

Delegated Decision Report

Decision below £250k



Subject:	Adoption of Highways – Development at the former Rose Mill, Rose Street, Chadderton
Decision maker: Senior Officer	Director of Environment, Nasir Dad
Decision maker: Cabinet Member	Don't Trash Oldham, Councillor C Goodwin
Decision date:	28 August 2024
Report author:	Alison Dolan, Senior Technical Admin
Ward	Chadderton South

Reason for decision

To obtain approval for the adoption of highways as Highway Authority and to identify the likely associated revenue costs to the Council.

Recommendation(s)

To adopt, on behalf of the Council as Highway Authority, the highways specified in Schedule 1 at the end of this report as highways maintainable at public expense, effective immediately.

Background

The highways at this development have been constructed by the developer to the Council's currently approved specifications for new highways. The Developer and the Council entered into a Section 38 Agreement (Highways Act 1980) whereby the local authority agreed to adopt the new road and take over the responsibility for maintaining it once it was satisfied that the highway had been built to its specified standards and in accordance with the planning consents which were granted for the development.

This report is the conclusion of this process. The highway has been inspected throughout its construction and has been subject to a twelve-month maintenance period prior to its final inspection and approval for adoption.

Alternative option(s) to be considered

Option 1: To approve the recommendation.

Option 2: Not to approve the recommendation

Consultation

The Ward Members have been consulted and Councillor H Harrison has commented, I am happy for the adoption of the highways for Rose Street, I am satisfied that they're in a good state prior to adoption. Councillor C Goodwin and Councillor G Shuttleworth are also happy to accept the recommendation

Risks

The adoption of the highways at this location is under a Section 38 agreement with the housing developer and as such even though the adoption will provide an ongoing financial liability to the Council for inspection and maintenance of the highway and street lighting equipment, there are financial/legal and reputation risks which could arise from legal action by the developer and residents if the adoption of the highways does not proceed.

Vicki Gallacher (Head of Insurance and Information Governance)

Implications

Financial	<p>The maintenance cost for increasing the length of adopted road in Oldham by 510 linear metres (4855 square metres) as detailed in Schedule 1 of this report is estimated to be £3,398.50 annually and will be revenue expenditure.</p> <p>(Based on a maintenance estimate of £0.70 per square metre of highway, extracted from the Spon's Civil Engineering and Highway Works Price Book). This will be funded from within the Highway Operations Service</p> <p>The adoption of the Highway will also result in growth in the Council's commitment for the maintenance of Street Lighting equipment.</p> <p>Based on maintenance and electrical supply costs as detailed in Schedule 2, this is expected to increase maintenance charges by an estimated £5,036.02 annually.</p> <p>It should be noted, that as at Month 3, there was an overspend of £296k within Highway Operations. This estimated additional spend will increase the pressure on the Service.</p> <p>(John Edisbury)</p>
Legal	<p>As there is a signed section 38 agreement in place, the Council is contractually obliged to adopt the highways at the end of the maintenance period. (A Evans)</p>
Equality impact including implications for Children and Young People	<p>None, the work is being undertaken to maintain access along the highway</p>

Co-operative Implications	No co-operative comments (James Mulvaney)
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Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?	Yes
Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?	Yes
Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No

Schedule 1

Development at the former Rose Mill, Rose Street, Chadderton

Extension to the existing Rose Street	From the existing adopted highway at Rose Street (serving nos. 1-7 and 167-175 Rose Street) and continuing in a clockwise direction for a distance of 315 metres to re-join the existing length of adopted highway at Rose Street. Area = 2946 m ²
Associated Cul-de-sac at the gables of nos.39 and 69 Rose Street	Continuing at the gables of nos.39 and 69 Rose Street in a northerly direction for a distance of 58 metres to its cul-de-sac end with associated turning heads of 7 metres and 7 metres respectively. Area = 673 m ²
Associated Cul-de-sac at the gables of nos.79 and 95 Rose Street	Continuing at the gables of nos.39 and 69 Rose Street in a generally northerly direction for a distance of 56 metres to its cul-de-sac end with associated turning heads of 6 metres and 6 metres respectively. Area = 675 m ²
Associated Cul-de-sac at the gables of nos.131 and 167 Rose Street	Continuing at the gables of nos.131 and 167 Rose Street in a generally south easterly direction for a distance of 32 metres to its cul-de-sac end with associated turning heads of 8 metres and 15 metres respectively. Area = 561 m ²

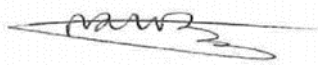
Schedule 2


Equipment Type	Annual Maintenance Cost (Per Unit)	Annual Energy Cost (Per Unit)	Quantity	Total AMC + AEC (Annual)
6 metre column	£40.85(Index linked)	£188.06	22	£5.036.02
			Total	£5.036.02

