

Delegated Decision

17th January 2022

Highway Adoptions

Ordinary Decision



Report of Neighbourhoods & Climate Change

Paul Watson, Strategic Highways Highway Manager

Electoral division(s) affected:

Barnard Castle West

Purpose of the Report

To consider those developments/schemes which have been proposed by developers and which require Section 38/278 Agreements to be entered into with them under the provisions of Section 38 & 278 of the Highways Act 1980 for the construction and subsequent adoption of the roads and footpaths, etc. which they are developing.

Recommendation

The details of the proposed works at Cotherstone have been checked by Scott Wallace from the Highway Adoptions Section, Neighbourhoods & Climate Change and are considered to be in accordance with Durham County Councils standards and specifications.

I therefore recommend that the Section 38/278 Agreements which will allow the works to proceed be entered into.

Background

Teesdale District

Agreement Type: Section 38/278 Agreement

Developer: Nixon Acland Ltd
Contact Address: WCW, Maritime House
Harbour Walk
Hartlepool
TS24 0UX

Location: Fitzhugh Court, Cotherstone

Details of Works: New access roads, footways and street lighting.

Options

None

Main implications

Legal Implications

Once the works are complete, subject to them being satisfactory, they will be adopted. Once this happens Durham County Council will become responsible for the maintenance of the new highway (the new roads, footpaths, etc.)

Finance

Financed by private developers. Future maintenance will be carried out and financed by D.C.C, Neighbourhoods & Climate Change.

Conclusion

That the 38/278 Agreements detailed in the report be entered into.

Contact: Scott Wallace

Tel: 03000 267 296

Appendix 1: Implications

Legal Implications

Once the works are complete, subject to them being satisfactory, they will be adopted. Once this happens Durham County Council will become responsible for the maintenance of the new highway (the new roads, footpaths, etc.)

Finance

Financed by private developers. Future maintenance will be carried out and financed by D.C.C, Neighbourhoods & Climate Change.

Consultation

No

Equality and Diversity / Public Sector Equality Duty

It is considered that there are no Equality and Diversity issues to be addressed.

Climate Change

None

Human Rights

No impact on human rights

Crime and Disorder

Not affected

Staffing

None.

