

Individual Executive Decision Notice

Report title	Land to the east of Ward Street Residential Development	
Decision designation	GREEN	
Cabinet member with lead responsibility	Councillor Steve Evans City Environment	
Wards affected	Ettingshall	
Accountable director	Ross Cook, Service Director, City Environment	
Originating service	Transportation	
Accountable employee(s)	Gwyn James	Head of Strategic Transportation
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Report to be/has been considered by	n/a	

Summary

Persimmon West Midlands (“the developer”) propose to carry out highway works to serve their residential development on land to the east of Ward Street. The developer wishes to enter into agreements under Section 38 and 278 of the Highways Act 1980 in order to implement the works and to offer the new roads for adoption as public highway.

Recommendation(s) for action or decision:

That the Cabinet Member for City Environment, in consultation with the Service Director, City Environment, authorises the Director of Governance to enter into agreements with the developer under Section 38 and 278 of the Highways Act 1980, in respect of the new access roads at land to the east of Ward Street Ettingshall.

Signature

Date:

Signature

Date:

1.0 Background

- 1.1 Planning permission 16/01192/REM was granted to Persimmon West Midlands ("the developer") on 3 February 2017 for the erection of 242 dwellings. The approval included provision for the applicant to fund certain highway works.
- 1.2 Following the granting of planning permission employees have worked with the engineers acting on behalf of the developer to finalise the design of the highway works. Approval in principle has been granted.

2.0 Discussion

- 2.1 An agreement is required between the Council and the developer under Section 38 of the Highways Act 1980 for the construction and adoption of the new highway that forms part of the development (shown coloured brown on the attached plan). Since works are also to be undertaken on an existing highway, Ward Street (shown coloured blue on the attached plan), an agreement is also required under Section 278 of the Highways Act. Both agreements will be combined as a single agreement between the Council and the developer.
- 2.2 All the works will be undertaken by the developer under the Council's supervision in order to ensure that the appropriate specification and standards are maintained.

3.0 Financial implications

- 3.1 All costs associated with the highway works will be met by the developer. There are no immediate financial implications for the Council although at some point in the future maintenance works may be required on the new roads. These costs will need to be contained within existing transportation highway maintenance budgets. It should be noted that such developments should give rise to an increase in council tax and New Homes Bonus.

[TT/09052017/Y]

4.0 Legal implications

- 4.1 On completion of the Section 38/278 Agreement and the road works, and following a 12 - month maintenance period, the Council will adopt the new roads.

[TS/02052017/W]

5.0 Equalities implications

- 5.1 The design of the new roads will allow the safe movement of disabled people, wheelchair users, blind/visually impaired etc. in accordance with City of Wolverhampton Council's Highway Adoption Guide.

6.0 Environmental implications

6.1 Whilst construction of the new roads will have an environmental impact, the development as a whole will provide much needed housing in a location that allows good access to jobs, services and public transport thereby minimising the damage to the environment.

7.0 Human resources implications

7.1 There are no human resource implications.

8.0 Corporate landlord implications

8.1 There are no corporate landlord implications.

9.0 Schedule of background papers

9.1 None.

Appendix: Plan of Proposed Highway Works

