

Cumbria County Council

S278/S38

Agreements

Background

- The County Council as Highway Authority (HA) has a duty under the Highways Act 1980 to consider and adopt new developments as part of the Highways which it maintains
- Section 38 allows the Council to charge fees to inspect new roads being built which will later be adopted by the Council
- Section 278 allows the Council charge fees where an existing highway is altered or improved to allow access to a new development

Background

- Internal Audits carried out for both S278 and S38 income
- Reports issued February 2016 including Recommendations and Audit Findings
- All recommendations acted upon and reviewed regularly through regular meetings and management reporting

Progress

- Dedicated resource available for S278/S38's – 3 Highway Network Engineers appointed with clear roles/responsibilities for engaging with developers and progressing legal agreements and fees – October 2016
- Revised Service Procedures issued for both S278 and S38 income – April 2017
- Development Management Design Guide published – Nov 2017
- Fees and Charges reviewed and approved by Full Council – Feb 2019

Progress

- Quarterly meetings take place between Highways, Legal and Development Management teams and actions progressed
- All S278/38's held centrally and updated/monitored monthly against agreed income targets
- Closer working relationship in place with developers to release bonds and if necessary carry out works on their behalf to an agreed price
- Additional income being achieved by undertaking design, contract management and delivery – eg BAE systems