Please complete this form and return it either by post to Highway Agreements, PO Box 153, WBC Civic Offices, Shute End, Wokingham, RG40 1BN or by email to HighwayAgreements@wokingham.gov.uk

We will not be able to progress your application if there is any missing information or documentation. For more information, please see WBC’s [Highway Design Guide](https://www.wokingham.gov.uk/planning-policy/advice-for-developers/highways-development-advice/) (*Living Streets: A Highways Guide for*

*Developers in Wokingham*, 2019). Should you have any queries, please contact the email address above.

**PLEASE NOTE OUR UPDATED FEES AND CHARGES EFFECTIVE FROM 01/12/2020:**

|  |
| --- |
| **Agreement Fees** |
| Combined S38/S278 works agreement | 10% of works value & a deposit of 2% or £20kwhichever is the greater will be required on commissioning of WBC’s services |
| S38 adoption of highways | 10% of works value & a deposit of 2% or £20k whichever is the greater will be required oncommissioning of WBC’s services |
| S278 works to existing highways | 10% of works value & a deposit of 2% or £20kwhichever is the greater will be required on commissioning of WBC’s services |
| S38 adoption of highways where S38 agreement is completed **prior** to commencement of works onsite | 8% of works value & a deposit of 2% or £20k whichever is the greater will be required on commissioning of WBC’s services |
| **Conditional Fees** |
| Fee for works starting on development site in advance of a S38 agreement being completed | £10,160.00 |
| Fee per additional S38/S278 technical review of drawings following review of developer’s initialtwo S38/S278 technical submissions | £203,20 |
| Fee per site visit should WBC engineers visit thesite to carry out inspections and are not able to do so through no fault of their own | £101.60 |
| Fee to cover ongoing inspection and administration where works associated with a S38 agreement have not been completed within2 years from the works start date | 4.25% of works value |
| **Other Fees** |
| Advance Payment Code Bond (S38 works only) | Bond to the value of works (as calculated by WBC). Notice will be served following building regulations approval. The bond is due before works to the **buildings** commence. The relevant legislation is set out in Sections 219 – 225 of the Highways Act 1980. Please see Appendix F ofthe Highway Design Guide for more information. |
| Commuted Sum Payment (toward ongoing maintenance by WBC of development highway features and structures) | To be discussed once plans have been reviewed. Please see Section 4.8 of the Highway Design Guide for more information. |

Private: Information that contains a small amount of sensitive data w1 hich is essential to communicate with an individual but doesn’t

require to be sent via secure methods.

Dec 2019

I/We hereby apply to Wokingham Borough Council to enter into an agreement under Section 38/278 of the Highways Act 1980 in respect of the development specified in this application and the attached plans submitted for technical approval.

Signed Date

On behalf of  (if acting as agent)

**Part 1 – General Particulars**

|  |  |
| --- | --- |
| **1a**. Applicant *(Developer)*Name: Address:Post Code: Telephone Number: Fax NumberEmail Representative | **1b**. Agent *(Consultant)*Name: Address:Post Code: Telephone Number: Fax Number:Email: Representative: |
| **1c**. The works **must** have planning approvalbefore progressing with a S38/S278 agreement.Planning Permission reference Date approved |  |
| **1d**. Are copies of the following attached? |  |
| **- The signed planning decision notice** | Please tick Yes No |
| **- The approved stamped planning layout** | Please tick Yes No |
| **- The site location outlined in red** | Please tick Yes No |
|  | *Electronic copies acceptable* |
| **1e**. Has a Section 106 agreement been entered into in respect of this development? | Please tick Yes NoIf Yes, please enter the date and reference of the Section 106 agreementDate Ref: |
| **1f**. Please state the purpose of the development and the number of units and parking spaces to be constructed. | Purpose No. of UnitsNo. of Parking Spaces |

