



Agenda Item

**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**CABINET MEMBER DECISION – HIGHWAYS ASSET AND TRANSPORT**

**7 October 2021**

**Report of the Executive Director – Place**

**Section 278 Agreement – Sheffield Road, Chesterfield**

**1. Divisions Affected**

1.1 Spire Electoral Division

**2. Key Decision**

2.1 This is not a Key Decision.

**3. Purpose**

3.1 To seek the Cabinet Member's approval to waive the requirement for a Guarantee Bond with regard to proposed works at Sheffield Road, Chesterfield which are to be undertaken by Chesterfield Borough Council within the existing highway pursuant to a Section 278 Agreement under the Highways Act 1980.

**4. Information and Analysis**

4.1 Chesterfield Borough Council (CBC) has secured planning permission for a new warehouse on land opposite Hazlehurst Avenue, Sheffield Road, Chesterfield. The works include a new junction and lowering an existing footway. An agreement under Section 278 of the Highways Act will be entered into with the County Council, as Highways Authority, to adopt the footway and new junction.

- 4.2 The scope and nature of planned work is shown on drawing number 20099-RLL-20-XX-DR-C-2005 P04 S278 General Arrangement (Appendix 2 to this report) – this includes a new junction to serve the site, road makings, lowering of the raised footpath and a new dropped crossing with tactile paving. This would attract a total bond value of £44,850. (NB: A Bond is normally secured to ensure the works can be completed by the Highway Authority should the developer not be able to do so)
- 4.3 CBC is aware that it needs the County Council's full permission, as Highway Authority, to fund or carry out works in the public highway by entering into agreements under Section 278 of the Highways Act 1980.
- 4.4 CBC has confirmed that it is willing to underwrite the works and complete them to an adoptable standard as detailed by the County Council.

## **5. Consultation**

- 5.1 There are no requirements to undertake wider public consultation for this request to seek Cabinet Member approval.

## **6. Alternative Options Considered**

- 6.1 A formal request has been received from CBC to seek approval from the County Council to waive the requirement for a Guarantee Bond.
- 6.2 The alternative option is to not waive the bond and request a Guarantee Bond or cash deposit of £44,850 from Chesterfield Borough Council. However, given that CBC has offered to underwrite the work and complete them to an adoptable standard this is not considered necessary. Also, as a local authority, CBC has a clear vested interest in ensuring good quality development at this site and the risk of non-completion of the work is very low.

## **7. Implications**

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **8. Background Papers**

- 8.1 None identified.

## **9. Appendices**

9.1 Appendix 1 - Implications.

9.2 Appendix 2 - 20099-RLL-20-XX-DR-C-2005 P04 S278 General Arrangement

## **10. Recommendation**

That the Cabinet Member:

- a) approves to waive the requirement of a Guarantee Bond regarding proposed works on Sheffield Road, Chesterfield which are to be undertaken by Chesterfield Borough Council under Section 278 Agreement of the Highways Act 1980.

## **11. Reason for Recommendation**

11.1 As the developer is a local authority, the County Council consider the risks of default or financial insolvency are negligible and are therefore able to waive the requirement for a Guarantee.

## **12. Is it necessary to waive the call in period?**

12.1 No.

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**This report has been approved by the following officers:**

<p><b>On behalf of:</b></p> <p>Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)</p>	
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## **Implications**

### **Financial**

- 1.1 It is normal policy and practice for the County Council to require commercial developers to provide financial security prior to commencing work in order to indemnify the County Council against the cost of having to complete the work in the event that the developer defaults or ceases to trade. In this instance, as the developer is a local authority, the County Council consider the risks of default or financial insolvency are negligible and is therefore able to waive the requirement for a Guarantee.

### **Legal**

- 2.1 Section 278 of the Highways Act 1980 empowers the County Council to allow third parties to fund or carry out highway improvement works. In this case, Chesterfield Borough Council (CBC) will be obliged to enter into a Section 278 Agreement for Sheffield Road highway works and to pay Derbyshire County Council's legal and inspection fees.

### **Human Resources**

- 3.1 None.

### **Information Technology**

- 4.1 None.

