

# HEREFORDSHIRE PUBLIC REALM CONTRACT 2021/22

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## ANNEX 4 – DEVELOPMENT CONTROL

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**SERVICE OVERVIEW**

**SERVICE SUMMARY**

BBLP will work with HC to ensure that the necessary infrastructure for development in Herefordshire has been predicted, costed and included in the overall Forward Programme for delivery.

The purpose of this service is twofold:

- To enable new developments, while ensuring no detrimental impact on Herefordshire’s road network in terms of road safety, access, traffic flow, traffic generation and the environment.
- To enable third parties to commission service directly from BBLP where HC cannot prioritise funding for works within the financial year or forward programme.

The service includes;

- Ensuring that infrastructure is constructed to required standards to allow adoption (S38).
- Securing improvements to the highway network associated with new development (S278) in line with design and build services outlined in Annex 7, including Sustainable Urban Drainage Schemes.
- Supporting third parties to deliver works in line with design and build services outlined in Annex 3.

SERVICE SUMMARY		
		Output
Revenue Activities	Supervision and Inspection for Section 38 and 278	Supervision and Inspection for Section 38 and 278
	Design for Section 278, street lighting & any wider third party funded commissions	Design for Section 278, street lighting & any wider third party funded commissions
	Highway Development Control Support	Highway Development Control Support

Performance Indicators		
	Indicator	Target
OPIs	Insert relevant OPI’s and target/ threshold as per agreed	

OPIs	<p><b>OPI 12 Risk Management</b> - Based on the RAG rating for risk where:</p> <ol style="list-style-type: none"> <li>1. All Red risks must be reviewed monthly</li> <li>2. All amber risks every 6 weeks</li> <li>3. All yellow risks every 2 months</li> </ol>	100%
Strategic KPI	<p><b>Public satisfaction with ‘management of road works’</b> – measured through NHT survey - forms part of S15 Customer satisfaction</p>	50%

**SERVICE OUTCOMES**

OUTCOMES	HOW WILL THE OUTCOME BE ACHIEVED
Improved access to services	Ensure all S278 and S38 works contribute to the improvement of the network considerate of future maintenance requirements
Improved network asset	Ensure all S278 & S38 design checks guarantee design to standard, enshrining safety on the network.
Safer network	Enable new development by provision of design and build services for and S278 works identified in conjunction with the HC Development Control Team.
Contribution to the local economy	Promote adoption by developers of active travel measures in S38 & S278, working with the HC Development Management Team.
Sustainable delivery	Ensure schemes are delivered through appropriate cost mechanism to deliver cost effective construction considering future maintenance burdens
Value for money	Engage with relevant stakeholders to outline nature, scope and rationale of any works as appropriate
Satisfied stakeholders	Engage with relevant consultees to inform improvement works align with desired outcomes mindful of budget needs and constraints
Engaged communities	Ensure all S278 & S38 contribute to the improvement of the network considerate of future maintenance requirements

**ASSUMPTIONS**

The following assumptions have been made:

- Reasonable time will be provided following issue of a Service Order for BBLP to secure the necessary resources required to enable timely delivery. This is based on the following:
  - Technical Audit – 28 days
  - Lighting Design – 14 days for proposal
  - Site Supervision
    - New site notification – 14 days
    - Commencing of roadworks- 5 days

- A clear brief for works will be provided. Where not possible, a proposal will be developed by BBLP following issue of a Service Order, with works proceeding only once this proposal has been signed off by the commissioning officer.

BBLP will be commissioned through Service Order where support is required in the development control process of S38, S278 or S106 processes.

**THE SERVICE**

**SERVICE DELIVERY**

	SERVICE	RESOURCE	DELIVERY
Reactiveve	Supervision and Inspection for Section 38 and 278	One full time equivalent appropriately qualified supervisor BIM support for file management, set up of new projects and co-ordination	All year round
	Design for Section 278, street lighting & any wider third party funded commissions	PM and Design Teams. Delivery on site.	Reactive basis as commissioned
	Highway Development Control Support	Nominated individuals specialising in this field	Reactive basis as commissioned

**SERVICE SCOPE**

SERVICE	SCOPE
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<p>Section 38 Agreements</p>	<p>Where a planning application involves a new estate road, developers are required to design them to standards approved by HC. Following the granting of planning permission and before commencing construction on site, developers are required to enter into an agreement and supply a bond covering the full cost of the road construction under Section 38 of The Highways Act 1980.</p> <p><b>IN SCOPE</b></p> <ul style="list-style-type: none"> <li>Supervision / inspection of all works included in the adoption agreement such as road works, street lighting, structures etc;</li> <li>Street lighting design;</li> <li>Annual infrastructure cost rate spreadsheet updates</li> </ul> <p><b>NOT IN SCOPE</b></p> <ul style="list-style-type: none"> <li>Negotiation of agreements with developers</li> </ul>
<p>Section 278 Agreements</p>	<p>Where a development requires work to be carried out within the boundaries of the existing highway and HC is satisfied that the works will be of benefit to the public, an agreement will need to be completed between the developer and Herefordshire Council under Section 278 of The Highways Act 1980. These works could incorporate items such as traffic calming, new roundabouts, traffic signals or other junction improvements. Under the provisions of Section 278, the developer can:</p> <ul style="list-style-type: none"> <li>Be appointed as the Authority’s Agent to carry out the works at their own expense in which case the agreement must be supported by a bond.</li> <li>Contribute towards the future maintenance of the completed works with a commuted sum.</li> </ul> <p><b>IN SCOPE</b></p> <ul style="list-style-type: none"> <li>Provision of design services for works agreed under S278 – see Annex 3 for details of this provision.</li> <li>Highway design, supervision and inspection</li> <li>Street lighting design, supervision and inspection</li> <li>Design checks (from Approval in Principle to Technical Approval)</li> <li>Progression of scheme related TROs (ref. Annex 9)</li> <li>Supervision to provide quality assurance</li> </ul> <p><b>NOT IN SCOPE</b></p> <p>Negotiation of agreements with developers</p>
<p>Section 106 Agreements</p>	<ul style="list-style-type: none"> <li>Not in scope</li> </ul>
<p>Transport Development Control Support</p>	<p>To be commissioned as service demands arise in support of the highway function of the Council to respond to planning applications and provide technical support.</p> <p><b>IN SCOPE</b></p> <ul style="list-style-type: none"> <li>Development Control: Technical advice to HC’s Planning Team on planning applications.</li> </ul> <p><b>NOT IN SCOPE</b></p> <p>To be considered on a case by case basis as service demands may arise</p>

