

Application to Highways for developer works S278 works/ 38 Works
Minor Highways works/ Enabling or temporary works

Please read and complete this form, then submit with the required information to -
highways.admin@walthamforest.gov.uk

Guidance notes for developer works	
1	Applications for highways works are expected to be in accordance with any comments raised by highways during the planning process unless agreed otherwise.
2	Approval of planning permission is not a guarantee of highways approval.
3	Where planning permission has been granted for a driveway and vehicle crossover or dropped kerb, Highways retain the right to refuse construction of the vehicle dropped kerb if current Highway's standards and conditions relating to vehicle crossovers/ cannot be met at the time of installation.
4	<p>If there are deficiencies in this application or missing information the application will not be validated and can cause delays to the overall programme of works.</p> <p>Securing technical approval typically takes 2-6 months.</p> <p>Your application will be assessed by an engineer who will validate your application and confirm whether a full S278 legal agreement or Minor Highways agreement will be required, they will oversee the process of securing technical approval, after which an estimate will be provided.</p> <p>For S278 and S38 agreements, the highway department are required to submit a formal instruction to the Council's legal team as a complete package of information, which has been authorised with an internal report. Instructions to legal cannot be sent until the plan of works, drawings and estimate are agreed and have been authorised via the internal report.</p>
5	The Councils standard legal agreements will be used. Requests to deviate from this will result in delays and may not be agreed. The typical time frame for a legal agreement to be drafted and agreed is 3 months.
6	It is the developer's responsibility to carry out the necessary enquiries to establish whether statutory undertaker's plant is affected and require diversions for any type of agreement. It is the developer's responsibility to arrange, pay for and programme any diversions required which must be completed prior to the start of the highways works. The developer should consider the lead in times required for such diversions. Highway cannot be held responsible for any delays in a developer's programme caused by third parties.
7	Typically the Council does not permit developers to carry out any work on the public highway; works are carried out by the Councils contractor.
8	If a stopping up order is required, please submit a separate application. The stopping up process must be completed prior to any works in that area.
9	Highways works will be programmed considering the current general highways works programme at the time.
10	S38 works may be carried out by the developer dependent upon the size, location and scope of works, subject to agreement with highways.

11	Under the Construction (Design and Management) Regulation 2015, the developer will undertake the duties of the client during the initial phase of the design and as such they should appoint a Principal Designer. It is expected that the designer and Principal Designer will prepare designer risk assessments and pre-construction information relevant and specific to the works being proposed. At handover to the Council, we will assume the duties of the CDM Client, the designer and the Principal Designer. We will also appoint the Principal Contractor to undertake the construction works. As a result, we will require relevant information to be provided in order to undertake the works. The information should be provided in a format acceptable to the council and a template for a designer risk register is included. This should pull together the various residual hazards and risks that are relevant to the highway's works being planned. Upon receipt, the council will use the information to develop the design and arrange for the construction works.
12	Should the project be deemed as notifiable according to HSE guidance, the Council will, as detailed in 11, assume the CDM duties and issue the F10 notification.
13	Upon receipt of the required information including the designer risk register and pre-construction information, the Council will progress the design. Sufficient time will be required to complete the remaining design and time will be required for the contractor to plan and manage the delivery of the works. This time will vary depending on the amount of design and planning needed and must be factored into the developer's assumption of when occupation will be able to take place. These times will need to be agreed with the Council and our contractor.

Applicant's details			
<i>Applicant (Developer)</i>		<i>Applicant's Agent (Consultant)</i>	
Contact Name:		Contact Name:	
Organisation:		Organisation:	
Address & Postcode:		Address & Postcode:	
Telephone:		Telephone:	
Email:		Email:	
<i>Site Owners details (if different to applicant)</i>		<i>Applicant's Solicitor</i>	
Contact Name:		Contact Name:	
Organisation:		Organisation:	
Address & Postcode:		Address & Postcode:	
Telephone:		Telephone:	
Email:		Email:	
<i>Lead Designer (if different to applicant)</i>		<i>CDM Principal Designer (required in all cases)</i>	
Contact Name:		Contact Name:	
Organisation:		Organisation:	
Address & Postcode:		Address & Postcode:	
Telephone:		Telephone:	
Email:		Email:	

Development details			
Planning application number			
Development name and address			
Names of any public roads affected			
Details of highways works			
Description of highways works			
Construction programme for site	Start:		Finish:
Planned first occupation of site			

Type of agreement required - please tick all that apply	
Enabling/ Temporary works for construction	<input type="checkbox"/>
S278 Agreement -/ Minor Highways Works	<input type="checkbox"/>
S38 agreement	<input type="checkbox"/>

Additional information - Please provide the following with this application	Tick when included
The development red line location plan	<input type="checkbox"/>
A general arrangement drawing of development site/ ground floor layout at 1:500 or 1:200	<input type="checkbox"/>
A general arrangement drawing of the highways works at 1:500 or 1:200	<input type="checkbox"/>
Separate drawings of enabling works or phasing plans where this applies.	<input type="checkbox"/>
CDM Designers Risk Assessment and / or CDM Designers Risk Register	<input type="checkbox"/>
CDM Pre-construction information	<input type="checkbox"/>
Have utility connections / diversions been carried out, or been programmed?	<input type="checkbox"/>
Any other relevant information. Please specify	