### **Equalities Impact**

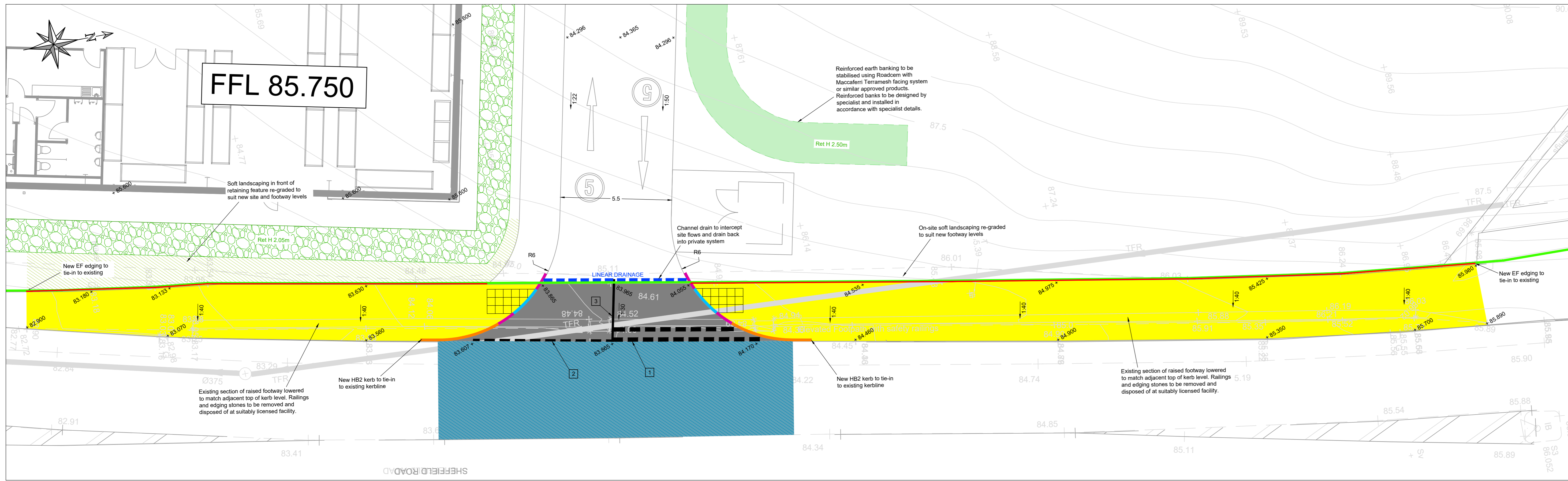
- 5.1 None.

### **Corporate objectives and priorities for change**

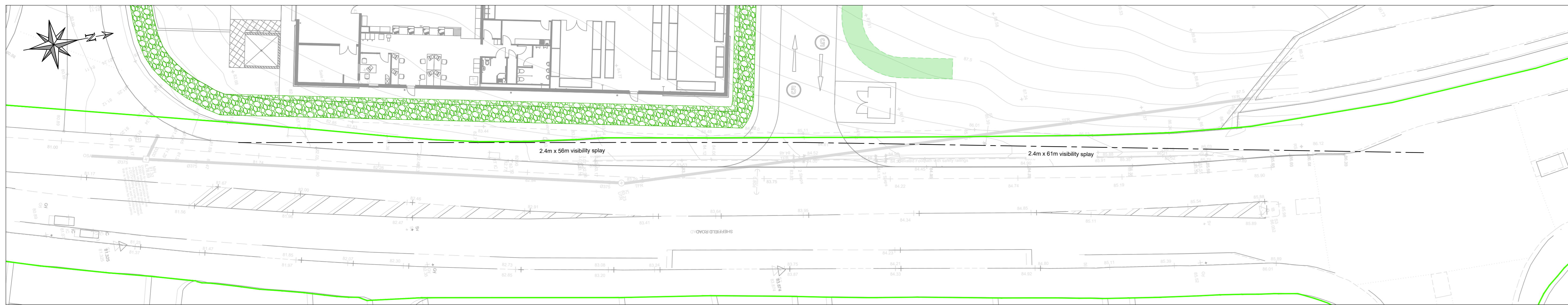
- 6.1 This proposal supports the Council's objective to create a 'green and prosperous Derbyshire'.

