

## HAMPSHIRE COUNTY COUNCIL

### Officer Decision Record

<b>Decision Maker:</b>	Ben Clifton – Team Leader, Strategic Transport
<b>Title:</b>	Mayfield Buildings Mumby Road Gosport – S278 Agreement ( PT33A2280)
<b>Reference:</b>	

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#### 1. The decision:

- 1.1. That authority be given to the Chief Executive's Department in accordance with Paragraph 1.23 of the Economy, Transport and Environment Department's Scheme of Delegation to enter into an agreement under Section 278 of the Highways Act 1980 with Beaulieu Properties LLP relating to Land at Mayfield Buildings Mumby Road Gosport Hampshire PO12 1BG.

#### 2. Reason(s) for the decision:

- 2.1. Planning consent for development of the Land at Mayfield Buildings Mumby Road Gosport Hampshire PO12 1BG was obtained from Gosport Borough Council under reference 14/00076/FULL.
- 2.2. In order to access and mitigate the development, an improved existing vehicular access and highway improvements are required. The developer has submitted and gained approval to a design for the works consisting of;
  - Site access improvements including, pedestrian refuge and two footway build-outs on Mumby Road
  - Three footway build-outs and the stopping up of two existing vehicular access points on Harbour Road
  - A pedestrian refuge on North Cross Street
- 2.3. The completion of the Section 278 Agreement enables the developer to undertake the highway works, in accordance with the terms and conditions that the County Council has stipulated. The works are considered to provide public benefit.
- 2.4. The Agreement also provides that the site access southern visibility splay is subject to provision within the Agreement, and the County Council has agreed that following completion of the works and a one-year maintenance period to thereafter maintain the works as public highway.

- 2.5. The full cost of the works, including any costs to the County Council in facilitating the works, will be met by the developer under the terms of the Agreement.

**3. Other options considered and rejected:**

*Not to agree to enter into the agreement*

- 3.1. This option was considered but dismissed on the basis that the applicant has demonstrated that the proposed works can be constructed in a safe manner and to an acceptable standard, that planning consent for the development including access exists, and that the works will provide essential access to the development site.

*To agree a different specification of works*

- 3.2. This was considered but dismissed. The access works as secured in the Agreement are considered to be satisfactory and appropriate to provide access to the development without unacceptably impacting on the safety of the public highway.

**4. Conflicts of interest:**

- 4.1. Conflict of interest declared by an Executive Member who is consulted by the officer which relates to the decision: None

**5. Dispensation granted by the Head of Paid Service:**

- 5.1. None

**6. Supporting information:**

- 6.1. Final draft legal agreement
- 6.2. Plan showing highway works in principle on drawings 201.0004-3010 Rev P3, 201.0004-3100 Rev P2 and 201.0004-5000 Rev P2

**Approved by:**

**Date:**

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**16 March 2015**

**Ben Clifton – Team Leader, Strategic Transport]**

**On behalf of the Director of Economy, Transport and Environment**