



SECTION 278 APPLICATION FORM

Application form to modify the adopted highway under Section 278 of the Highways Act 1980.

Application Detail

Name of applicant (Developer):

Address of applicant (Developer):
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Telephone number:

Contact details (if different to above):
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Names & addresses of the parties to the Agreement:

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Name, address & contact details of Solicitor:

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Does the proposed highway works require the creation & dedication of new highway to be adopted by the Council Yes / No *

Name of landowner & contact details

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Has full planning consent been granted?: Yes / No * Planning reference number: P/...../.....

Location of the proposed works:

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Technical Submission Requirements

Approved planning drawing and decision notice	Yes / No *
Application Site Plan showing the extent of the works within the limits of the adopted highway boundary (Red Boundary):	Yes / No *
Highway Dedication plan showing any land to be dedicated as highway (Green Boundary):	Yes / No *
Land registry title and plans (Dated within the last 3 months):	Yes / No *
Highway Construction Plan showing the extent of the works:	Yes / No *
Longitudinal Section(s) of the proposed carriageway levels:	Yes / No *
Surface Water drainage plan:	Yes / No *
RSA (Road Safety Audit) Stage 1 & 2 with the designer’s response.	Yes / No *
Public Liability Insurance.	Yes / No *
Details of any statutory undertakers’ diversion works and C4 costs.	Yes / No *

NOTE: St Helens Borough Council has prepared a pre-approved standard construction detail for use on generic Section 278 / 38 development sites. This can be obtained free of charge from St Helens Borough Councils website <https://www.sthelens.gov.uk/> or alternatively by emailing Section38@sthelens.gov.uk. All other details not covered within the preapproved drawing should be submitted as part of the application and designed in accordance with Design Manual for Roads and Bridges (DMRB) and the Manual of Contract Documents for Highway Works.

List of drawing numbers:

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Description of proposed works:

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Description of Traffic Regulation Orders required:

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Time Periods to be inserted into the Section 278 Agreement

Anticipated Agreement/s Signing Date:

Anticipated Start of Highway Works Date:

Anticipated Completion of Highway Works Date:

Anticipated Maintenance Period: (Minimum 12 Months)

Bond or Surety

As part of the agreement the developer will be required to deposit a cash or surety bond with St Helens Borough Council to cover the cost of the highway works. This bond ensures that St Helens Borough Council does not incur any costs if the highway works are stalled, changed or aborted by the developer.

The bond or surety figure will be calculated by St Helens Borough Council upon completion of the technical approval process. The bond value of adoptable works does not include fees, charges or commuted sums.

The works detailed within the Section 278 Agreement will be staged and following completion of each stage, the developer will receive the relevant certificate and there will be a reduction in the value of the surety's obligation.

Table 1A: Agreement bond reduction stages.

Agreement Reduction Stages	Bond Value
Commencement of S278 Works	100%
Provisional Certificate (Maintenance)	25%
Final Certificate	0%

The Agreement will be guaranteed by: Bond / Cash *

Details of provider of Bond of Surety:

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Payments

St Helens Borough Council will charge a fee for the design checks and supervision of the highway works. This fee is currently 10% of the estimated highway works costs that are based upon the developer's priced bill of quantities that will need to be submitted once the design has obtained full highway authority approval. Should any statutory undertakers equipment be effected by the modification of the highway works then an additional fee of 4% will be charge that will be calculated using the developers diversion (C4) costs.

Once the s278 agreement has been signed by all parties the design checks, supervision fees and any commuted sums must be paid without delay prior to any works commencing on site.

Payments can be made by Standing Order, Online Bank Transfer or BACS using our bank account details shown below or alternatively, you may pay via an official council invoice. Please ensure you have obtained a payment reference prior to making any payments and quote this on all payments / correspondence.

Payment references can be obtained by contacting St Helens Borough Councils Highways and Infrastructure Service. Email: Section38@sthelens.gov.uk or alternatively by telephone: 01744 673303

Account Name: St Helens Council
Sort Code: 60-70-08
Account No: 94231397
Bank Name: National Westminster Bank
Bank Address: 5 Ormskirk Street, St Helens, Merseyside, WA10 1DR

Declaration

I hereby request that the Council's Solicitor prepare a draft Agreement under Section 278 of the Highways Act 1980 in order to carry out the works detailed as above.

I agree to make the non-refundable payment of £600 (outside the scope of VAT) to cover the costs in respects of the Councils initial comments on the proposed s278 scheme and the submission validation checks.

I agree to pay additional reasonable costs incurred by the Council in relation to the preparation of the Agreement.

Signed: Date:

Print name:

Position: