

# DELEGATED DECISION

## REGENERATION AND LOCAL SERVICES

29<sup>th</sup> November 2017

### SECTION 38 & 278 AGREEMENTS

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## Report of Regeneration and Local Services

Dave Wafer- Strategic Traffic Manager

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### 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.

### Background

#### Durham District

Agreement Type: Section 38/278 Agreement

Developer: The Banks Group  
Contact Address: Inkerman House  
Meadowfield  
Durham  
DH7 8XL

Location: Development of Manor House Access Road on former Mount Oswald Golf Club land off A177 South Road, Durham

Details of Works: Construction of improved access road  
Construction of new footpaths and service margins  
Erection of new street lighting columns  
Installation of new surface water gullies  
Associated civils works

**Details of any alternative options considered and rejected when making the decision**

None

**Recommendations and reasons**

The details of the proposed residential development works at Mount Oswald, Durham have been checked by Jon Hogarth from the Highway Adoptions Section, Regeneration & Local Services 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.

**Decision**

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

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**Contact: Jon Hogarth Tel: 03000 263581**

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## **Appendix 1: Implications**

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**Finance** - Financed by private developers. Future maintenance will be carried out and financed by D.C.C, Regeneration and Local Services.

**Staffing** - None

**Risk** – Not applicable

**Equality and Diversity / Public Sector Equality Duty** - It is considered that there are no Equality and Diversity issues to be addressed.

**Accommodation** – No impact

**Crime and Disorder** – Not affected

**Human Rights** - No impact on human rights

**Consultation** - No

**Procurement** – Not applicable

**Disability Issues** - None

**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.)