Accommodation

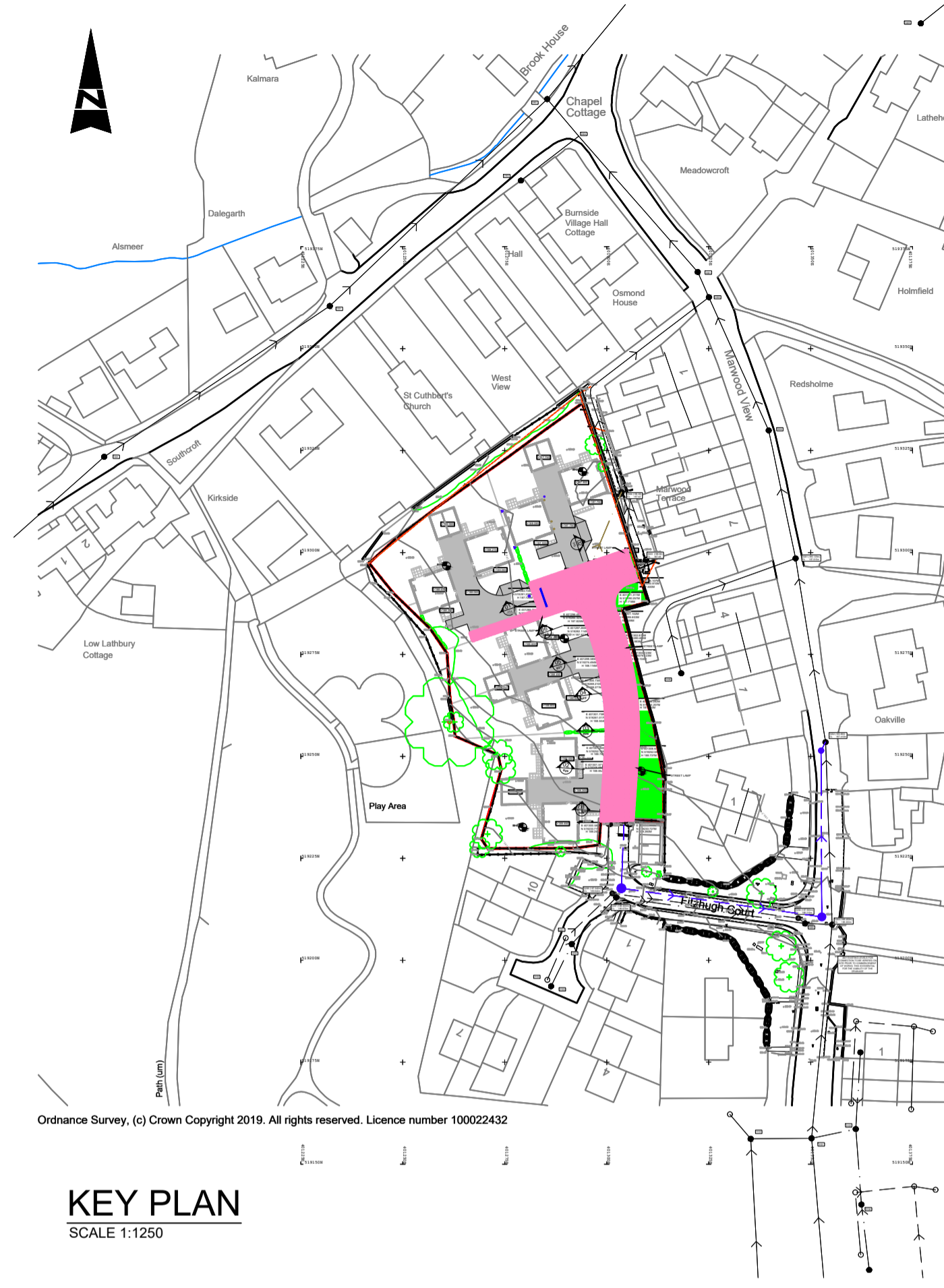
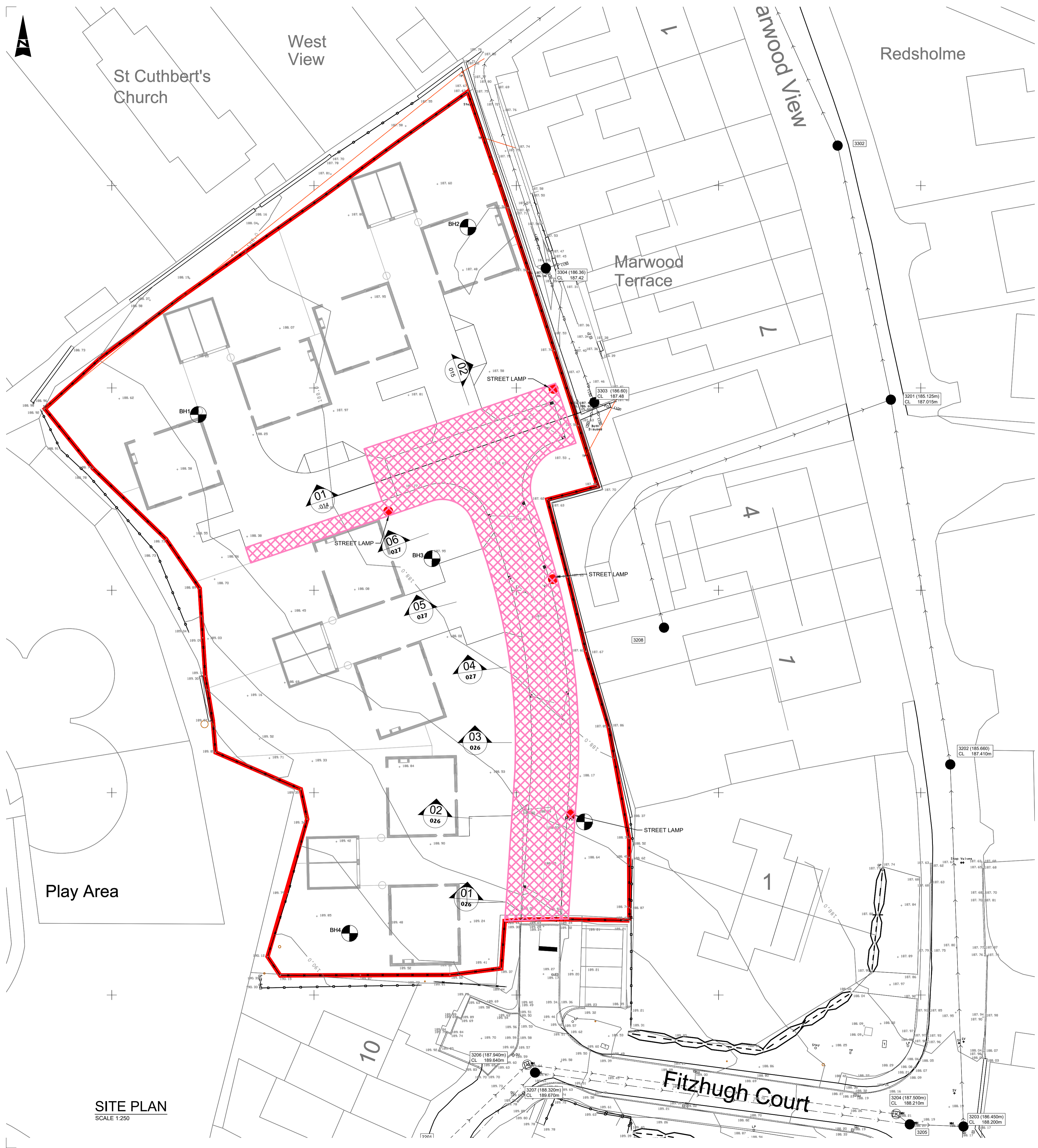
No impact.