### **Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

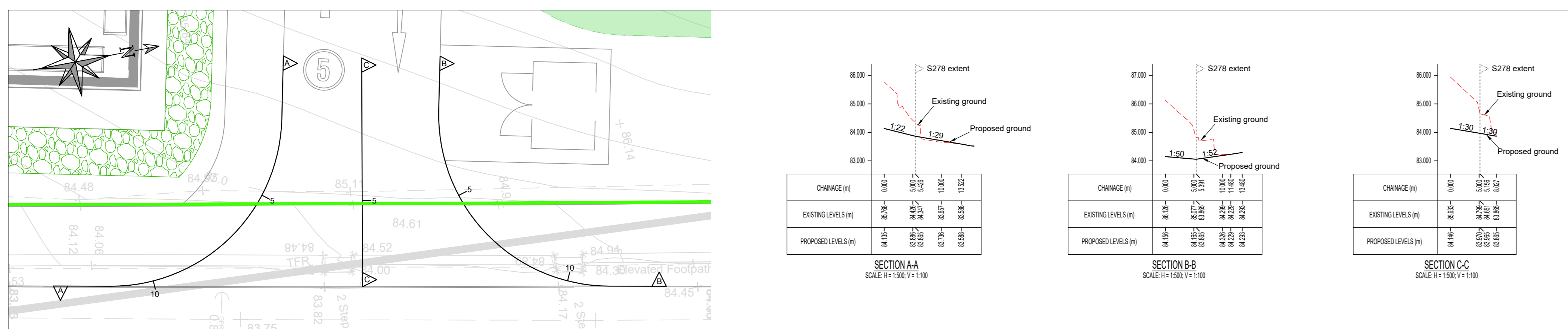
- 7.1 None.



