

**Delegated Decision**

**21 February 2024**

**Highway Adoptions**

**Ordinary Decision**



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## **Report of Neighbourhoods & Climate Change**

Paul Anderson, Strategic Highways Manager

### **Electoral division(s) affected:**

Esh & Witton Gilbert

### **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 Witton Gilbert have been checked by Nick Bennions 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**

#### Durham District

Agreement Type: Section 38/278 Agreement  
Developer: Homes by Carlton Limited  
Contact Address: 15 Parsons Court  
Welbury Way  
Newton Aycliffe  
DL5 6ZE

Location: Land Adjoining Snook Acres, Front Street, Witton Gilbert

Details of Works: New residential access roads, parking bays, footways, footpaths 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.

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**Contact:** Nick Bennions

Tel: 03000 268611

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## **Appendix 1: Implications**

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### **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.



**8. SITE LIGHTING - REFERENCED TO BS EN 12393**  
**8.1. LIGHTING SPECIFICATIONS - REFER TO DRAWING NUMBER: NBS/EL/12/002828**

QTY	SYMBOL	DESCRIPTION
4		FLOODLIGHTS TO BE FITTED TO THE PERIMETER OF THE SITE.
9		STREET LIGHTS TO BE FITTED TO THE PERIMETER OF THE SITE.
1		STREET LIGHT TO BE FITTED TO THE PERIMETER OF THE SITE.

**8.2. LIGHTING SPECIFICATIONS - REFER TO DRAWING NUMBER: NBS/EL/12/002828**

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**8.3. LIGHTING SPECIFICATIONS - REFER TO DRAWING NUMBER: NBS/EL/12/002828**

QTY	SYMBOL	DESCRIPTION
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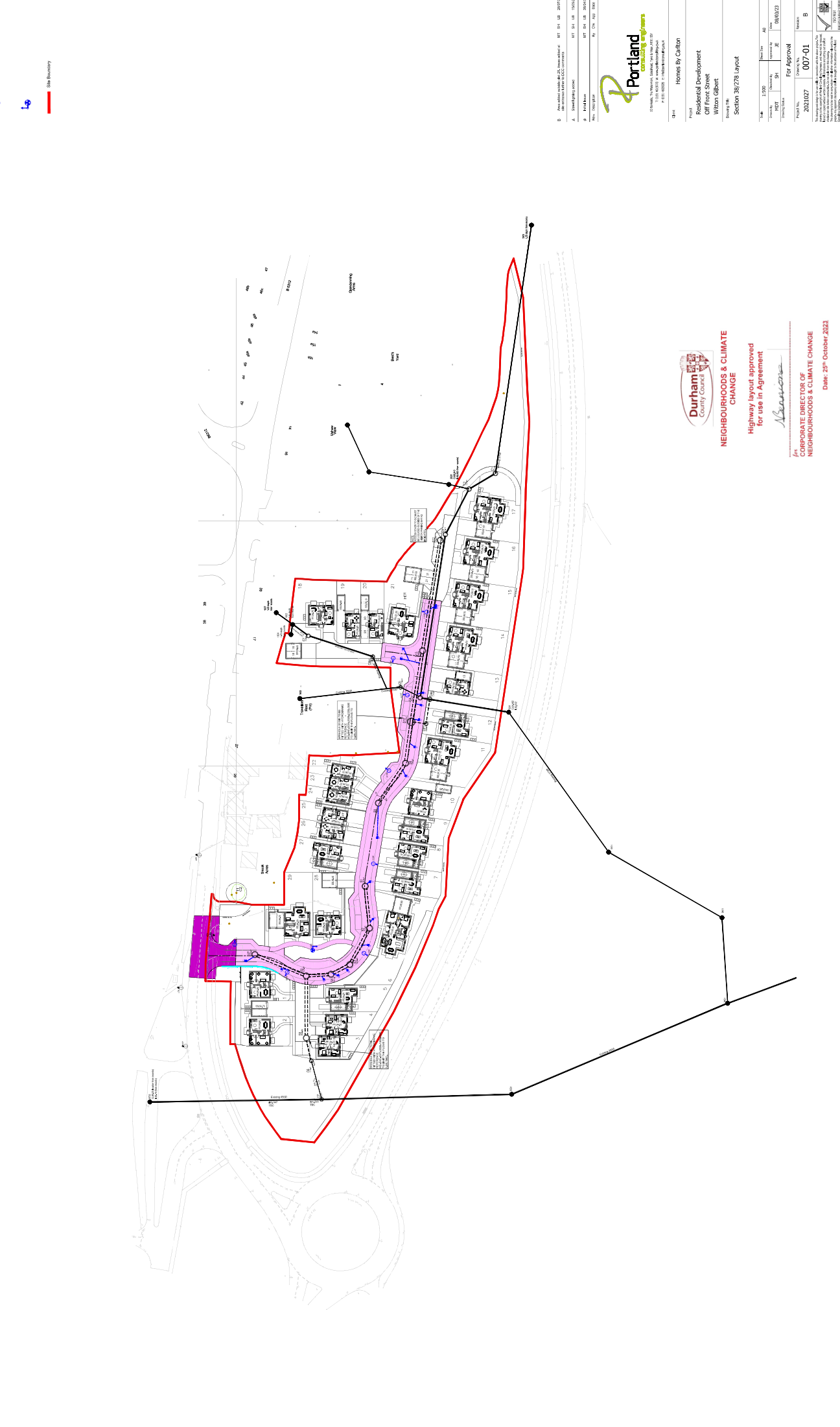
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<b>Homes By Carlow</b> Residential Development Off Front Street Wilton Gilbert	
<b>Section 38(2)(b) Layout</b> Drawing No. 18	Date: 25 <sup>th</sup> October 2023

