



REPORT FOR DECISION

Agenda item no:

Committee

Report of the Head of Highways and Engineering Service

ADOPTION OF STOTT STREET AND BROOKLYN AVENUE, ROCHDALE

Wards affected:
Wardle & Littleborough
Littleborough Lakeside

Report Author: John Gilligan

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To recommend use of Section 228 of the Highways Act 1980 to secure the adoption of Stott Street from the gable end of no.14, to Brooklyn Avenue and part of Brooklyn Avenue from its junction with Stott Street to its cul-de-sac end 47 metres to the south east.

1. It is recommended that:

- 1.1 The Committee approve taking action under Section 228 of the Highways Act 1980 in respect of Stott Street and part of Brooklyn Avenue, Rochdale, coloured pink on the plan attached to this report, in order that the lengths of road can be adopted and maintained at public expense.

2. Reasons for recommendation:

- 2.1 To enable the adoption of Stott Street and part of Brooklyn Avenue, Rochdale which have been brought up to an adoptable standard.

3. Alternatives considered:

- 3.1 None

4. Consultation undertaken/proposed:

- 4.1 The Borough Solicitor is aware of this proposal and supports the action. If Committee approves the proposed action under Section 228 of the Highways Act 1980 notices will be displayed in Stott Street and Brooklyn Avenue, Rochdale in

accordance with the requirements of that section inviting objections to the proposed adoption.

5. Main text of report:

- 5.1 William Hargreaves Limited ('the developer') constructed a housing development on land adjacent to Stott Street and Brooklyn Avenue, Rochdale.
- 5.2 It was a condition of the planning permission that the developer make up Stott Street and that part of Brooklyn Avenue Rochdale, which abutted the development site, to an adoptable standard.
- 5.3 Following a 12 months maintenance period the Head of Highways and Engineering Service adopted the roads within the development.
- 5.4 The developer does not hold the freehold interest in the land over which the streets run and consequently Stott Street and Brooklyn Avenue could not be dedicated under the Agreement, which covered the roads within the development.
- 5.5 It was agreed with the developer and the Borough Solicitor that the procedure under Section 228 would be appropriate in this instance.
- 5.6 The procedure under Section 228 requires a notice to be posted on site for a period of one month to allow for objections to the proposal to adopt the streets. If no objections are received the roads become adopted highways.
- 5.7 Under the Scheme of Delegation it is for Township Committee to resolve to use such powers.
- 5.8 A plan is attached showing the length of roads to be the subject of the Section 228 Notice.

6. Personnel Implications:

None

7. Financial Implications:

- 7.1 The roads would become the responsibility of the Council to maintain at the public expense.
- 7.2 The cost of the Section 228 procedure is estimated at £500.00 and should be done at the expense of the developer involved.

8. Conclusions:

- 8.1 The Section 228 procedure is appropriate in this instance to secure the adoption of these lengths of highway.

For further information and background papers: For further information about this report or access to any background papers please contact John Gillighan, Network Development Unit, Highways and Engineering Service, Floor 3, Municipal Offices, Rochdale Tel: 01706 924607

John Cheetham
Director of Highways and Engineering





Stott Street & Brooklyn Avenue




Rochdale Metropolitan Borough Council working in partnership with Mouchel Parkman and Agilisys to support regeneration

Land to be considered for adoption under Section 220 Agreement.

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HIGHWAYS AND ENGINEERING SERVICE
Director: Mr. John Cheetham

Highway Policy & Strategy Team
Manager: Mr. Tim Wood I Eng., MIHT

SCALE	1:1250
DATE	09/02/2010
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