

DELEGATED POWERS REPORT NO.**1468**

SUBJECT: Development at Deansbrook Road, Edgware, Middlesex, (former Boosey and Hawkes Site). Agreement under Sections 38 and 278 of the Highways Act 1980, for highway works fronting the above development.

Control sheet

All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to the Governance Service for publishing

All reports		
1. Governance Service receive draft report	Name of GSO Date	Paul Frost 14 October 2011
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Paul Frost 14 October 2011
3. Finance clearance obtained (<i>report author to complete</i>)	Name of Fin. officer Date	Jane Fitzgerald 18 October 2011
4. Staff and other resources issues clearance obtained (<i>report author to complete</i>)	Name of Res. officer Date	N/A
5. Trade Union response received (Staffing issues only)	Name of TU rep. Date	N/A
6. Legal clearance obtained from (<i>report author to complete</i>)	Name of Legal officer Date	Poonam Rajput 17 October 2011
7. Policy & Partnerships clearance obtained (<i>report author to complete</i>)	Name of P&P officer Date	Andrew Nathan 12 October 2011
8. Equalities & Diversity clearance obtained (<i>report author to complete</i>)	Name of officer Date	Andrew Nathan 12 October 2011
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Pam Wharfe 25 October 2011
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	Paul Frost 08 November 2011
11. Report published by Governance Service to website	Name of GSO Date	Paul Frost 16 November 2011
12. Head of Service informed report is published	Name of GSO Date	Paul Frost 16 November 2011
Key decisions only:		
13. Expiry of call-in period	Date	N/A
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	N/A

ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER (COUNCIL FUNCTION)

Subject Development at Deansbrook Road, Edgware, Middlesex, (former Boosey and Hawkes Site). Agreement under Sections 38 and 278 of the Highways Act 1980, for highway works fronting the above development.

Officer taking decision Interim Director of Environment, Planning and Regeneration

Date of decision 25 October 2011

Summary To seek authority to enter into an agreement under the Sections 38 and 278 of the Highways Act 1980.

Officer Contributors Demetrios Goulas, Engineer – Traffic & Development Section
 Gangan Pillai, Traffic and Development Manager -Traffic & Development Section

Status (public or exempt) Public

Wards affected Burnt Oak Ward

Enclosures Drawing no. 5164/105 revision C

Reason for exemption from call-in (if appropriate) Not applicable

Contact for further information: Demetrios Goulas or Gangan Pillai on 020 8359 7343/3044

Serial No. 1468

1. RELEVANT PREVIOUS DECISIONS

- 1.1. None

2. CORPORATE PRIORITIES AND POLICY CONSIDERATION

- 2.1 The Corporate Plan 2011/13 defines the Council's vision (under the priority successful London Suburb) in delivering sustainable growth to ensure Barnet continues to be a successful and prosperous place where people want to live and work. This development complies with the Council's vision for a sustainable development within the borough and ensures compliance with strategic and local policies. Through effective management and design, this development will support and deliver housing growth in a sustainable way as well as contribute in creating the conditions for a successful economy.
- 2.2 The Council in partnership with the private sector creates the conditions which maintain and enhance successful suburbs. These conditions will promote growth through successful regeneration and sustainable development.

3. RISK MANAGEMENT ISSUES

- 3.1 It is not considered that the issues involved in the report will raise significant levels of public concern or give rise to policy issues.

4. EQUALITIES AND DIVERSITY ISSUES

- 4.1 Well maintained roads and pavements provide benefits to all sectors of the community in removing barriers and assisting quick, efficient and safe movement across the Borough.
- 4.2 The proposed highway works will enhance existing highway conditions thus improve safety and offer better accessibility and mobility to all highway users including people with special needs such as wheelchair users. The proposed improvements will also encourage greater participation of all residents in public life and enhance Barnet's reputation as a good place to live and work.

5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 5.1 The developer Taylor Wimpey UK Limited will meet the Council's legal costs in drawing up the Section 38 and 278 Agreement, as well as all other costs associated with the provision of technical approval and implementation of the highway works. The proposed highway works will be funded by the developer Taylor Wimpey UK Limited and be carried out by the Council using the Council's approved Term Contractor. All payments for these works will be received by the Council prior to commencing any works on site. There are no adverse or additional on going maintenance costs involved.

