

	<p style="text-align: center;">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</p> <p style="text-align: center;">Date 15th November 2016</p>
<p style="text-align: right;">Title</p>	<p>Brent Cross Cricklewood, Phase 1N Approval in Principle Documents</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director – Environment – Jamie Blake</p>
<p style="text-align: right;">Wards</p>	<p>West Hendon</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Robert Prior – robert.prior@capita.co.uk Tel. 01342 333301 mob. 07710 383939</p>

Summary

Approval in Principle documents cover the selection of bridge type, the materials for its construction and methods of analysis and design to be adopted.

Approval in principle documents for; for new North Approach to Tempelhof Bridge, Tempelhof Bridge, Tempelhof South Approach, Tempelhof Deep Subway, Tempelhof Temporary Footbridge, Living Bridge, Living Bridge Southern Approach, Wall ER6, Wall ER7, Reach 1 River Channel Retaining Walls, Reach 2S River Channel Retaining Walls, Reach 2N River Channel Retaining Walls, Reach 3S River Channel Retaining Walls, Reach 3N River Channel Retaining Walls, Clitterhouse Stream Culvert Prince Charles Drive Extension, Retaining Wall 38, Retaining Wall 39, Retaining Wall 46 and Tiling Road To B6 Approach Retaining Wall.

These bridges and retaining walls will support new sections of highway required for the Brent Cross Cricklewood Phase 1 North development.

The designs based on these Approval in Principle documents will be reviewed as part of the S278/S38 Agreement process to be signed with developer Hammerson Standard Life.

Decisions

1. That the attached Approval in Principle documents be signed by a Chartered Engineer on behalf of the London Borough of Barnet as Technical Approval Authority.

1. WHY THIS REPORT IS NEEDED

- 1.1 In accordance with industry standards, Approval in Principle documents have been prepared by the developer's designers for each new bridge or retaining wall. These documents have a standard format and have been carefully reviewed and agreed by Regional Enterprise Ltd. Each document requires the signature of a Chartered Engineer who can sign on behalf of the Technical Approval Authority, which in this case is the London Borough of Barnet. The Chartered engineer has been appointed on behalf of the London Borough of Barnet by Rick Mason who holds a Joint Employment Contract. This report requests that Officers be authorised to sign the Approval in Principle documents on behalf of the London Borough of Barnet. The standards adopted for bridgeworks are part of the Design Manual for Roads and Bridges (produced by Highways England), standard BD12 - Technical Approval of Highway Structures describes the requirements for the Approval in Principle document.

2. REASONS FOR DECISIONS

- 2.1 The Approval in Principle documents need to be signed by a representative of the Technical Approval Authority, which in this case, is the London Borough of Barnet.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 None.

4. POST DECISION IMPLEMENTATION

- 4.1 The bridges will be designed in accordance with the principles described in the Approval in Principle documents.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The signing of the Approval in Principle documents will permit the developer to proceed with the detailed design of the bridges which form part of the critical infrastructure package, Phase 1N.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 All of the structures are to be adopted by the Council and maintained as highway structures with the exception of Reach 3S River Channel Retaining Walls and Reach 3N River Channel Retaining Walls which will remain private and Clitterhouse Stream Culvert PCD Extension which will be adopted by

Transport for London. The Council is a secondary Technical Approval Authority for these structures by virtue of an agreement with Transport for London.

- 5.2.2 The future maintenance costs of the adopted structures will be funded by commuted sums from the development partners. The surface materials on the Living Bridge will remain private and will be maintained by the development partners.

5.3 Legal and Constitutional References

- 5.3.1 Only the Highway Authority is permitted to carry out works to the public highway. Section 278 of the Highways Act 1980 allows for the carrying out of works to the public highway for the benefit of a third party, on behalf of the Highway Authority.
- 5.3.2 A Section 278 Agreement (with additional provisions for the adoption of new infrastructure under S38), between developer Hammerson Standard Life and the Highway Authority will be required to permit works on the public highway to be carried out and sets the standards by which the works must be constructed.

Under Annex B to Article 15 of the Council's Constitution, Responsibility for Functions, the Commissioning Director for Environment has power to make decisions regarding highways, within approved limits. Chief Officers may use whatever means they consider appropriate to discharge those functions within their scheme of delegation, The Council Constitution also states that Statutory functions of the council delivered through the Re contract are delivered by staff who have a joint Council and Re contract (Joint Employment Contract) and that The Commissioning Director for Environment will delegate to a suitably qualified and experienced senior officer on a Joint Employment Contract, the power to appoint inspectors and other relevant staff. They will be authorised to do this under the 'Council part' of their joint employment contract. The functions and powers that are delegated to officers under this scheme of delegation are set out in Table 4 of this scheme.

5.4 Risk Management

- 5.4.1 The Approval in Principle documents should be signed without undue delay so as not to impact on the developer's programme of work.

5.5 Equalities and Diversity

- 5.5.1 The 2010 Equality Act contains the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
 - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not share it.
 - Foster good relations between people who share a relevant protected characteristic and those who do not share it.

5.6 Consultation and Engagement

- 5.6.1 None required.

6. BACKGROUND PAPERS

- 6.1 The report of 10th September 2015 Planning Committee, Brent Cross Cricklewood Regeneration Infrastructure RMA.

<http://barnet.moderngov.co.uk/documents/g8301/Printed%20minutes%2010th-Sep-2015%2018.30%20Planning%20Committee.pdf?T=1>

7. DECISION TAKER'S STATEMENT

- 7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

8. OFFICER'S DECISION

I authorise the following action

- 1 That the attached Approval in Principle documents be signed by Neil Mogford, a Chartered Engineer, on behalf of the London Borough of Barnet as Technical Approval Authority.

Signed **Jamie Blake**

Date **15/11/2016**