**Part 2 – Site Details**

|  |  |
| --- | --- |
| **2a** Development Name |  |

|  |  |
| --- | --- |
| **2b** Development Address |  |
| **2c** Names of any existing public roads that development will connect to |  |
| **2d** Will any works be undertaken on or immediately adjacent to the existing publichighway? | Please tick Yes No If Yes, please give details*Please note that road space must be booked 3 months in advance of any proposed works on public highway.* |
| **2e** Are any Public Rights of Way affected by the works? | Please tick Yes NoIf Yes, please give details |
| **2f** Are you able to confirm that any land upon which the highway works are to be carried out:-Is existing highway?Is within the control of the Developer? | Please tick Yes No If No, please give details:Yes NoIf No, please add details: |
| **2g** Where will new highway drainage or amended existing highway drainage outfall? | Soakaways Yes No If Yes, NumberConnection to existing highway drain Yes No Outfall to watercourse Yes NoPumped System Yes No Connection to Water Authority Sewer Yes No |
| **2h** Have all affected utility undertakers agreed to the works? | Please tick Yes No*Evidence is required confirming all utility undertakers with affected apparatus have been contacted and agreed to any diversion, protection, connections, re-enforcements and/or adoption. Copies of agreements, correspondence and certificates are required.* |

**Part 3 - Details of the Highway Works**

|  |  |
| --- | --- |
| **3a** General description of the highway works |  |
| **3b** Length of new highway | metres |
| **3c** Are new traffic signals / traffic signal amendments required? | Please tick Yes NoIf Yes, please give details |
| **3d** Are any highway structures to be constructed? | Please tick Yes No If Yes, please give detailsPlease refer to: (CG 302) As Built, operational and maintenance records for highway structures Design Guide. |
| **3e** Will an AIP be required? | Proposed basements/cellars, retaining walls, foundations, amendments to existing structures and/or structures which are in close proximity, undermine, support, form part of or affect the public highway will require an Approval in Principle (AIP). A detailed design and method statement should be submitted for approval.Please tick Yes No If Yes, please give details |
|  |  |
| **3f** Are any street lighting works involved? | Please tick Yes No If Yes, please give details |
| **3g** Are there any soil contamination issues / remediation requirements on the site? | Please tick Yes NoIf Yes, please give details |
| **3h** Are any traffic orders required? | Permanent Yes NoTemporary Yes No If Yes, please give details |
| **3i** Have Stage 1 & 2 Road Safety Audits been undertaken? | Stage 1 Yes NoStage 2 Yes No |
| *Please attach copies of the audits and designer responses* |
| **3j** Has a pre-construction site condition survey been undertaken? | Please tick Yes No*If Yes, please attach a copy* |
| **3k** Please state the estimated cost of the proposed highway works | £ |

**Part 4 – Legal and Programming issues**

|  |  |
| --- | --- |
| **4a** Applicant’s Solicitor’s details | Name Address Post CodeTelephone Number Fax Number Representative |
| **4b** Site owner’s details (if different to applicants) | Name Address Post CodeTelephone Number Fax Number Representative |
| **4c** Details of any other persons known to have an interest in the land on which the development is to take place. |  |
| **4d** Duration of highway works | Start Date Finish Date |
| **4e** Planned first occupation date of the site |  |
| **4f** Details of proposed Contractor (if known) | Name Address Post CodeTelephone Number Fax Number Representative |
| **4g** Details of any other Parties involved (e.g. Project Manager) | Name Address Post CodeTelephone Number Fax Number Representative |

**Part 5 – Initial Fees**

**5a** Initial Deposit

* A non-returnable deposit of £1,500 for works up to £75,000 is required on commissioning WBC’s services.

|  |  |
| --- | --- |
| Sum:Payment Method: | * A non-returnable deposit of 2% for works between £75,000 and £200,000 is required on commissioning WBC’s services.
* A non-returnable deposit of 2% or £20,000 whichever is higher for works over £200,000 is required on commissioning WBC`s services.

£1,500£20,000Other Amount:Cheque: (to Wokingham Borough Council) BACS:National Westminster Bank Wokingham Account No.: 68437730Sort Code: 60-24-21Please quote cost code MIC016*To request an official invoice, please email* *HighwayAgreements@wokingham.gov.uk* |
| **5b** APC Bond (Section 38 only) | Under Sections 219 - 225 of the Highways Act 1980, an Advance Payments Code (APC) bond should be secured prior to the commencement of building works. The bond will be released upon completion of the S38 agreement. For more information, please see Appendix F of the Highways Design Guide.Has an APC bond been secured?Yes No |

**Part 6 – Drawings for Technical Review**

Technical approval must be given from our S38/S278 engineers before an agreement can be progressed. The level of detail required for technical approval will depend on the scope and complexity of the scheme. The required drawings will normally consist of (but are not limited to) the list below. Please ensure a full set of drawings is provided, including a colour copy of each layout drawing. Electronic copies **must** be submitted, preferably by email. Please list the drawing numbers and names in Part 7 of this document.