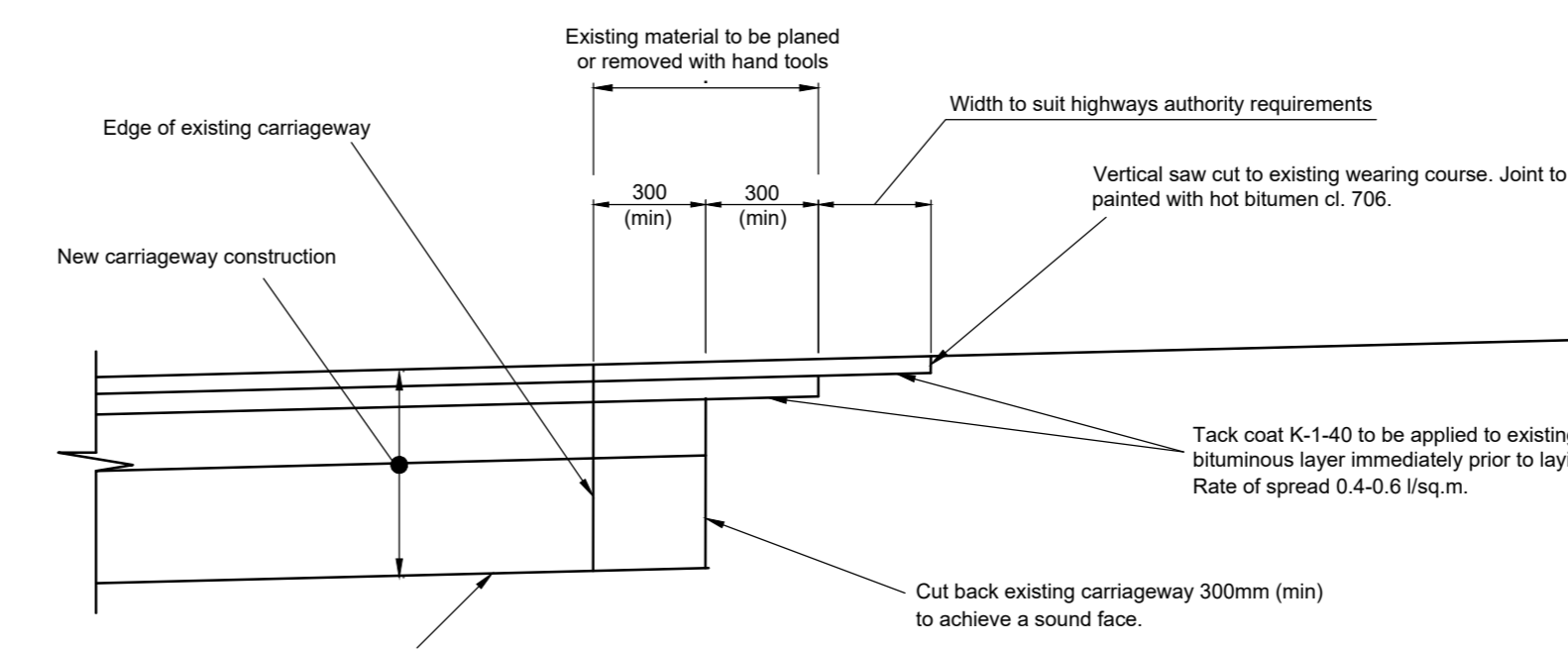
GENERAL ARRANGEMENT PLAN  
SCALE 1:100



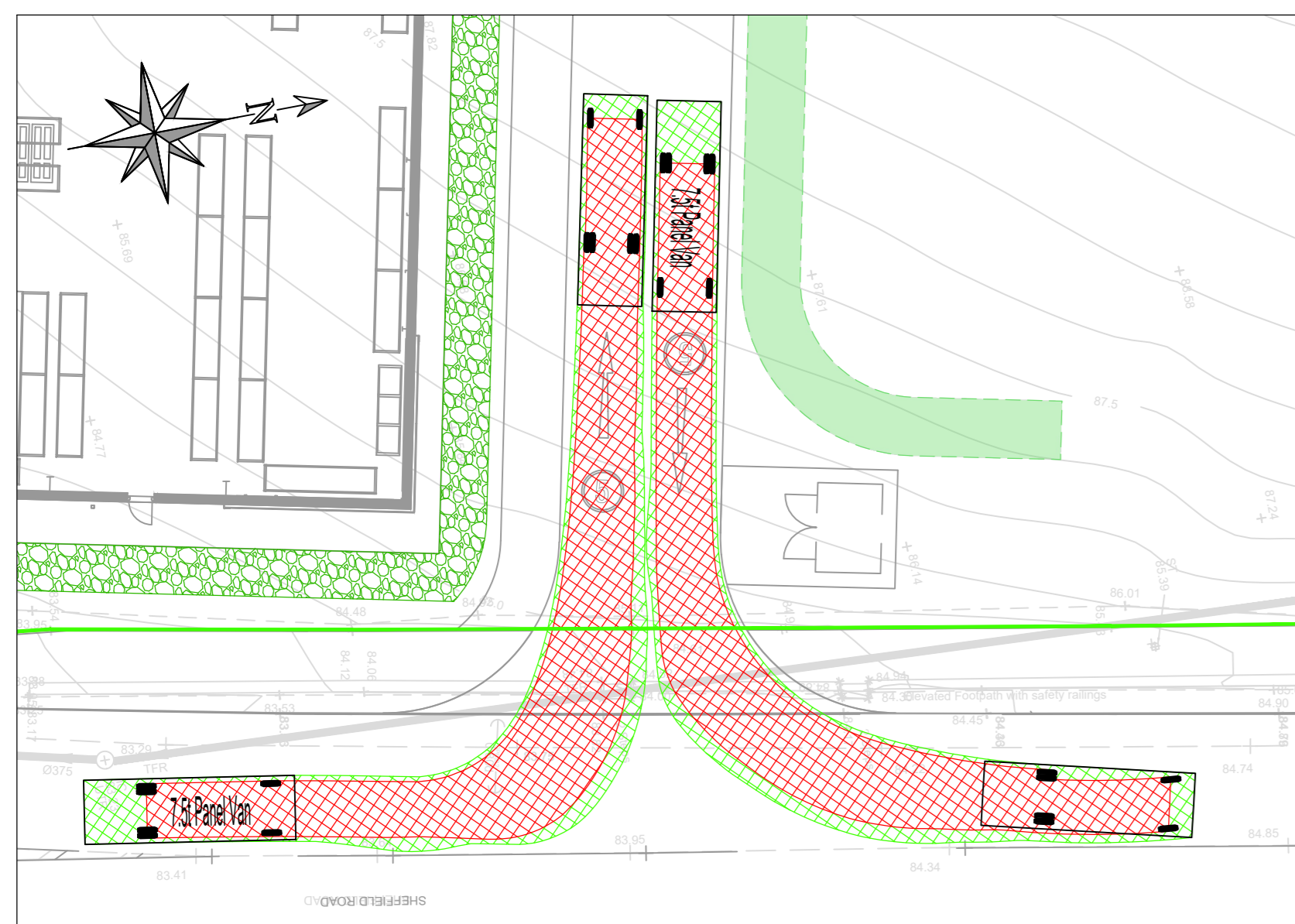
JUNCTION VISIBILITY SPLAYS  
SCALE 1:200



