

^ LONDON BOROUGH OF ENFIELD
Transport Planning – Implementation Team
Application to enter into an Agreement under – Section 38 and/or 278 (and
Section 111 LGA 1972) of the Highways Act 1980
(Part A)

Ref no:

PART 1- General Particulars & Legal Issues (to enable s38 and 278 Agreement to be drafted)	
1. Name and registered address of Owner(s) of the land comprising the development: *For section 38 Agreements/adoption of highway one party must be the freeholder landowner	Tel No: E-mail:
2. Name and address of Agent (consultant) to whom correspondence should be sent:	Tel No: E-mail:
3. Person or Organisation responsible for payment of fees and charges:	Tel No: E-mail:
4. Name and address of Applicant / Developer (if different to 1 above):	Tel No: E-mail:
5. Name and address of Solicitor acting on behalf of the Applicant / Developer:	Tel No: E-mail:
6. Name and address of Surety/Bond acting on behalf of the Applicant / Developer <i>*a proposed surety should be one of the major clearing banks or an insurance company which is a member of the British Insurance Association or other Surety approved by the Council</i>	Tel No: E-mail:
7. Name and address of Road Contractor	Tel No: E-mail:
8. Details of any other persons known to have an interest in the land on which the development is to take place. For example, are there any Leasehold Interests or any covenants or restriction on the land?	Yes/No If yes, please give details:
9. Planning Permission Number:	Copies of Planning Decision Notice, stamped Approved

Date Approved:		Layout Plan, site location outlined in red are enclosed with this application: Mark here: <input type="checkbox"/>
10. Names of any existing public roads that the development will connect to:		
11. Please state the estimated cost of the proposed highway works For s38 Works: The estimated cost will be calculated by the Council's project officer.	For s278 works: The full cost of the highway construction/alterations including structures, accommodation works, landscaping, drainage works, any alterations to plant required by statutory undertakers, alteration to traffic signing, street lighting, provision of traffic signals (if applicable), any temporary works, remedial/strengthening works to the existing highway £ _____	
12. Type of agreement, mark as appropriate: a) Section 38 only: <input type="checkbox"/> b) Section 278 only: <input type="checkbox"/> c) Combined Section 38/278: <input type="checkbox"/>		
13. The £2,338 upfront Administration/Inspection Fee is enclosed with this application.		Mark Here: <input type="checkbox"/>
14. Any other relevant information:		
<p>Applicants will be required to provide the following:</p> <ol style="list-style-type: none"> The £2,338 upfront fee Location plan to a scale of 1/2500-1/1250 Site plan with a red line around the boundary (all relevant land within the developer's or applicant's ownership edged in red, the name and/or number of the public highway or highways adjacent to or leading to the site, the name of the site, name of the applicant, date and scale in a title box, north point) to a scale of 1/1250- 1/500 Legal agreement plan coloured in accordance with the Council's specification All other relevant construction and layout drawings and documents 		
<p>I/We hereby apply to enter into a Section 38 and/or Section 278 with London Borough of Enfield for works in connection with the above planning permission.</p> <p>I/We have read the notes attached to this form and agree to comply with the requirements contained therein.</p> <p>I/We accept that the design approval and site inspection fees are payable to the Council and that an advance payment will be sought.</p> <p>I/We agree that the acceptance by the Council of an advance payment does not give rise to any obligation on the part of the Council other than to consider the application</p> <p>I/We understand that the amount of this deposit will be deducted from the amount of administration and inspection fees payable for the technical approval and inspection of the works.</p> <p>I/We understand that in the case of a Section 278 Agreement no works can commence on the public highway until the agreement is signed. Please note: it is a criminal offence to commence the Section 278 Works before the agreement is in place and the Council reserves the right to take any appropriate legal action against offenders. If the Section 38 Works commence in advance of completion of the agreement, it is possible the Council will be unable to adopt the works or will require extensive alterations prior to adoption.</p>		

Signed on behalf of the Applicant / Developer: _____

Date: _____

Name in block capitals: _____

Position in the Company: _____

Company: _____

Tel. No: _____

Email: _____

RETURNING THIS FORM
Please email this form to:
transportation@enfield.gov.uk

PART 2 Site Details

15. Development Name and Address	
16. Will any works be undertaken on or immediately adjacent to the existing public highway?	Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please give details
17. Are any Public rights of way affected by the works?	Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please give details
18. Are you able to confirm that any land upon which the highway works are to be carried out: Is exiting highway? Within the control of the developer?	Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If no, please give details Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If no, please give details
19. Where will new highway drainage or amended existing highway drainage outfall?	Soakaways Yes <input type="checkbox"/> No <input type="checkbox"/> If yes Number..... Connection to existing highway drain Yes <input type="checkbox"/> No <input type="checkbox"/> Outfall to watercourse Yes <input type="checkbox"/> No <input type="checkbox"/> Pumped System Yes <input type="checkbox"/> No <input type="checkbox"/> Connection to Water Authority Sewer Yes <input type="checkbox"/> No <input type="checkbox"/>

PART 3 Details of the Highways Works

20. Description of Works to be carried out on the Highway:	
21. Length of new highway	
22. Are any traffic signals/ traffic signal amendments required?	Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please give details

23. Are any highway structures to be constructed?	Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please give details
24. Are any street lighting works involved?	Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please give details
25. Are there any soil contamination issues/ remediation requirements on the site?	Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please give details
26. Are any traffic orders required?	Permanent Yes <input type="checkbox"/> No <input type="checkbox"/> Temporary Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please give details
27. Are any public notices required? For example: zebra or pelican crossing, change to existing road humps or cushions, cycle track, etc	Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please give details
28. Please state the estimated cost of the proposed highway works	For Section 278 works £..... Necessary alterations to Statutory Undertakers plant and equipment £.....

PART 4 Construction and programming	
29. Proposed programme for the highway works	Start (month) _____ (Year) _____
30. Planned first occupation date of the site	(month) _____ (year) _____
31. Section 38 works period, the estimated number of months for construction of the proposed works to:	Part 1- base course level (in accordance with Part 1 Schedule in the Agreement listed overleaf) Months _____ Part 2- completion (in accordance with Part 2 Schedule in the Agreements listed overleaf)

	Months _____
32. For Section 278 works, the estimated construction period in weeks or months following completion of the agreement:	_____ weeks or _____ Months
33. Details of proposed contractor (if known)	
34. Details of proposed procurement method (ICE, ECC, D&B)	
35. Details of CDM Coordinator	
36. Details of any other Parties involved (e.g. Project Manager)	