

**Application for the Adoption of New Estate Roads and
Highway Works by Section 38 & 278 Agreement
[Highways Act 1980]**

(To be read in conjunction with the current issue of SMBC fees charged to developers for works carried out under Section 38 and Section 278 of the Highway Act 1980).

For office use only

Date application received: -

Name of applicant: -

Allocated Reference Number: -

Application and Preliminary Submission

Planning application number: -.....

Please supply a Copy of the Grant of Planning Permission Notice: - [YES/NO]

What type of agreement is proposed
[delete as appropriate]:

- Section 38
- Section 278
- Combined S38&S278

Name and Address of Development Site: -
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Name and Registered Office of Developer: -
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Name and Address of Developers Agent: -
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Name and Address of Bondsman: -
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Name and Address of Solicitor: -

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Have you received building regulation approval for the scheme: -

Please give details: - Date..... Ref. No.....

Estimated cost of construction works covered by the Agreement: -
£.....

Application/Minimum Fee Included: - [YES/NO]

For combined Section 38 and Section 278 works, the total fee charged will be calculated using the Section 38 fee charge rate . An additional fee of £500 will be charged for any supplement or alteration requested by the developer after granting of technical approval or post completion of the agreement. Legal fees payable will be charged separately by Solihull MBC legal section.

Proposed Program of Works: -

Proposed target date for: -
Commencement of works Completion of works: -

Is the development to be constructed in phases?

If yes, please state number of phases, description and their respective Proposed Dates for Commencement and Completion: -

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For works on land proposed to be offered for adoption, please provide a Land Dedication Plan (Section 278 Works Only) and Legal Plan (Section 38 & combined Section 38 & 278 works).

For proposed works on Existing Highway, please provide a plan indicating the extent of the works.

Drainage: -

Will there be a Section 104, or other Agreement with the Severn Trent Water for adoption of the sewers on the site for either:

(i) Foul Sewers..... AND/OR (ii) Surface Water Sewers.....

If the answer to (i) or (ii) above is no please state the proposed alternative arrangements.

Is there likely to be Highway Drainage or Soakaways or Sustainable Urban Drainage Solutions [SUDS]? [YES/NO].

If yes, please give details, i.e. number and type of Soakaways and approximate length of proposed Highway Drainage. Also please provide details of the proposed maintenance regime and details of responsibility.



Other Structures: -

Are there likely to be any structures to be proposed for adoption as part of the Highway i.e. Retaining Walls either in or adjacent to the proposed Highway. If so please give brief details.

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The developer will be responsible for payment of all additional fees incurred by the Council for design checks and design reviews carried out for non standard/specialist items of work. Additional fees in respect of design checks and design reviews carried out for non standard/specialist items of work will be payable in advance/on request.



Commuted Sums: -

The developer will be required to pay commuted sums in connection with the development [i.e. structures, trees, Street Lighting, maintenance of traffic lights etc] prior to the completion of the Section 38/278 Agreement.



Streetlighting: -

Do you wish the Council to carry out the street lighting design, if YES; separate arrangements will need to be made by the applicant to apply for a quotation for the cost of the design from Solihull MBC's Street lighting Department?
[YES/NO].

Street lighting Contact Details:

Chris Ballinger
Street lighting
Solihull MBC
Moat Lane Depot
Moat Lane
Solihull
B91 2LW

[email: cballinger@solihull.gov.uk]
[tel: 0121 704 6523]

If NO, please provide street lighting plan with design details for approval.

Traffic Regulation Orders and Statutory Notices etc: -

The developer will be responsible for all costs and expenses associated with any temporary or permanent Traffic Regulation Orders and statutory notices that are required as a result of the works.

Road Safety Audits / Quality Audits: -

The developer will be responsible for arranging and submitting Road Safety Audits and / or Quality Audits in line with Solihull Council's Road Safety Assessment Policy and Procedure (a copy of which is available on our website). This will include submission of Audit reports along with the designer responses as part of the Section 38 and Section 278 application. Upon the issue of the Part 2 Certificate (Section 38 Agreements)/Substantial Completion (Section 278 Works), the developer will be responsible for submitting a Stage 3 Road Safety Audit along with the designer responses.

Enclosures: -

This application is made for technical approval in accordance with SMBC Materials/Design Specifications, DMRB and “Manual for Streets”. This application should include a covering letter indicating that the developer wishes to enter into a Section 38/Section 278 Agreement.

Please ensure that you enclose the following: -

(Failure to submit a complete and compliant package of information will result in the application being deferred until the full submission has been received).

Electronic sets of the following drawings (where applicable):

Please Tick

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Covering letter indicating intention to enter into a Section 38/278 Agreement | <input type="checkbox"/> |
| Completed application form | <input type="checkbox"/> |
| Technical Review fees – Fee amount provided by SMBC | <input type="checkbox"/> |
| A copy of the planning permission/decision notice | <input type="checkbox"/> |
| Proof of ownership of the land (S38 works). A copy of the conveyance, or up-to-date copy entries and filed plan if the plan is registered at HM Land Registry | <input type="checkbox"/> |

Complete and compliant set of drawings (in electronic pdf format as listed below):

- Stage 1 and 2 Road Safety Audit and designers response
- Location plan showing the planning application site boundary edged red; (1:2500 or 1:1250 scale).
- General Arrangement/ Layout Plans (minimum scale 1:500), including visibility envelopes for all proposed junctions.
- Haulage route from/to development site within Solihull MBC administrative area,
- Site Clearance plan.
- Road restraint system plan to show details of the proposed system layout, containment level and dimensions in relation to the carriageway layout.
- General drainage layout plan to include contour lines for the proposed carriageway and to show gullies, manholes and ponds locations, (minimum scale 1:500).

- Drainage construction details plans to show; proposed pipe sizes and gradients between manholes, and invert levels and cover level of manholes.
- Sub-surface drainage system plan, (if applicable).
- Micro drainage assessment for the proposed drainage system.
- Earth works plan to show cut/fill areas and proposed embankment.
- Surfacing and kerbing drawing to show tarmac layers thickness and spec. for tarmac materials for footway and carriageway.
- Cross sections of the proposed roads to show existing ground levels and proposed centre line and channel levels at a maximum of 10m intervals related wherever possible to Ordnance Datum or otherwise to an identified datum, scale of 1/100.
- Longitudinal sections to show gradients of the proposed road length and radius of vertical curves, scales are 1/500 horizontal and 1/100 vertical.
- Highway construction details plans.
- Road signs and road markings drawing.
- Street Lighting Specification/Column Locations/Illumination Calculations (Standard specification available on SMBC website. All non-standard apparatus to be referred to SMBC's Lighting Engineer for approval),
- Swept path analysis plan.
- General Landscaping Plan.
- Details of landscaping including species and tree pits / planting details.
- A3 Adoption/Legal Plan.
- Legal Plan - A4/A3 Plan indicating in pink the proposed Section 38 adopted highway land, in blue the proposed Section 278, and in green the soft landscaping areas within the adopted highway. Also, please show adoptable highway drainage as blue. (Section 38 & Combined Section 38 & 278 Agreements).
- Land dedication plan (if applicable (S278/38 Works only).
- Stopping Up Order Plan (if applicable).
- Section 104 Adoptable Drainage Details plan.
- Approved Traffic Regulation Order Plan.

Signature: -

On behalf of: -

Date: -

Please return form to: -

Duljit Madahar
Solihull MBC
Council House
Manor Square
Solihull
West Midlands B91 3QB
[email: duljit.madahar@solihull.gov.uk]
[tel: 0121 704 6487]