KERBLINE LONG SECTIONS  
SCALE 1:100



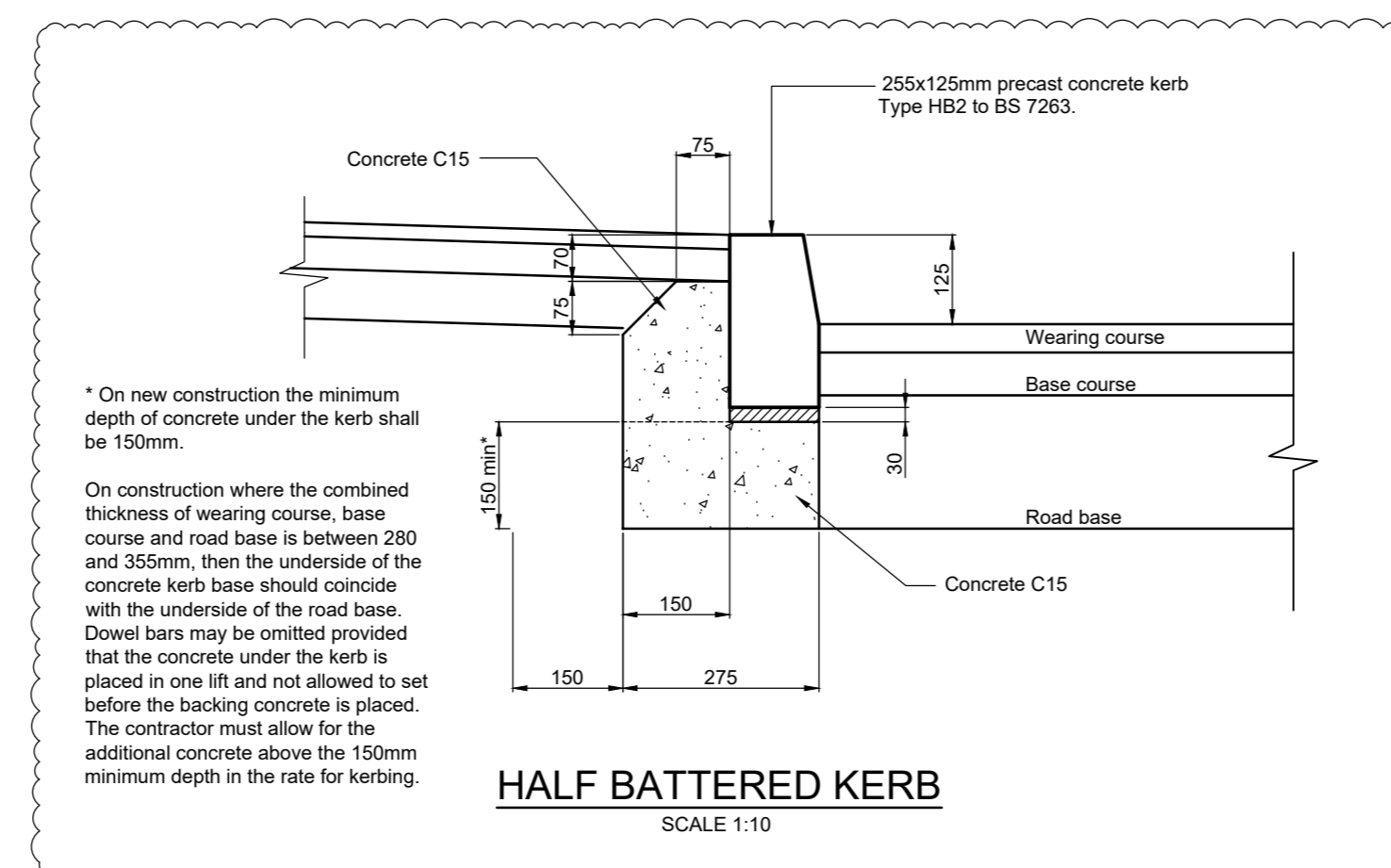
CARRIAGEWAY TIE-IN DETAIL  
SCALE 1:20



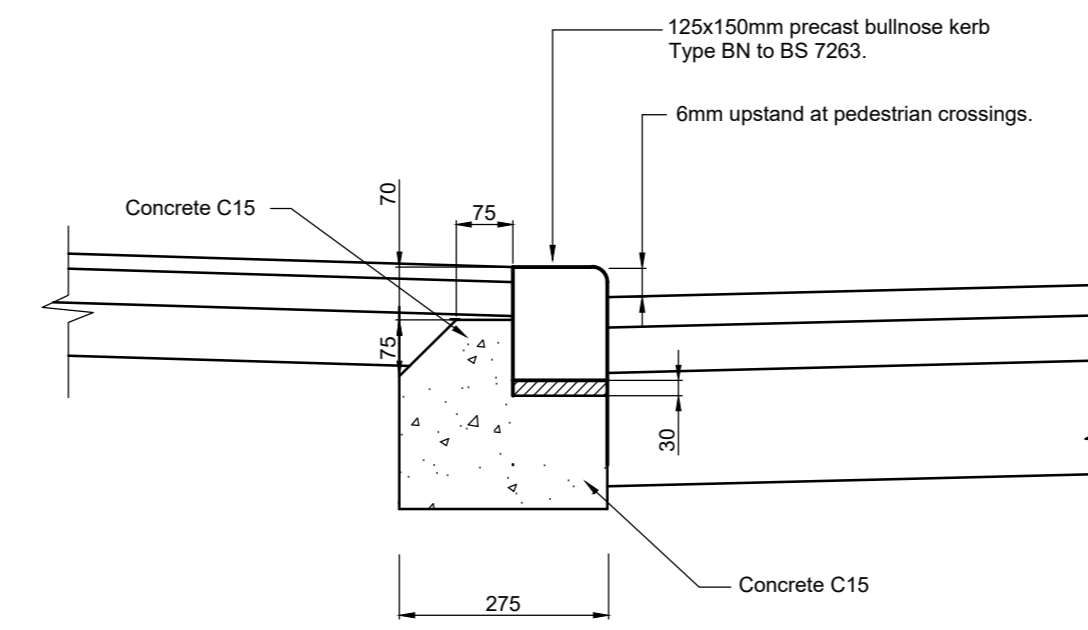
SWEEP PATH ANALYSIS  
SCALE 1:200

KEY - TRACKING

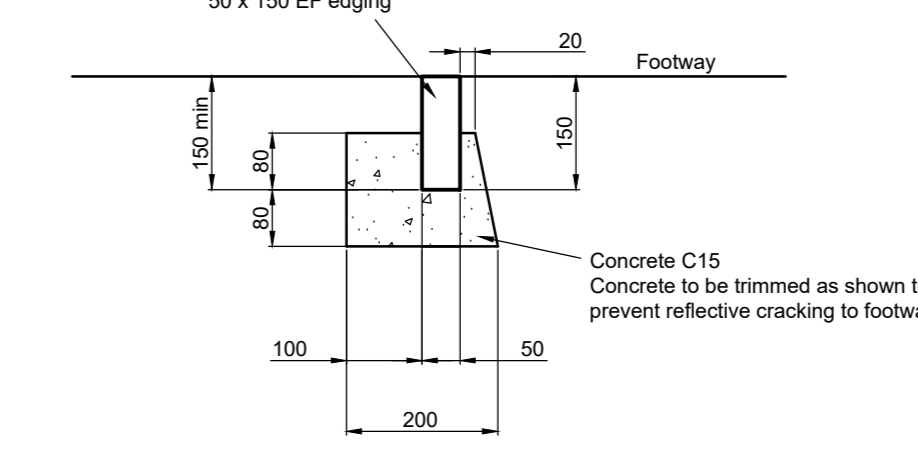
- Vehicle wheel extents
  - Vehicle body extents
- 7.5t Panel Van  
Overall Length: 2.210m  
Overall Width: 2.190m  
Overall Body Height: 2.440m  
Min Body Ground Clearance: 0.310m  
Track Width: 1.800m  
Lock to Trail: 4.80m  
Kerb to Kerb Turning Radius: 7.400m



HALF BATTERED KERB  
SCALE 1:10



BULLNOSE KERB  
SCALE 1:10



FOOTWAY/EDGE EDGING DETAIL  
SCALE 1:10

KEY - SURFACING

- S278 Customer Access Construction (Non-HGV Loading)
  - Surface course: 50mm thick ARA 35/14 F surf 40/60 rec. to BS EN 13108.
  - Binder course: 70mm thick AC 20 dense base 40/60 rec. to BS EN 13108.
  - Base: 190mm thick AC 20 dense base 40/60 rec. to BS EN 13108.
  - Sub-base: Type 1 granular material. Refer to Table 1 for thickness.
  - Capping: Granular material Class 8/2 in accordance with DTI Specification for Highway Works table 01. Refer to Table 1 for thickness.
- S278 Footway Construction (Pedestrian Loading Only)
  - Surface course: 20mm thick AC 6 Dense surf 100/150 to BS EN 13108.
  - Binder course: 50mm thick AC 20 dense base 40/60 rec. to BS EN 13108.
  - Sub-base: Class 8/2 SW/SP - Warm Mix.
  - Sub-base: 225mm Type 1 granular material.