Please note:

* All plans should be 1:200 scale unless otherwise indicated below
* Layout drawings should clearly show the limit of the works with a thick black line and be annotated “Limit of Works”
* All levels shall relate to Ordnance Datum [Newlyn] and position and value of the Ordnance Bench Mark shall be shown on the 1:2500 Location Plan
* Street light proposals should reflect WBC’s *Street Lighting Design, Adoption Process and Specification Guide* including appendices and addendums
* The colours to be used are as follows:
	+ **Brown** to show the **carriageway**
	+ **Grey** to indicate **footways**
	+ **Yellow** to indicate **cycleways**
	+ **Green** to indicate **verges**
	+ **Dark Green** to indicated adoptable planting
	+ **Orange** to indicate **gullies, gully connections and drainage** (including drainage ditches)
	+ **Full yellow circles** to indicate **street light** positions
	+ A **green boundary line** to indicate the land in the developer’s **ownership**
	+ **Red edging** to show the **highway boundary** - annotated “Highway boundary” in words
	+ **Purple** to indicate **easements** (including highway drainage across private land)
	+ **Edged purple** to show **temporary construction access**, clearly marked “Temporary construction access”
	+ **Pink** to indicate land for dedication as public highway

|  |  |  |
| --- | --- | --- |
| **6a** General Section S38/S278 Drawings | Consented planning site layout plans (including visibility splays and vehicle swept paths) |  |
| Highway adoption plans (including service margin corridors) |  |
| Site location plan (site shown within red line) at 1:2500 scale incorporating all elements of the S38/S278 works within it and identifying the highway boundary |  |
| General arrangement plan showing details of surface materials, kerb, edging and channels, general soft and hard landscaping |  |
| **6b** Layout Drawings | Engineering layout plan at 1:500 scale |  |
| Site clearance plan |  |
| Street lighting proposals layout at 1:500 scale (to include details of proposed or amendments to existing street lighting, including lighting calculations in a reality format of the proposed column locations). This will be reviewed by WBC’s Street Lighting team. |  |

|  |  |  |
| --- | --- | --- |
|  | Drainage proposals layout plan at 1:500 scale to include both surface and foul water (existing, proposed and amendments to existing) pipe runs, manhole and gully positions, pipe gradients, pipe diameters, cross-sections of any proposed gullies and connections. Details of contours and isopachs may also be useful. |  |
| Longitudinal sections of surface water drains to 1:500 horizontal and 1:10 vertical |  |
| Cross sections to a scale of 1:50 for drainage ditches and side slopes at 30m intervals |  |
| Utilities layout plan at 1:500 scale. Utilities must be located in designated service corridors off carriageway. |  |
| Details of statutory undertaker constrictions and alterations required |  |
| Road construction details as per WBC standard details to 1:50 scale |  |
| Proposed levels taken at back of footway at the public highway boundary line, top of kerb (TOK), bottom of kerb (BOK) and centre of carriageway in a chainage format of 5/10m (dependant on scale of development). Footway and carriageway gradients are to be shown and it would be useful to show positions of existing and proposed gullies, soakaways and SUDs locations to ensure correct surface water drainage |  |
| Longitudinal sections of all roads at 1:500 horizontal and 1:10 vertical scales. Levels on gradients to be at 10m intervals and on short vertical curves at 5m intervals |  |
| Cross sections will be required on sites with excessive changes in levels to scale 1:50 |  |
| Signage and lining plan with sign schedule |  |
| TRO plan for proposed road marking/lining/restriction proposals/amendments |  |

|  |  |  |
| --- | --- | --- |
|  | Waste management plans |  |
| Traffic management plans |  |
| **Part 7 - Attachments** |

**7 Please list all attached documents below:**

**Part 8 – Confirmation**

|  |  |
| --- | --- |
| **8** Please sign and date this section to confirm that to your knowledge the information given above is accurate. | Name Signed Date |

***Appendix***

Assets Adoption Quantities Sheet

Please find below an Example of an Assets Adoption Quantities Sheet. The developer needs to provide a completed Asset List prior to adoption of the site.

