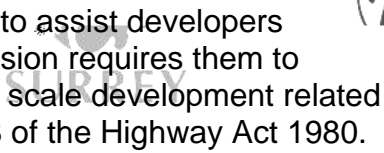


**PLANNING & DEVELOPMENT  
HIGHWAY WORKS  
Section 278 Agreement  
Guidance Pack**



This document is intended to assist developers when their planning permission requires them to undertake medium to large scale development related highway works under S278 of the Highway Act 1980.

This guidance sets out the basic information required for a highway works agreement under section 111 Local Government Act 1972 and Section 278 of the Highways Act 1980.

1. The name and address (or Company name and Registered Office) of the developer (i.e. the applicant for planning permission), plus contact name and telephone number.
  2. A description of the proposed development, planning application number and date of submission and a copy of the District Council Planning Committee report.
  3. A description of the required highway works. This should be broad, as complete as is possible at this stage, and avoid jargon words if possible. Detailed engineering
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11. The developer is to deduce title to show that they are the owner of all the private land involved in the works agreement so that they can dedicate it as part of the public highway. Third parties have to be co-signatories of the Agreement and their land identified on the drawings (see item 4 above). The highway to be adopted will extend at least to the boundary of the site. The developer must also confirm that sufficient precautions to ensure that is the case. A clause will be included in the agreement that protects the Council from any claims relating to such an eventuality arising as a result of the works.
12. The Developer will be responsible for funding any additional works which may be reasonably required by the Engineer resulting from any inadequacies in the Agreement drawings or arising from unforeseen circumstances, up to an agreed maximum of 5% of the total cost of the works or £10,000, whichever is the greater.
13. Confirmation that the Developer understands that they are responsible for the full cost of Stage 1,2 and 3 Road Safety Audits and alteration to, or provision of new, Traffic Regulation Orders as may be required, (to include advertising, processing Orders, staff admin cost, signs, road markings etc.). In addition, the developer should confirm that they are responsible for any costs associated with Factory Acceptance Test Costs (FATS) and Site Acceptance Test Costs (SATS) when installing or altering Traffic Signals of any kind.
14. Confirmation that the Developer will obtain a licence, from the Engineer for landscaping proposals, which affect the public highway.

Once the above information has been received, processed and a Works Agreement issued, the following will be required:

15. Working drawings, detailed layout design, construction of road and highway drainage works, longitudinal and cross sections (the above to include details of road markings and studs, road signs, street lighting, Statutory Authorities mains and services), all of which are to be prepared by a Consulting Engineer and approved by the Engineer and achieve Stage 2 Safety Audit Certification. The County Council will require CAD files of all approved drawings to be submitted to the Engineer. Each issue of a layout drawing from inception to Stage 2 Safety Audit is to be sent by the Consulting Engineer direct to the Local Planning Authority.
16. The Engineer may be consulted as to which contractors are approved by this Authority to carry out  
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17. It will be for the developer to satisfy themselves that all necessary Noise Surveys have been competently undertaken in the existing circumstances of a site (i.e. former uses, if any) and following completion when traffic patterns have settled and after consultation with the Highway Authority. These  
payment.
18. The Developer will state at the outset if any retaining structures are involved and initially indicate them on the layout drawing stating their maximum height. If their use is considered necessary and acceptable, approval of the detailed design must be obtained from the County Council for which a separate fee is paid by the Developer. A commuted sum will also be paid through a clause in the Agreement.

19.

of a long-term PFI maintenance and renewal contract with the council. Specification and adoption details for street lights in new developments can be found at the following link [Milestone Infrastructure Lighting Requirements](#).

Milestone Infrastructure will check section 278 agreement street lighting designs to ensure that they meet the council's requirements. It is therefore recommended that developers employ Milestone Infrastructure to design street lighting for section 278 agreements, to avoid delays associated with street lighting designs done by others not meeting the council's requirements. Developers may still use others to design street lighting for section 278 agreements, but Milestone Infrastructure will need to check their designs.

Street lighting on section 278 agreements works must be installed by Milestone Infrastructure. Others cannot work on streetlights on the public highway, unless otherwise agreed in writing by Milestone Infrastructure. After completion of the Section 278 agreement and the council has accepted the highway works design - including the street lighting design - developer should make their own arrangements directly with Milestone Infrastructure to install the approved street lighting in the section 278 agreements works.

Developers need to include street lighting information on their as-built drawings submission, before the hand-over of the section 278 agreements works to the council.

Milestone Infrastructure can be contacted by email: [surrey.lightingservices@milestoneinfra.co.uk](mailto:surrey.lightingservices@milestoneinfra.co.uk)

20. It is the responsibility of the developer to ensure that upon installation and prior to adoption all streetlighting equipment shall be fully operational. For the avoidance of doubt, this will include the Leaf Node, Branch Node and associated communication functions. The developer shall ensure that all units

[Specification and Adoption Details for Street](#)

[\\_\\_\\_\\_\\_](#) web page.

21. The use of soakaways to drain adoptable highway may be acceptable, subject to satisfactory soakage tests, SUDS and other strict criteria.
22. If after conclusion of the Agreement, it is found necessary to extend or delete an area of originally private land, this will be covered by a Deed of Variation. The engineering and legal costs incurred by SCC will be paid in full by the developer.
23. The developer will write at the outset to confirm that they understand and will comply with the terms of these Guidance Notes and Chapter 10 of the Surrey Design Technical Appendix.