CBR Value	Capping (mm)	Sub-base (mm)
<2%	600	150
2%	450	150
3%	350	150
4%	300	150
5-15%	250	150
>15%	150	150

- Capping and sub-base notes:
- The foundation design shall not vary frequently along the road. An appropriate value shall be selected for each significant change in the subgrade properties.
  - Where the equilibrium CBR falls between values in the above table, the value shall be rounded down to the lower value.
  - When the subgrade CBR is sufficiently below 2% that capping with sub-base is not sufficient to support the pavement, special measures will be required. Note that the use of geo-textile will only be acceptable in certain situations.
  - Material within 450mm of the finished road surface shall not be frost susceptible.

KEY - ROAD MARKINGS

- White lining in thermoplastic screed to diag no. 1003, 600mm long, 300mm gap, 200mm wide.
- White lining in thermoplastic screed to diag no. 1009, 600mm long, 300mm gap, 100mm wide.
- White lining in thermoplastic screed to diag no. 1004, 4000mm long, 200mm gap, 100mm wide.

GENERAL NOTES

- This drawing is to be read in conjunction with all other relevant Engineering and Architect's details.
- All dimensions and levels are in metres unless otherwise stated.
- The Contractor shall be responsible for checking all levels for line and level with existing foul and surface water systems before commencing any work.
- The Engineer shall be notified immediately, in writing, should any errors or discrepancies be found prior to the commencement or continuation of any works.
- All work is to be carried out in accordance with current British Standards, Building Regulations and HSE Standards.
- All drainage work is to be strictly in accordance with the requirements of the Building Regulations 2010, Approved Document Part H: Drainage and waste disposal (2015 Edition).
- It is the responsibility of the Contractor to execute the works at all times in strict accordance with the requirements of the Health and Safety at Work Act 1974, and the CDM Regulations 2015. The Contractor will be deemed to have allowed for full compliance with the Proposed Design within his rates.
- All existing land drains encountered on site during construction are to be reconstructed.
- Should any departure from the proposed slab or external levels be considered, agreement shall be sought from the Engineer immediately and prior to the commencement or continuation of any works. Proposals should take full account of all restrictions to the site level.
- Temporary protection to be provided to drainage works during construction as necessary.
- All services below the new crossover are to have minimum 450mm cover.

