

**Report to the Chief Officer of Highways & Transportation**

**Date: 30 October 2012**

**Subject: Design & Cost Report for Minor S278 Highways works – On Crown Point Road Associated with a temporary commuter Car Park in the former Carlsberg Site, Hunslet Road, Hunslet, LS10 1JQ**

**Capital Scheme Number: 16714**

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| Are specific electoral Wards affected?<br>If relevant, name(s) of Ward(s): Beeston and Holbeck   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| Are there implications for equality and diversity and cohesion and integration?  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In?  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information?<br>If relevant, Access to Information Procedure Rule number:<br>Appendix number: | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

**Summary of main issues**

- 1 Planning permission for a temporary commuter car park on the former Carlsberg site on Hunslet Road, Hunslet, was granted approval (reference 11/05031/FU) on 15/03/2012.
- 2 Highway works are proposed to create a modified access for users of the Development off Crown Point Road.
- 3 The Developer is required to enter a Minor Section 278 Agreement (Highways Act 1980) in order to create the new access and deliver the required highway works, whereby the developer designs and implements the work and the Council checks the design and supervises the construction to be built to a level satisfactory to the Council. This report seeks authority to negotiate terms and enter such Agreement. The total estimated cost of checking the scheme will be £5,000.

**Recommendations**

- 4 The Chief Officer (Highways and Transportation) is requested to:
  - i) note the highway works as outlined in Section 3.1 and indicated on drawings referenced: DR-TU-0111; DR-TU-0112 and DR-TU-1205 (signs 04 and 09 of interest).

- ii) 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 development are carried out by the Developer at the full cost of the developer, and design checked and supervised by the Council;
- iii) give authority to implement the works as set out in Section 3.1;
- iv) approve an injection of £5,000 into the City Development Department Capital Programme to be fully funded by the developer; and
- v) give authority to incur expenditure of £5,000 for staff checking and supervision costs, all to be fully funded by the developer from a Section 278 agreement.

## **1 Purpose of this report**

- 1.1 The purpose of this report is to note the principle of the implementation of highway works associated with the construction of a temporary commuter car park on the former Carlsberg Site, Hunslet Road, Hunslet, which was granted approval (planning application reference 11/05031/FU).
- 1.2 To obtain authority to negotiate the terms of and enter into an agreement under the provisions of Section 278 of the Highways Act 1980, whereby the associated highway works are designed and carried out by the developer, with the Council checking the design and supervising the works.

## **2 Background information**

- 2.1 Planning permission for a temporary commuter car park on the former Carlsberg site, Hunslet Road, Hunslet, was granted approval (reference 11/05031/FU) on 15/03/2012.
- 2.2 The works are shown on the attached plans referenced: DR-TU-0111; DR-TU-0112 and DR-TU-1205 (signs 04 and 09 of interest).
- 2.3 To meet the requirements of the planning permission the applicant has requested that Leeds City Council, as Highway Authority, enters into a Section 278 Agreement to enable the highway works to be carried out.

## **3 Main issues**

### **3.1 Design Proposals and Full Scheme Description.**

- 3.1.1 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.

3.1.2 The proposals within this report are concerned only with the delivery of the highway works, the principle of these works having been considered as part of the planning process.

3.1.3 The highway works will consist of the following:

- Creation of an improved vehicular access on Crown Point Road;
- Installation of a pedestrian island in the centre of the new access with associated dropped crossing kerbs and tactile paving;
- Associated advisory cycle lane modifications to take account of the modified vehicular access;
- All associated Civil's works including (inter alia) signs, road markings and drainage where required; and
- Any Statutory undertakers works resulting from the works described above.

3.1.3 Plan of the works are attached, referenced: DR-TU-0111; DR-TU-0112 and DR-TU-1205 (signs 04 and 09 of interest).

3.2 **Programme** - The design and construction of the works will be carried out within the 2013/2014 programme by the developer.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.2 Ward Members: Ward Members were consulted by email dated 31 August 2012; no comments have been received to date.

4.1.2 Emergency Services and Metro (WYPTE): The Emergency Services and Metro were consulted email dated 31 August 2012; no comments have been received to date.

4.1.3 Internal consultation has taken place with colleagues in the Highways and Transportation Services as part of the design process. Comments have been taken into account.

### **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 A screening document has been prepared and is attached as a background document. The screening process confirmed that an independent impact assessment was not required for the approvals requested.

4.2.2 The proposals will provide an improved site access arrangement to the former Carlsberg Tetley site and will positively impact all users of the highway network. In particular, vulnerable road users such as those with mobility issues / disabilities and the elderly, young and Carers (prams and wheelchairs) will be aided by providing tactile paving/dropped kerbs and a centre refuge island on the modified access promoting signalised crossing points with associated dropped kerbs and tactile paving, and cyclists will have red surfacing on the cycle lane across the access



## **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 The works are exempt from call in being a consequence of and in pursuance of a regulatory decision.

## **4.6 Risk Management**

- 4.6.1 The Council's standard Minor Section 278 agreement will be used whereby the developer will fund the total cost of the works to create the modified site access.

## **5 Conclusions**

- 5.1 The scheme will provide an improved access to the Carlsberg Tetley site from Crown Point Road to support its use as a temporary commuter car park.
- 5.2 This report seeks authority to enter into a Minor S278 Agreement for the agreed highway works.

## **6 Recommendations**

- 6.1 The Chief Officer (Highways and Transportation) is requested to:
- i) note the highway works as outlined in Section 3.1 and indicated on drawings referenced: DR-TU-0111; DR-TU-0112 and DR-TU-1205 (signs 04 and 09 of interest).
  - ii) 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 development are carried out by the Developer at the full cost of the developer, and design checked and supervised by the Council;
  - iii) give authority to implement the works as set out in Section 3.1;
  - iv) approve an injection of £5,000 into the City Development Department Capital Programme to be fully funded by the developer; and
  - v) give authority to incur expenditure of £5,000 for staff checking and supervision costs, all to be fully funded by the developer from a Section 278 agreement.

## **7.0 Background documents<sup>1</sup>**

- 7.1 Equality, Diversity, Cohesion and Integration Screening Report.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.