

REPORT TO: CABINET MEMBER – TECHNICAL SERVICES

DATE: 24 FEBRUARY 2010

SUBJECT: HIGHWAYS ACT 1980, SECTION 184 LICENCES.

WARDS AFFECTED: KEW

REPORT OF: R S WALDRON – ASSISTANT DIRECTOR TRANSPORTATION AND DEVELOPMENT

CONTACT OFFICER: D. MARRIN – TRAFFIC SERVICES MANAGER – Ext. 4295
M. HUNTER – HIGHWAYS DEVELOPMENT CONTROL – Ext. 4240

EXEMPT/ CONFIDENTIAL: No

PURPOSE/SUMMARY:

To seek approval for the Legal Director in conjunction with the Director of Planning and Economic Regeneration to issue two highway licences pursuant to s184 of the Highways Act 1980 to the organisations listed within the report.

REASON WHY DECISION REQUIRED:

The decision is required in order to allow the licensees to construct vehicle crossings to access developments as work progresses.

RECOMMENDATION(S):

That : -

The Director of Legal Services be authorised in conjunction with the Director of Planning and Economic Regeneration to issue a highway licence to the following organisations pursuant to Section 184 of the Highways Act, 1980 to facilitate the construction of a vehicle crossing within the public highway at the locations detailed within the report and shown upon the attached plans numbered DC0527 and DC0528 subject to the applicants : -

- a) bearing all costs associated with the proposal and;
 - b) indemnifying Sefton Council against all claims, disbursements and actions arising from the proposed works.
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- i) **Ashdown Close, Southport** – Rok, Rok Centre, Willow point, 47 Bridgefold Road, Rochdale, OL11 5BX – Plan No DC0527
 - ii) **Town Lane, Southport** – Queenscourt Hospice, Town Lane, Southport, PR8 6RE – Plan No DC0528

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: Following the expiry of the 'call in 'period for the minutes of the meeting.

ALTERNATIVE OPTIONS:

There are no alternative options

IMPLICATIONS:

Budget/Policy Framework: None

Financial: The applicants will meet the legal and administrative cost of the licence.

	2009 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
<u>CAPITAL EXPENDITURE</u>				
Gross Increase in Capital Expenditure	N/A			
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources	No			
Funded from External Resources	Yes			
Does the External Funding have an expiry date? No	When?			
How will the service be funded post expiry?				

Legal:

Risk Assessment: None

Asset Management: None

CONSULTATION UNDERTAKEN/VIEWS

None

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	✓		
2	Creating Safe Communities	✓		
3	Jobs and Prosperity		✓	
4	Improving Health and Well-Being	✓		
5	Environmental Sustainability		✓	
6	Creating Inclusive Communities	✓		
7	Improving the Quality of Council Services and Strengthening local Democracy	✓		
8	Children and Young People	✓		

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

None

Background

1.1 The Traffic Services Manager has received an application from the organisations listed below to construct a vehicle crossing to their respective developments under s184 of the Highways Act 1980, as shown upon the attached plans.