6. LEGAL ISSUES

- 6.1 Section 38(3)(a) of the Highways Act 1980, requires that any person proposing to dedicate land as Highway for the use of the public must have the capacity to dedicate the land. The Council should, therefore, ensure that all necessary searches are carried out to ensure that such capacity exists, before entering into the Section 38 agreement.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution, Part 3, Responsibility for Functions, paragraph 6.1 states that Chief Officers can take decisions without consultation with the Cabinet Member concerned where it is in respect of operational matters within the Chief Officer's sphere of managerial or professional responsibility and is not significant in terms of budget or policy.

8. BACKGROUND INFORMATION

- 8.1 The developer Taylor Wimpey UK Limited was given planning consent on 09th June 2003 under application reference no.W00614M/02 to develop the former Boosey & Hawkes site at Deansbrook Road, Edgware, Middlesex, HA8 9BB.
- 8.2 The development was completed some time ago and all housing units are occupied. The development involved the demolition of existing factory premises and the re-development of the site to provide 147 new residential units (102 private sale and 45 affordable) comprising 2,3 and 4 storey blocks with associated access road, car parking and amenity space and erection of commercial premises for business (Class B1-a,b,c) and / or storage and distribution purposes (Class B8).
- 8.3 The attached copy of drawing no. 5164/105 revision C illustrates the extent of the proposed highway improvements to be carried out adjacent to the development.
- 8.4 A strip of land adjacent to the development and across the new access in Symphony Close, will also be adopted by the Council under Section 38 of the Highways Act 1980. The extent of the area to be adopted is coloured pink and is illustrated in the approved drawing no. 5164/105 revision C attached.

9. LIST OF BACKGROUND PAPERS

- 9.1 Relevant drawings and general correspondence with the developers and other representatives such as Consultants, Agents etc, are held by the Traffic and Development section of Environment, Planning and Regeneration.
- 9.2 Any person wishing to inspect the background papers listed above should telephone Demetrios Goulas on 020 8359 7343.

10. OFFICER'S DECISION

I authorise the following action:

10.1 That, subject to completion of all necessary legal and other documentation, the Council enters into an Agreement under Sections 38 and 278 of the Highways Act 1980 with the Developer, Taylor Wimpey UK Limited, allowing the Council to carry out works on the public highway fronting the development in Edgware Road (A5), on behalf of the Developer and in accordance with drawing no. 5164 / 105 revision C and other approved drawings associated with the proposed highway works (or any subsequent revisions, as deemed fit by the Interim Director of Environment, Planning and Regeneration).



Signed

Pam Wharfe

Interim Director of Environment,
Planning and Regeneration

Date

25th October 2011

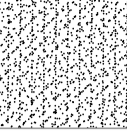
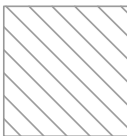


