

# Delegated Decision Report

Decision below £250k



<b>Subject:</b>	Adoption of Highways – Development at Wellington Road, Greenfield – Knoll Close and Tenterfield Close
<b>Decision maker: Senior Officer</b>	Director of Environment, Nasir Dad
<b>Decision maker: Cabinet Member</b>	Don't Trash Oldham, Councillor C Goodwin
<b>Decision date:</b>	28 August 2024
<b>Report author:</b>	Alison Dolan, Senior Technical Admin
<b>Ward</b>	Saddleworth 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 no comments have been received.

## 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 175 linear metres (1550 square metres) as detailed in Schedule 1 of this report is estimated to be £1,085.00 annually and will be revenue expenditure. (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 £514.44 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	<p>N/A (James Mulvaney, Policy Manager)</p>

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 Wellington Road, Greenfield – Knoll Close and Tenterfield Close**

Knoll Close	From its junction with the adopted highway at Wellington Road, Greenfield and continuing in a generally westerly then south westerly direction for a distance of 82 metres to its cul-de-sac end with associated turning heads of 11 and 10 metres, respectively.  Area = 917m <sup>2</sup>
Tenterfield Close	From its junction with Wellington Road, Greenfield and continuing in a generally easterly direction for a distance of 51 metres to its cul-de-sac end with associated turning heads of 10 and 11 metres, respectively.  Area = 633m <sup>2</sup>

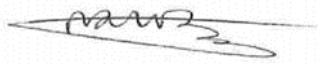
Schedule 2


<b>Equipment Type</b>	<b>Annual Maintenance Cost (Per Unit)</b>	<b>Annual Energy Cost (Per Unit)</b>	<b>Quantity</b>	<b>Total AMC + AEC (Annual)</b>
6 metre column	£40.85 (Index linked)	£87.76	4	£514.44
			<b>Total</b>	£514.44

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

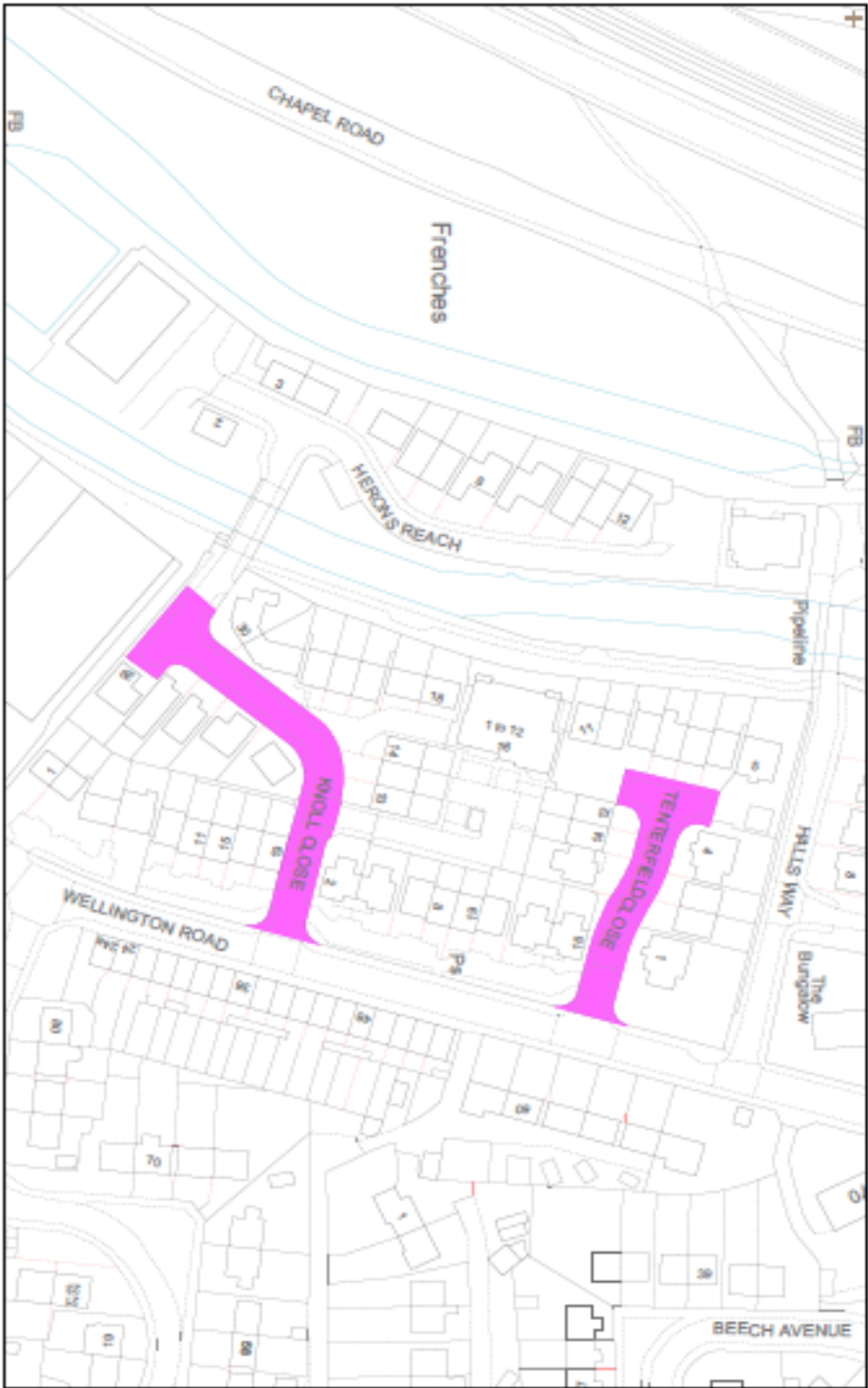
There are no background papers for this report.

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

<b>Approval</b>	
Officer approval sign-off	
Role	Director of Environment
Date of sign-off	28 August 2024

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

**LOCATION PLAN - ADOPTABLE HIGHWAY SHADED PINK**



Drawn by:	AD
Drafted on:	HIGHWAYS
Drawing no:	40/977-S
Date: 23/03/23	Scale: 1:1250

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