**RISK MANAGEMENT**

High level risks will be managed through the Partnership risk management process and listed on the partnership risk register.

	KEY RISK	CAUSE	CONSEQUENCE	MITIGATION
	Co-ordination of scheme delivery	Poor planning/ communication	Repeated works in one location, inefficient delivery, missed opportunity for combined schemes	Provide greater foresight of future possible funding.  Information sharing across discipline teams on upcoming projects.

PART 2

**ORGANISATION**

**STUCTURE**

Insert team structure

**ROLES AND RESPONSIBILITIES**

Job Role	Responsibility
Design and Build Manager	Provide strategic direction for the design team
Project Management Team Leader	Responsible for allocating works to Senior Project Manager and managing resource availability for delivery of commissioned works.
Senior to Assistant Project Managers	Manage all aspects of commissioned projects including but not limited to programme, cost, risk, health and safety and quality.

**KEY DELIVERY INTERFACES**

	Who are the dependencies	What is their role
Public Realm BBLP Partnership		
	Network Manager	Understanding scheme timetables/programmes and arranging TROs
	Programme Manager	Two-way flow of information to identify programme efficiencies.
	NRSWA Team	Information regarding Public Utility works (see Annex 9) and programming of works related to road closure
	Customer Liaison Manager	Communication of road closures, advice on stakeholder engagement activities
	Performance & Improvement Manager	Ongoing feedback/ review of service performance
	Asset Management Team Leader	Registration of the asset
Herefordshire Council	Cabinet Member	Secure decisions to proceed with scheme
	Local Members	Raise awareness of scheme development
	HC Development Control	Liaise regarding Highway Development issues
	HC Legal Services	Promotion/ratification of TROs
	HC Contact Centre	Provision of Scheme information for handling customer enquiries
	HC Parking Services	Enforcement of TROs
External Organisations	Parish/Town Councils	
	Statutory Undertakers	Noticing and agreement of temporary works and diversions, location and information on services
	Local Businesses (including schools and hospitals)/Chambers of Commerce/Transport Operators	Minimising impact on business activities
	Land Owners	Minimising impact on activities and use of land for schemes (temporary or permanent)
	Special interest groups (accessibility groups, cycling etc.),	Consultation on scheme proposals
	Neighbouring local authorities	Coordinating cross boundary works
	Bus Companies, Transport Operators	Consultation on temporary impact on operations
	Highways England and agents	Coordination with trunk road works in the County
	Police and other Emergency Services	Consultation on TRO's

APPENDICES

## APPENDIX A: POLICY & PROCESSES

### PROCESSES

## APPENDIX B: REFERENCE DOCUMENTS

### LEGISLATIVE DOCUMENTATION

- Planning Advisory Service – Guides and codes of practice
  - Investing in our place - self assessment tool
  - Infrastructure Delivery Plans
- Highways Act 1980 and subsequent revisions and additions
- Town and Country Planning Act 1990 (including subsequent revisions/additions)
- Manual for Streets & Manual for Streets 2
- Local Transport Notes
- The Traffic Signs Regulations & General Directions 2016 (including subsequent revisions)
- Design Manual for Roads and Bridges (DMRB)
- CIRIA SUDs Manual

### HEREFORDSHIRE COUNCIL DOCUMENTATION

- Herefordshire Council's Design Guide & Specification for New Developments
- Herefordshire Council's Lighting Design Guide
- Herefordshire Council's Process Guidance Notes (ref. Appendices)

### CONTRACT DOCUMENTATION

## APPENDIX C: DEFINITIONS

### *Definitions relating to the annexe*

BBLP	Balfour Beatty Living Places
CDM	Construction Design & Management
CIRIA	Construction Industry Research and Information Association
DMRB	Design Manual for Roads and Bridges
HC	Herefordshire Council
KPI	Key Performance Indicator
OPI	Operational Performance Indicator
RSA	Road Safety Audit
TRO	Traffic Regulation Order



SUDS                      Sustainable Urban Drainage Systems

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**APPENDIX D: PROGRAMME OF WORKS**

**APPENDIX E: SUPPORTING DOCUMENTATION**

RISK REGISTER

Developed in conjunction with individual schemes when identified