

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 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
Director¹	Director of City Development		
Contact person:	Catherine Kimuli	Telephone number: 0113 378 8089	
Subject²:	Design & Cost Report for S278 Highway Works Associated with Development at land at White Rose Office Park and Millshaw Industrial Park, Millshaw Park Lane, Beeston, LS11		
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 principle of the highway works described in outline in paragraphs 3 - 4 of this report and shown on drawing no. 733491-LCC-HWT-ER-DR-CH-MIS_01 Rev P03 and 733491-LCC-HWT-RR-DR-CH-01_001 Rev 01 attached at Appendix 3; b) Give authority to negotiate the terms of and enter into a minor agreement with the developer under the provisions of Section 278 of the Highways Act 1980; whereby the works associated with the new site access to the development are carried out by the developer and overseen by the Council with step in rights; c) Give authority to negotiate the terms of and enter into a standard agreement with the developer under the provisions of Section 278 of the Highways Act 1980 whereby the Council will design and construct the pedestrian refuge and the signal controlled crossing at A643 Elland Road and the toucan crossing at A6110 Ring Road at the developer's expense; d) Give authority to complete the detailed design and implement the works as provided for within the standard Section 278 Agreement and as outlined in paragraphs 3 – 4 of this report; e) Approve with reference to the powers contained in Section 66(4) of the Highways Act 1980, that the relevant length of footway shown on A6110 Ring Road on drawing no. 733491-LCC-HWT-RR-DR-CH-01_001 Rev 01 as proposed cycle track is removed and that following the removal of the footway, cycle tracks are constructed under the provisions of section 65(1) of the Highways Act 1980 for shared joint use by pedal cyclists and 		

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.

	<p>pedestrians;</p> <p>f) Authorise the City Solicitor to erect a notice under S23 of the Road Traffic Regulation Act 1984 on site as required for the establishment, alteration or removal of any crossing such as for the pedestrian crossing at A643 Elland Road and toucan crossing at A6110 Ring Road and, if no valid objections are received, to thereafter implement;</p> <p>g) Give authority to incur expenditure of £592,748.93 works costs, £123,549.79 staff costs, £24,000 TRO costs, and £1,500 undertaking 'before and after' noise measurements, all to be funded by the developer through the Section 278 Agreements;</p> <p>h) Approve a S106 contribution of £50,000 to go towards the delivery of the toucan crossing at A6110 Ring Road;</p> <p>i) Approve the adoption of new highway construction on land shaded grey on drawing no. 4955-HJCE-ZZ-XX-DR-C-4055 Rev P02 attached at Appendix 4, so that it can be added to the Council's maintenance regime The proposals regarding the footway adoption and pedestrian refuge will be pursued via the statutory powers available to the Council as local highway authority under the provisions of sections 66(1) and 68(1) of the Highways Act 1980; and</p> <p>j) Authorise the City Solicitor to make and advertise a draft Traffic Regulation Order to implement a No Waiting At Any Time on the area shown on drawing no. 733491-LCC-HWT-ER-DR-CH-MIS_01 Rev P03 at Appendix 3 and 4955-HJCE-ZZ-XX-DR-C-4055 Rev P01 at Appendix 4 and if no valid objections are received, to make, seal and implement the Traffic Regulation Order as advertised.</p>
	<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 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> <p>2 Planning permission was granted in June 2020 (19/07911/FU), which was varied in September 2021 (21/08024/FU) for the construction of a two-platform railway station, including two station buildings, new vehicular and pedestrian access, associated infrastructure, landscaping, and associated works. The site location plan drawing no. ADP-00-00-DR-A-0900 Rev S2 P5 is included in Appendix 2. The works are shown indicatively on drawing no. 733491-LCC-HWT-ER-DR-CH-MIS_01 Rev P03 and 733491-LCC-HWT-RR-DR-CH-01_001 Rev 01 attached 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>
<p>Affected wards:</p>	<p>Morley North</p>

Details of consultation undertaken⁴:	Executive Member		
	Ward Councillors Consulted 8/07/2021 and 24/03/2023		
	Chief Digital and Information Officer ⁵		
	Chief Asset Management and Regeneration Officer ⁶		
	Others Emergency services and WYPTE were consulted 08/07/2021 and 24/03/2023		
Implementation	Officer accountable, and proposed timescales for implementation Gillian Macleod – the works must be implemented prior to the development being brought into use.		
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 Gary Bartlett – Chief Officer, Highways & Transportation		
	Signature	Date 11 th May 2023	

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

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.

	CJ Bartlett.	
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