

## 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 demolition of existing buildings and erection of multi-level development comprising 224 apartments and commercial unit with associated car parking and landscaping at Springwell Gardens, Springwell Road, Holbeck, Leeds, LS12 1AW.		
<b>Decision details<sup>3</sup>:</b>	<p>The Chief Officer (Highways and Transportation) was requested to:</p> <ul style="list-style-type: none"> <li>a) Note the detail of the highway works described in outline in paragraph 4 of this report and shown on General Arrangement plan SPGN-RDG-00-ZZ-DR-C-0202-P8_S278 attached at <b>Appendix 3</b>;</li> <li>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 with step in rights.</li> <li>c) Give authority to incur expenditure of £15,000 TRO costs (funded via Section 106 Agreement), £5,000 staff checking and inspection fees to be fully funded by a developer through a Section 278 Agreement.</li> <li>d) Approve alterations to the footway with reference to the powers contained in Section 66(4) of the Highways Act 1980.</li> <li>e) Authorise the City Solicitor to advertise a Draft Traffic Regulation Order for car club bay, NWAAT and removal of pay and display bay, as shown on Lines &amp; Signs Plan SPGN-RDG-00-ZZ-DR-C-0204_P3 attached at <b>Appendix 4</b> 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 board.</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.

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)

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 16/05198/FU. The location of the development site is provided on drawing 2016-104\_P100 REV A at Appendix 2 of this report. A General Arrangement plan (ref. SPGN-RDG-00-ZZ-DR-C-0202-P4\_S278) is provided at Appendix 3 of this report.

The proposed works comprise:

- Alterations to existing vehicular accesses to provide two new entrances with dropped kerbs and tactile paving on Springwell Road;
- Reinstatement of existing vehicular access to standard footway on Whitehall Road;
- The replacement of pay and display bay by a new car club bay on Springwell Road and existing pay and display bays on Springwell Road to be relocated to suit new vehicular access arrangements as shown on LINES & SIGNS PLAN SPGN-RDG-00-ZZ-DR-C-0204\_P3 at **Appendix 4**;
- The lining associated with alterations to double yellow lines to tie into existing on Springwell Road and Whitehall Road as shown on LINES & SIGNS PLAN SPGN-RDG-00-ZZ-DR-C-0204\_P3 at **Appendix 4**;
- Associated Traffic Regulation Orders for the car club bay along Springwell Road, NWAAT along Springwell Road and Whitehall Road as shown on as shown on LINES & SIGNS PLAN SPGN-RDG-00-ZZ-DR-C-0204\_P3 at **Appendix 4**;
- 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.


To meet the requirements of the planning permission and deliver the highway alterations the applicant has requested that Leeds City Council, as Highway Authority, to enter into a Section 278 Agreement to enable the highway works to be carried out.

This report seeks authority to negotiate terms and enter a Minor S278 Agreement for the highway works in order to allow the developer to complete the detailed design and construction of the works, fully-funded by the developer, under the supervision of the Council.

	<p>The planned highway works will contribute to the Best Council Plan by maintaining and improving the safety of Leeds residents and enabling safe pedestrian, cycle and vehicular access in the local community.</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>	Beeston & Holbeck
<b>Details of consultation undertaken<sup>4</sup>:</b>	Executive Member
	<p>Ward Councillors</p> <p>Beeston &amp; Holbeck Ward Members were consulted by email dated 26th October 2022, no comments have been received at the time of writing this report.</p>
	<p>Others</p> <p>Beeston &amp; Holbeck Ward Members were consulted by email dated 26th October 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 26th October 2022. Minor comments received have been addressed through a revised plan.</p>
<b>Implementation</b>	<p>Officer accountable, and proposed timescales for implementation</p> <p>Matthew Woodrow</p> <p>May 2023 – August 2023</p>
<b>List of Forthcoming Key Decisions<sup>5</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
	<p><b>If Special Urgency</b> Relevant Scrutiny Chair(s) approval</p> <p>Signature _____ Date _____</p>
	If not published for 5 clear working days prior to decision being taken the reason why not possible:

<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

<b>Publication of report<sup>6</sup></b>	If published late relevant Executive member's approval	
	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 9 <sup>th</sup> May 2023

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

<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.