

Agenda Item No. 4(a)

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE**

9 February 2016

Report of the Strategic Director – Economy, Transport and Environment

**SECTION 278 AGREEMENT OF THE HIGHWAYS ACT 1980 - DINTING
LANE, GLOSSOP**

(1) **Purpose of Report** To seek the Cabinet Member's approval to waive the requirement for a Guarantee Bond to safeguard public funds with regard to the Section 278 Agreement works.

(2) **Information and Analysis** High Peak Borough Council has funding available to provide allotments at Dinting Lane, Glossop.

The highway works will consist of the provision of a vehicular access to the allotment site and the widening of Dinting Lane over a short section in order to provide a passing place and facilitate two-way vehicular movement.

The works are as shown on the attached plan reference URS-HPBC-PA-00-CE-00001 Rev A.

The Borough Council will need the County Council's formal permission to fund or carry out improvement works within the public highway using a legal Agreement under Section 278 of the Highways Act 1980.

(3) **Financial Considerations** It is normal policy and practice for the County Council to require commercial developers to provide financial security prior to commencing work to protect the County Council against the cost of having to complete the work in the event the developer fails to complete it in accordance with the Agreement or ceases to trade.

In this instance, as the developer is the Borough Council, the County Council is able to waive the requirement for a Guarantee Bond as the risk of default or financial insolvency is considered negligible.

(4) **Legal Considerations** Section 278 of the Highways Act 1980 empowers the County Council to allow third parties to fund or carry out

highway improvement works. In this case, the Borough Council will be obliged to enter into a Section 278 Agreement for the Dinting Lane highway works and to pay the County Council's Legal and Inspection fees.

Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Kevin Barton, extension 38658

(8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member:

- 8.1 Notes the intention to enter into a Section 278 Agreement with High Peak Borough Council for Dinting Lane, Glossop.
- 8.2 Approves the proposals that, in this case, the Borough Council, as developer, be exempted from having to provide a Guarantee Bond or pay financial security to support the Section 278 Agreement for these highway improvement works.

Mike Ashworth
Strategic Director – Economy, Transport and Environment



EDGE OF PROPOSED ACCESS TO BE KERBED WITH 150x125 BULLNOSED KERB LAID UPSIDE DOWN AS EDGE SUPPORT.

PROPOSED 2 NEW 3 METRE WIDE FIELD ACCESS GATES ON NEW POSTS SET BACK 5 METRES FROM CARRIAGEWAY EDGE. LOCATION TO AVOID EXISTING RAISED MANHOLE CHAMBER COVER IN FIELD AND STEEP GROUND LEVEL SOUTH OF EXISTING ACCESS.

EXISTING FIELD ACCESS GATE TO BE REMOVED, TO ALLOW 2 NEW 3 METRE WIDE ACCESS GATES TO BE PROVIDED.

GROUND LEVEL WITHIN FIELD BOUNDARY DROPS AWAY STEEPLY. PROPOSED VEHICULAR ACCESS TO BE LOCATED AWAY FROM THIS AREA.

EXISTING HEDGE TO BE CUT BACK TO INCREASE / PROVIDE SUFFICIENT VISIBILITY.

EXISTING POST FOR ROADSIGN TO BE REMOVED TO TIP.

EDGE OF CARRIAGEWAY EXTENSION TO BE KERBED WITH 150x125mm BULLNOSED KERB LAID UPSIDE DOWN AS EDGE SUPPORT.

PROPOSED CARRIAGEWAY WIDTH EXTENSION OF 1.4 METRES, TO PROVIDE A 4.8 METRE WIDE CARRIAGEWAY / PASSING PLACE. CONSTRUCTION TO BE: 250mm SUB BASE; 110mm AC32 BASE; 50mm AC20 DENSE BINDER; AND 40mm AC10 CLOSE BOUND SURFACE COURSE.

EXISTING CARRIAGEWAY WIDTH TO REMAIN AT APPROX. 5 METRES.

BT
RS
MH

FIELD ACCESS TO BE 6 METRES WIDE AT GATES AND 10 METRES WIDE AT CARRIAGEWAY EDGE TO PROVIDE PASSING/WAITING SPACE FOR 2 VEHICLES OFF THE EXISTING CARRIAGEWAY. CONSTRUCTION TO BE: 250mm SUB BASE; 110mm AC32 BASE; 50mm AC20 DENSE BINDER; AND 40mm AC10 CLOSE BOUND SURFACE COURSE.

PROPOSED 2M SETBACK BY 40M VISIBILITY SPLAY, AS PER DfT MANUAL FOR STREETS DESIGN GUIDE.

EXISTING STONE WALL TO REMAIN

GRASS/VEGETATION IN VERGE EDGE TO BE CUT BACK

VEGETATION ON TOP OF WALL TO BE CUT BACK / REMOVED, TO ENHANCE VISIBILITY.

TREE TO REMAIN

KEY

LP	EXISTING LIGHTING COLUMNS TO REMAIN
BT	EXISTING BRITISH TELECOM POLES TO REMAIN.
---	VISIBILITY SPLAY

CONSTRUCTION DEPTH AMENDED AS PER DCC COMMENTS.

DJH
JC

06/05/15

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Project Title
**SECTION 278 WORKS
PROPOSED ALLOTMENT
DINTING LANE, GLOSSOP**

Client
HIGH PEAK BOROUGH COUNCIL

Drawing Title
**PROPOSED SECTION 278
HIGHWAY IMPROVEMENT WORKS**



MRZ ASHWORTH
Strategic Director - Economy, Transport and Environment

Purpose of issue
FOR CONSTRUCTION

Designed DH	Drawn DH	Checked JC	Approved JC	Date 30.04.15
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URS Internal Project No.
47074300

Scale @ A3
1:500

Suitability

Zone / Mileage

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Drawing Number
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