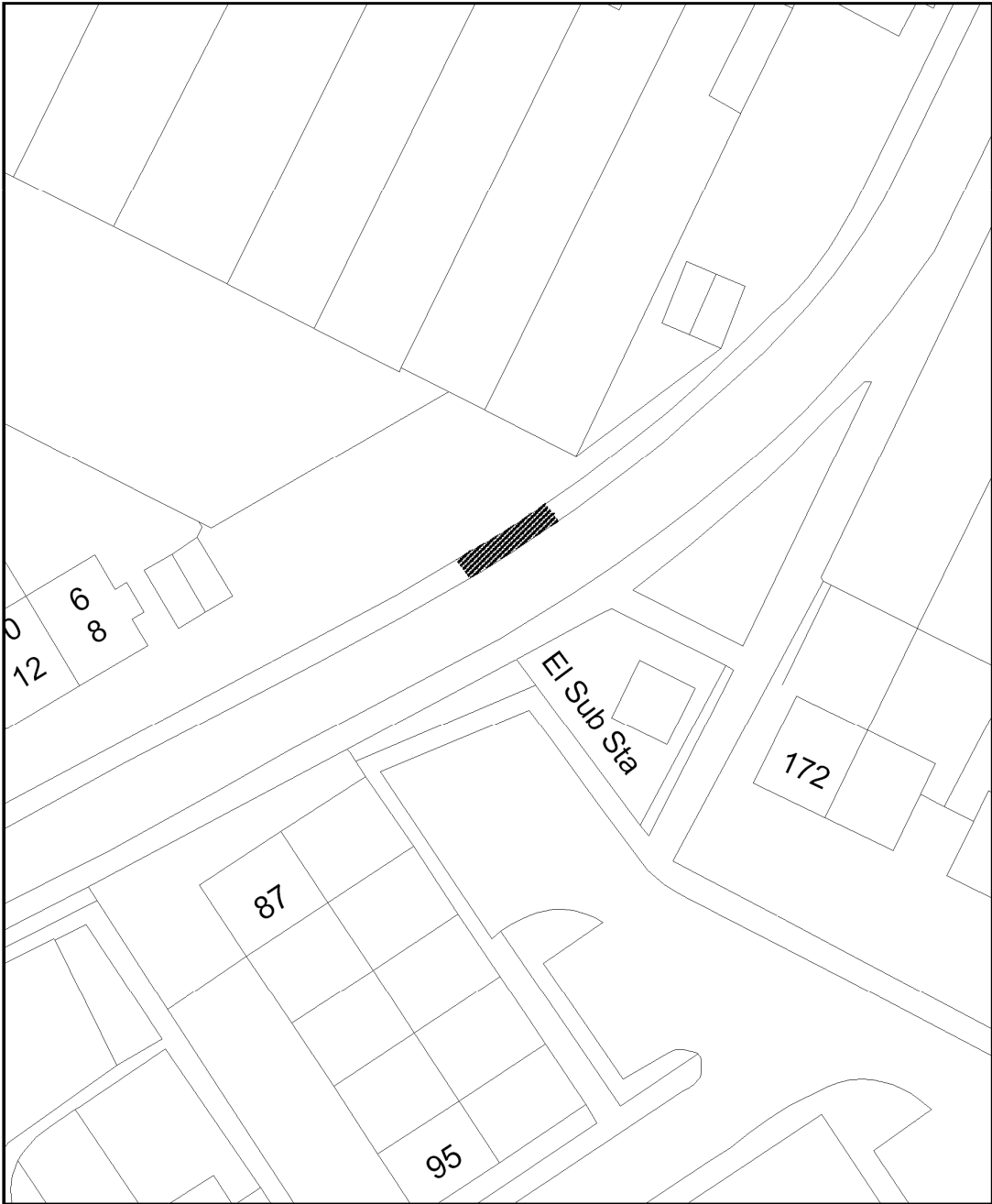
Ashdown Close, Southport – Rok, Rok Centre, Willow point, 47 Bridgefold Road, Rochdale, OL11 5BX – Plan No DC0527



Town Lane, Southport – Queenscourt Hospice, Town Lane, Southport, PR8 6RE – Plan No DC0528