- DO NOT SCALE FROM THIS DRAWING -
All dimensions in mm U.N.O

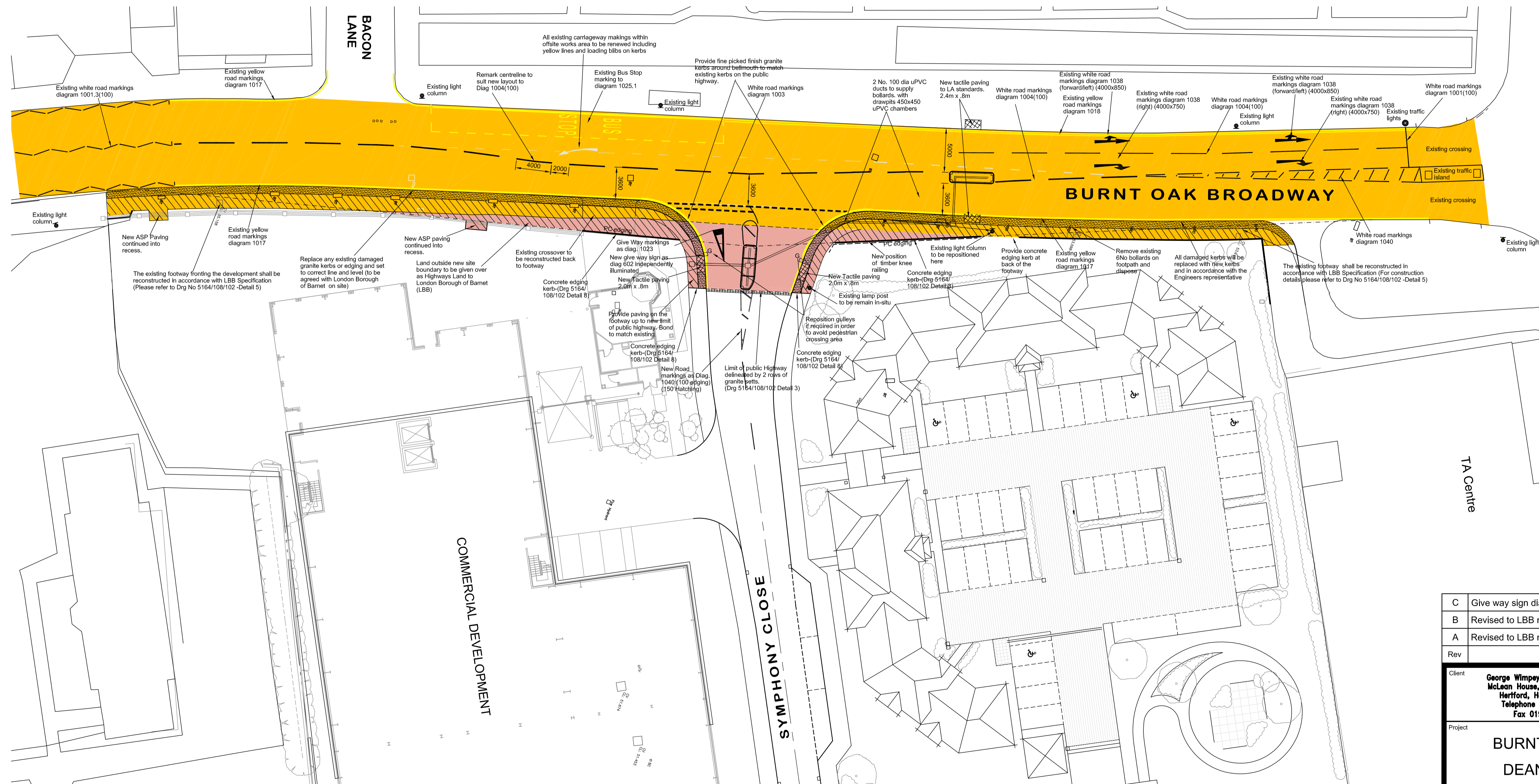
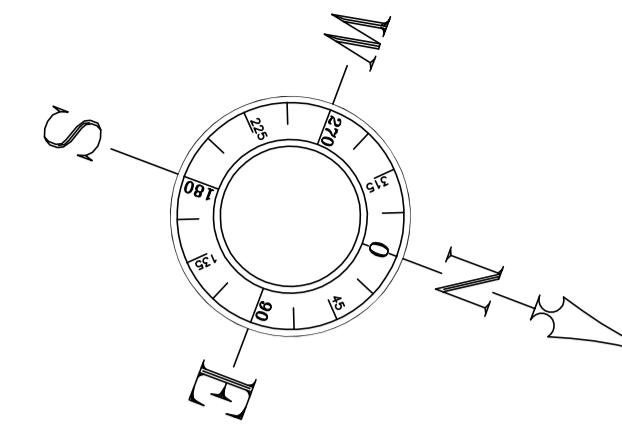
NOTES.
All markings to be laid in white (or yellow where required) chlorinated rubber paint to BS 6044 Type A, and to the DpT Specification for Highways Works 1993 Clause 1212.

All lines and markings to comply with the Traffic Signs Regulations and General Directions 2002 and subsequent amending Regulations.

Existing granite kerbs to be raised where necessary in line with the carriageway kerbs.

All damaged kerbs to be replaced with new kerbs.


-  Precast concrete blocks (200mm x 100mm x 65mm thick, Grey colour)
-  New ASP (precast concrete paving slabs) (63mm thick) (Dims: 600x600, 750x600)
-  Existing highway
-  Land offered for Adoption



Client
George Wimpey North London Ltd
 McLean House, Bluecoats Avenue
 Hertford, Herts. SG14 1PB
 Telephone 01992 516162
 Fax 01992 558477
George Wimpey

Project
BURNT OAK, EDGWARE
DEANSBROOK ROAD

Title
OFF SITE HIGHWAY WORKS
SECTION 278 LAYOUT

	Job No.	Drg No.	Rev
	5164	105	C
	Drawn by	Date	
	rw	Mar 08	
Checked by	Scale		
ICD	1@250		

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 Hallmark House, 10/12 St. Johns Rd, Woking, Surrey, GU21 7SE
 tel: 01483 721721 fax: 01483 725073 e-mail: gce@gurneyce.com