Risk

Not applicable.

Procurement

Not applicable.



KEY PLAN
SCALE 1:1250

KEY

- STANDARD KERB 100mm
- PIN KERB
- TRANSITION KERB
- DROPPED KERB (25mm VEHICULAR)
- DROPPED KERB (6mm PEDESTRIAN)


REGENERATION & LOCAL SERVICES
 Highway layout approved
 for use in Agreement
S. Wallace
**CORPORATE DIRECTOR OF
 REGENERATION & LOCAL SERVICES**
 Date: 26th August 2021

SITE PLAN
SCALE 1:250

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 MASONRY SETTING OUT
 FIRE PROTECTION
 STACK LOCATIONS / SERVICE PENETRATIONS
 DPM / INSULATION / FINISHES DETAILS
 - G06. ALLOWANCE TO BE MADE FOR HAND DUG EXCAVATIONS IN VICINITY OF EXISTING DRAINAGE AND FOR ALL TEMPORARY SUPPORT AND PROTECTION OF EXISTING SERVICES AS NECESSARY
 - G07. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT THE AREA TO BE EXCAVATED IS FREE FROM ANY SERVICES OR STRUCTURES THAT MAY BE ADVERSELY AFFECTED BY THE WORKS

PO2	05 MAY 21	SECTION MARKERS ADDED	LKT	AB	AB
PO1	13 JAN 21	INITIAL ISSUE	LKT	AB	AB
Rev	Date	Description	By	Check	App

BMC

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Client: **POD**

Project: **COTHERSTONE DEVELOPMENT
BARNARD CASTLE, DL12 9PS**

Office: **NEWCASTLE-UPON-TYNE**

Title: **S38 AGREEMENT**

Drawn	LKT	Date	13 JAN 21
Checked	AB	Scale @ A1	1:250; 1:1250
Approved	AB	Status	FOR APPROVAL

Job Number	Drawing Number	Revision
379-19	025	P02

HEALTH & SAFETY RISKS

IN ADDITION TO THE STANDARD HAZARDS & RISKS NORMALLY ASSOCIATED WITH THE TYPE OF WORK DETAILED ON THIS DRAWING, PLEASE NOTE THE FOLLOWING RESIDUAL HEALTH & SAFETY RISKS

CONSTRUCTION RISKS

CR01 EXISTING SERVICES TO BE TRACED
 CR02 EXISTING LEVELS TO BE FOUND FOR NWL DRAINAGE
 CR03
 CR04

OPERATION & MAINTENANCE RISKS

MR01 MAINTENANCE SCHEDULE TO BE AGREED
 MR02
 MR03

DEMOLITION RISKS

DR01 NO ABNORMAL RISKS IDENTIFIED
 DR02
 DR03

IT IS ASSUMED THAT ALL WORKS WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING IN ACCORDANCE WITH THE REQUIREMENTS DEFINED IN THE CDM REGULATIONS.

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