KEY - GENERAL

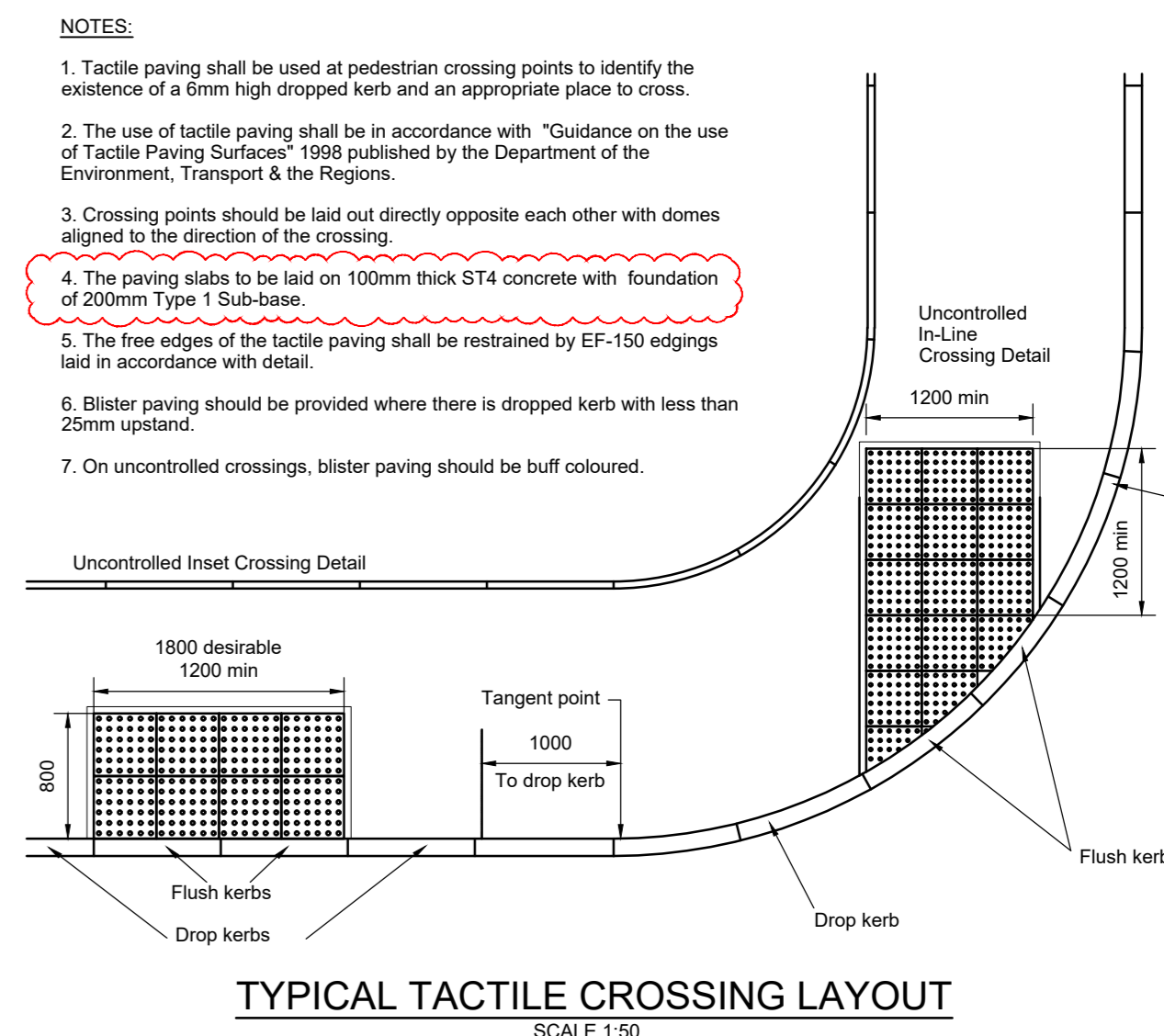
- Highway boundary
- Existing level
- Proposed gradient
- Proposed linear drainage
- Proposed tactile crossing - refer to detail

KEY - RETAINING FEATURES

- Reinforced earth banking
- Criblock retaining wall
- Ret H 0.50m: Approximate retained height of feature

KEY - KERBING

- 255 x 125 HBZ kerb - 125mm upstand
- 150 x 125 BN kerb - 6mm upstand
- 150 x 50 EF edging - 0mm upstand
- Transition kerbs



TYPICAL TACTILE CROSSING LAYOUT  
SCALE 1:50

- NOTES:
- Tactile paving shall be used at pedestrian crossing points to identify the existence of a 6mm high dropped kerb and an appropriate place to cross.
  - The use of tactile paving shall be in accordance with "Guidance on the use of Tactile Paving Surfaces" 1998 published by the Department of the Environment, Transport & the Regions.
  - Crossing points should be laid out directly opposite each other with domes aligned to the direction of the crossing.
  - The paving shall be laid on 100mm thick C15 concrete with foundation of 200mm Type 1 Sub-base.
  - The free edges of the tactile paving shall be restrained by EF-150 edgings laid in accordance with detail.
  - Blister paving should be provided where there is dropped kerb with less than 25mm upstand.
  - On uncontrolled crossings, blister paving should be buff coloured.

Health & Safety Information Key

- Used to provide design specific safety information that may not be obvious to a competent contractor but may be useful.
- Used to restrict/prevent a possible action, e.g. stop construction traffic from entering an area.
- Used to warn of significant design hazards, adding recommendations.
- Used to encourage a positive action, e.g. use of robust protection for inspection chambers.

Rev	Date	Amendments	By	Chk
P04	05.08.21	HBZ kerb detail updated Tactile paving detail updated Highway boundary added Construction make-ups updated	AP	ML
P03	07.05.21	Limit of works identified Section through centreline	AP	ML
P02	27.11.20	Added: Visibility splays increased Train shown to centreline	AP	ML
P01	23.09.20	Issued for approval	AP	ML

Client  
**CHESTERFIELD BOROUGH COUNCIL**  
Project  
**SHEFFIELD ROAD CHESTERFIELD**

Drawing Title  
**SECTION 278 GENERAL ARRANGEMENT AND DETAILS**  
Status

INFORMATION

Scale	Drawn	Checked	Date
A0@As Shown	AP	ML	08.09.20

Drawing No. 20099-RL-20-XX-DR-C-2005 P04

Scale Bar: 1:100

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