**Adoption Highway Assets**

**Developer: Development Name:**

**Street Names on the Development: Adoption File number:**

|  |  |  |  |
| --- | --- | --- | --- |
| Developer “As Built” Drawing Number |  |  | xxxxx S38 Section Agreement Plan – As Built |
| **Street Addresses** |  |  |  |
| **Asset** | **Quantity** | **Unit** |  |
|  |  |  |  |
| **Street Furniture** |  |  | **Comment** |
| Street Name Plates | 0.00 | Nr |  |
| Streetlights | 0.00 | Nr |  |
| Lantern Type/Control |  |  |  |
| Signage |  |  |  |
| Lit/Unlit |  |  |  |
|  |  |  |  |
| **Drainage** |  |  |  |
| Gully(s) | 0.00 | Nr |  |
| 150mm dia lateral | 0.00 | M |  |
| Kerb Gully |  | Nr |  |
| SUDS - Private | 0.00 | Nr | Attenuation Tank etc |
| SUDS - Adoptable | 0.00 | Nr |  |
| Highway Drains 150 mm dia. | N/A | M | All pipes being adopted by TW |
| Highway Drains 225 mm dia. | N/A | M | All pipes being adopted by TW |
| Highway Drains 300 mm dia. | N/A | M | All pipes being adopted by TW |
| I/C or Manhole n.e 1.0m deep | N/A | Nr | All MH`s being adopted by TW |
| Manhole 1.0m >1.5m deep | N/A | Nr | All MH`s being adopted by TW |
| Manhole 1.5m >2.0m deep | N/A | Nr | All MH`s being adopted by TW |
| Manhole 2.0m >2.5m deep | N/A | Nr | All MH`s being adopted by TW |
| Manhole 2.5m >3.0m deep | N/A | Nr | All MH`s being adopted by TW |
|  |  |  |  |
| **Carriageway** |  |  |  |
| Centre Line Distance | 0.00 | M |  |
| Carriageway Bituminous | 0.00 | Sq. m |  |
| Carriageway Blockwork | 0.00 | Sq. m |  |
| Carriageway Other/Specify | 0.00 | Sq. m |  |
|  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Tables** |  |  |  |
| Tables Number | 0.00 | Nr |  |
| C/W Table Bituminous | 0.00 | Sq. m |  |
| C/W Table Blocks | 0.00 | Sq. m |  |
| C/W Table Granite Setts | 0.00 | Sq. m |  |
| C/W Table Other/Specify | 0.00 | Sq. m |  |
|  |  |  |  |
| **Footway** |  |  |  |
| Footway Bituminous | 0.00 | Sq. m |  |
| Footway Blocks/Paviours | 0.00 | Sq. m |  |
| Footway Other | 0.00 | Sq. m |  |
| Footway Tactile Crossing | 0.00 | Nr |  |
| Footway Tactile | 0.00 | Sq. m |  |
| Footway/Cycleway Bituminous | 0.00 | Sq. m |  |
| Footway/Cycleway Blocks | 0.00 | Sq. m |  |
| Footway/Cycleway Other/Specify | 0.00 | Sq. m |  |
|  |  |  |  |
| **Service Margin/Verge** |  |  |  |
| Verge Grass | 0.00 | Sq. m |  |
| Service Margin Bituminous | 0.00 | Sq. m |  |
| Service Margin Edgings | 0.00 | Sq. m |  |
| Service Margin Nat/Wild | 0.00 | Sq. m |  |
|  |  |  |  |
| **Bus Stops** | Nr |  |  |
| Footway Bituminous | 0.00 | Sq. m |  |
| Footway Blocks/Paviours | 0.00 | Sq. m |  |
| Footway Other/Specify | 0.00 | Sq. m |  |
| Shelter Type | 0.00 |  |  |
| Kerb Type | 0.00 | Sq. m |  |
|  |  |  |  |
| **Aids to Movement** |  |  |  |
| Lines |  |  |  |
| Signs | 0.00 |  |  |
|  | 0.00 |  |  |