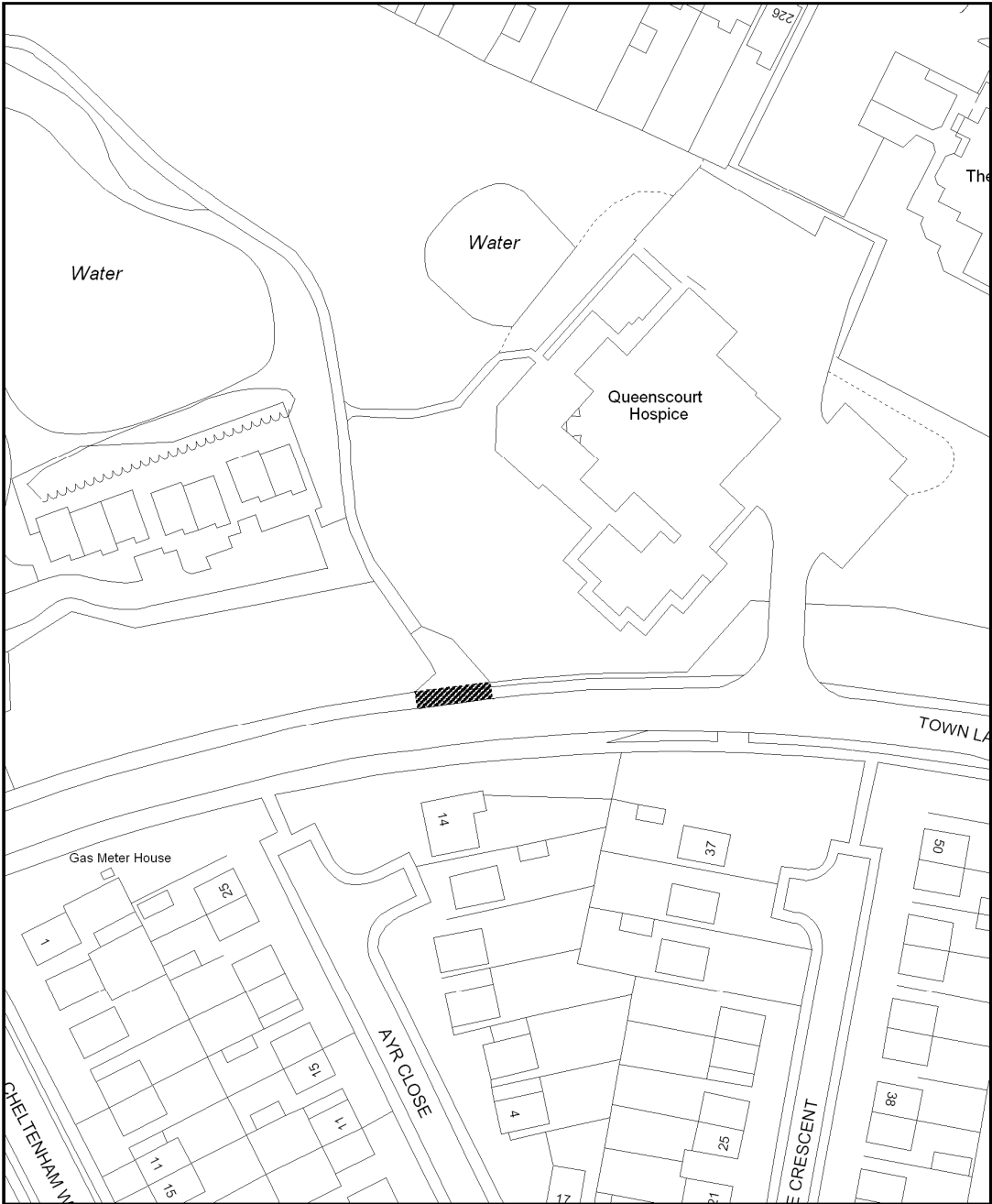
- 1.2 The proposed works will be carefully monitored by officers within the Highways Development Control Team. The materials used in the construction will be assessed and approved by the engineer monitoring the works.
- 1.3 All costs including the Councils legal, technical and administration costs in processing these applications, together with monitoring the works shall be funded solely by the developer/applicant.
- 1.4 The location of the work is shown upon the attached drawings DC0527 and DC0528.
- 1.5 The licence requires that the applicant indemnifies and holds harmless the Council against all claims, damages or disbursements which may become payable as a consequence of the works. This must be supported by single accident indemnity limits of not less than £5M.
- 1.6 The Statutory Undertakers have been consulted as part of the licence and any conditions identified from this consultation exercise will be incorporated within the licence.
- 1.7 In each case, the Ward Councillors have been informed of the applications and have raised no concerns or objections to-date.



2.0 SUMMARY

- 2.1 A Section 184 Highways Act 1980 licence is essentially approval to construct a vehicle crossing upon the public highway. The licence ensures that the works are undertaken in a satisfactory manner and are consistent with the materials and form of construction in the immediate vicinity. A condition of the licence requires that the applicant indemnifies and holds harmless the Authority against all claims, damages or disbursements which may become payable as a consequence of the works.
- 2.2 The applications detailed within the report, relate to the construction of two vehicle crossings at **Ashdown Close and Town Lane, Southport**. Cabinet Member approval is required for the Legal Services Director to prepare and issue the respective licences.
- 2.3 Such other terms as contained in the Council's standard form of licence as may be required by the Director of Legal Services or the Traffic Services Manager will be incorporated into the respective licences.



<p>SEFTON M.B.C.</p> 	<p><u>Section 184 Highways Act 1980</u></p>			
<p>Outside old tennis club, Ashdown Close, Southport</p> <p>Area of highway shown hatched</p>				
<p>HIGHWAYS DEVELOPMENT CONTROL Andy Walls Director of Planning & Economic Regeneration Magdalen House 30 Trinity Road Booths, L20 3NJ</p>	<p>Drawn By: MH</p>	<p>Scale: NTS</p>	<p>Date: 18/01/10</p>	<p>Checked: Initials</p>
<p>Ward: Kew</p>		<p>OS: SD3515NW</p>	<p>Plan: DC0527</p>	
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 SEFTON M.B.C.	Section 184 Highways Act 1980			
	Outside Queenscourt Hospice, Town Lane, Kew			
Area of highway shown hatched				
<small>HIGHWAYS DEVELOPMENT CONTROL Andy Wallis Director of Planning & Economic Regeneration Magdalen House 30 Trinity Road Boole, L20 3NJ</small>	Drawn By: MH	Scale: NTS	Date: 18/01/10	Checked: KW
Ward: Kew		OS: SD3515NE		Plan: DC0528
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