Background Papers under Section 100D of the Local Government Act 1972

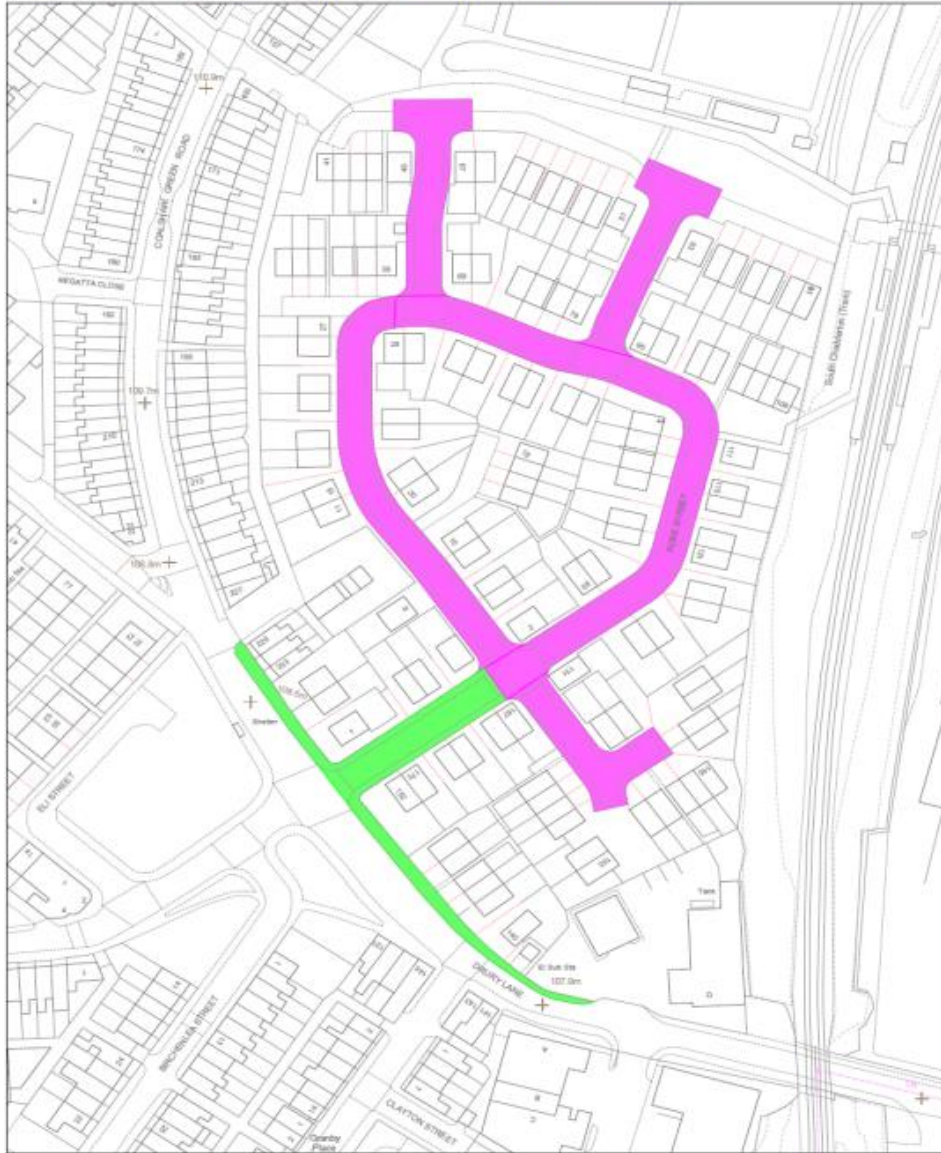
There are no background papers for this report.

Report author sign-off	Alison Dolan
Role	Senior Technical Admin – Highways and Engineering
Date of sign-off	22 August 2024

Approval	
Officer approval sign-off	
Role	Director of Environment
Date of sign-off	28 August 2024

Approval	
Member(s) approval sign-off	
Role	Cabinet Member for Don't Trash Oldham
Date of sign-off	Wednesday 11 th September 2024

LOCATION PLAN - ADOPTABLE HIGHWAY SHADED PINK




Drawn by:	AD
Division:	HIGHWAYS
Drawing No:	409/57- C
Date: 23/03/23	Scale: 1:1500

Oldham Council
Civic Centre
West Street
Oldham
OL1 1UT



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Key

Proposed Adoptable Highway -	
Existing Adopted Highway - Refurbished	