**Durham County Council**

**NEIGHBOURHOODS & CLIMATE CHANGE**

Highway layout approved for use in Agreement

*(Signature)*

**CORPORATE DIRECTOR OF NEIGHBOURHOODS & CLIMATE CHANGE**

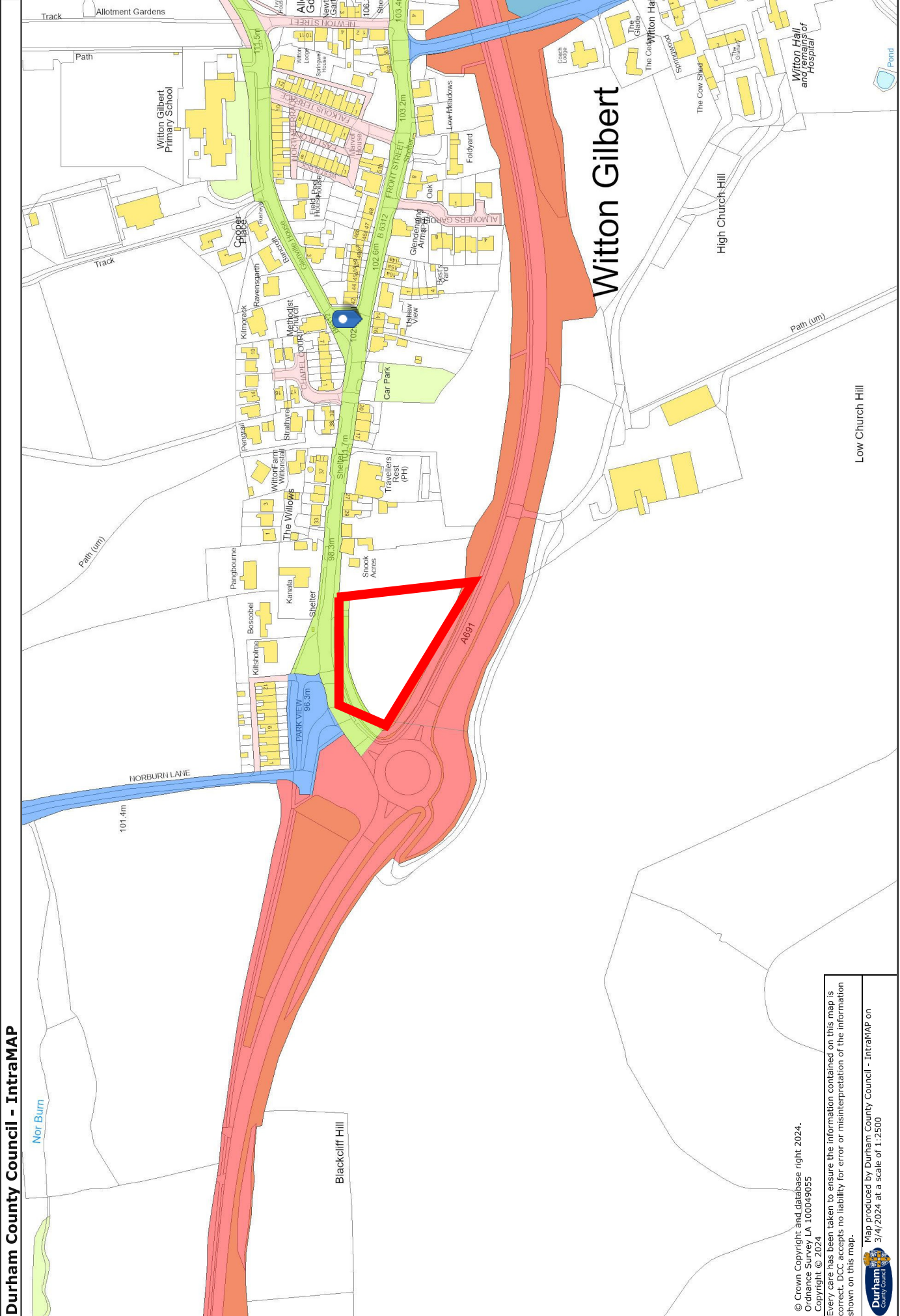
Date: 25<sup>th</sup> October 2023

NO.	DATE	BY	FOR
1	18/10/23	JM	000/023
2	25/10/23	JM	000/023

For Approval

2021027 007-01

007-01



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3/4/2024 at a scale of 1:2500

