. A General Arrangement (GA) Plan (drawing ref: p14743 -520,521 and 522) is provided in **Appendix 3** of this report.
- 2 Planning permission was granted in November 2020 (ref: **20/07743/FU**) for a residential development of 12 dwellings and associated highway improvements at Westminster Crescent, Halton. The planning consent requires a package of highway improvements.
- 3 The proposed works comprise:
 - Relocation of a speed cushion on Westminster Crescent
 - Reinstatement of redundant dropped-kerbs to full-height footway
 - Footway widening to 2.0m along the site frontage on Westminster Crescent.
 - 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 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.
- 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.

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| | Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision |
| Affected wards: | Temple Newsam |
| Details of consultation undertaken⁴: | Executive Member |
| | Ward Councillors Ward councillors were consulted on 3 rd March. No comments were received. |
| | Chief Digital and Information Officer ⁵ |
| | Chief Asset Management and Regeneration Officer ⁶ |
| | Others |
| Implementation | Officer accountable, and proposed timescales for implementation Works for the proposed development are expected to commence March 2023 and the works are to be completed by July 2023. |
| 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 _____ |


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.

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

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| Call In | Is the decision available ⁹ for call-in? | <input checked="" type="checkbox"/> Yes | <input 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 Gary Bartlett – Chief Officer, Highways & Transportation | | |
| | Signature | Date | |
| |  | 21 st March 2023 | |

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.