



Welsh Government Motorway and Trunk Road Network

Section 38,184, and 278 Agreements under the Highways Act 1980

Instructions for Use

**This document is for use by
Developers and third party
organisations proposing work on the
Welsh Government Motorway and
Trunk Road network.**

**It outlines the process of establishing
agreements under the Highways Act
1980.**

**This document supersedes any
previous advice issued by the Welsh
Government regarding these
agreements.**

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Enquiries – Please send any technical queries regarding this document to the following email address: Standards Feedback and Enquiries@gov.wales.

1. INTRODUCTION

1.1 **Background to Developer led and Third party Organisation led Schemes**

The Welsh Government (WG) is the statutorily designated Highway Authority for the Motorway and Trunk Road Network (WGMTRN) in Wales. The routes within the WGMTRN are of national strategic importance and as such a legal duty is placed on WG to maintain the safe and efficient operation of the network.

Developments in the vicinity of trunk roads can significantly increase traffic movements and reduce the effectiveness of the network. WG has a responsibility to ensure that developments do not compromise the WGMTRN's primary purpose.

*"The primary purpose of the trunk road network is to provide for the safe and expeditious movement of long distance through traffic. That means strictly limiting the number of direct accesses to trunk roads. It means ensuring that the full implications for traffic and road safety are taken into account when proposals are made for new development in the vicinity of trunk roads. This is whether it involves new access or increased use of existing accesses..."**

WG assesses the implication of proposed developments through the planning application process managed by the Local Planning Authorities (LPAs) where WG is a statutory consultee with powers to direct planning conditions.

Once a proposed development has obtained planning permission there may be a condition to enter into an agreement with WG before construction. This document outlines the process for establishing such an agreement with WG.

It should be noted that the majority of agreements will be derived from planning applications, however there will be instances when agreements do not form part of Planning Applications, such as Section 184 Agreements (Section 4).

1.2 **Objectives of this Guidance Document**

The purpose of this document is to guide you through the process of establishing an appropriate agreement under the Highways Act 1980. This will ensure that highway works under the WGMTRN are delivered to the satisfaction of all parties.

Figure 1 illustrates the WGMTRN. If you intend to undertake works adjacent to or on any of these roads to facilitate your development, you will need to enter into an agreement with us.

* Design Manual for Roads and Bridges), Volume 6, Section 2, Clause 1.7 (Mandatory).

All highway works on the WGMTRN must be designed in accordance with the [Design Manual for Roads and Bridges \(DMRB\)](#).

In all instances you are recommended to appoint a suitably experienced highway consultant and use them to assist you through the process. However, if you are only intending to construct a vehicular crossover across a footway or verge to access your development or property go to Section 4.

For all other developments you are encouraged to consult the local planning authority and ourselves at an early stage when drafting up your development proposals, especially if the proposed highway works are extensive and may have a significant impact on the highway network. This can be done via a Pre-Application Design Review, which will give you the opportunity to resolve any potential problems relating to the development before you submit your planning application.

2. PRE-APPLICATION DESIGN REVIEW

2.1 Background

The WG encourages early discussion with Developers prior to the formal submission of planning applications to the Local Planning Authority.

In particular, larger developments which are likely to generate significant traffic volumes on the WGMTRN will benefit from pre-application discussions.

Therefore, prior to a formal application for planning permission WG may request a Pre-Application Design review is undertaken.

2.2 Pre-Application Design Review

A pre-Application design review is an informal process which will enable WG to:

- Inform you and your consultant as to any issues that may arise from the proposals throughout the planning process and beyond. In particular the need to enter into an agreement with WG.
- Ensure that you and your consultant are in a position to submit a suitable package of information for the highway aspect of the planning application, and the subsequent required agreements under the Highways Act 1980.

We recommend that the following minimum information is provided to us for the Pre Application Design review. It is not an exhaustive list, but the more information that is provided; the more detailed the review will be in assisting your application:

:

- Background reports or information relating to the development.
- General arrangement drawing.
- Road Safety Audit Stage 1/2, including the Designer's response.
- Traffic speed data.
- Traffic flow data.
- Traffic accident figures for the previous 5 years.
- Traffic Impact Assessment Report or Transport Statement.
- Scale drawings outlining the proposed works.
- Visibility drawings.

3. AGREEMENTS USED TO FACILITATE HIGHWAY WORKS

To facilitate your highway works, there are three separate types of agreements that are covered under the Highways Act 1980.

3.1 Section 184 Agreement

To be used when accessing the WGMTRN from your development, which entails the formation of a vehicle crossing, over footways and verges.

3.2 Section 278 Agreement

To be used when the access to the development requires works to be carried out on the existing WGMTRN. The new road layout will depend on the projected traffic generated by the development, see Figure 2. Simple junctions are appropriate for most minor junctions on single carriageway roads, but must not be used for wide single carriageways or dual carriageways. However, upgrading should always be considered where the minor road flow exceeds 500 vehicles 2-way AADT (Average Annual Daily Traffic) , a right turning accident problem is evident, or where vehicles waiting on the major road to turn right inhibit the through flow and create a hazard.

3.3 Section 38 Agreement

To be used in instances where your development requires private land to become part of the WGMTRN to form the new junction, and it is to be maintained in the future by WG. i.e .It will be formally adopted as public highway and become maintainable at public expense.

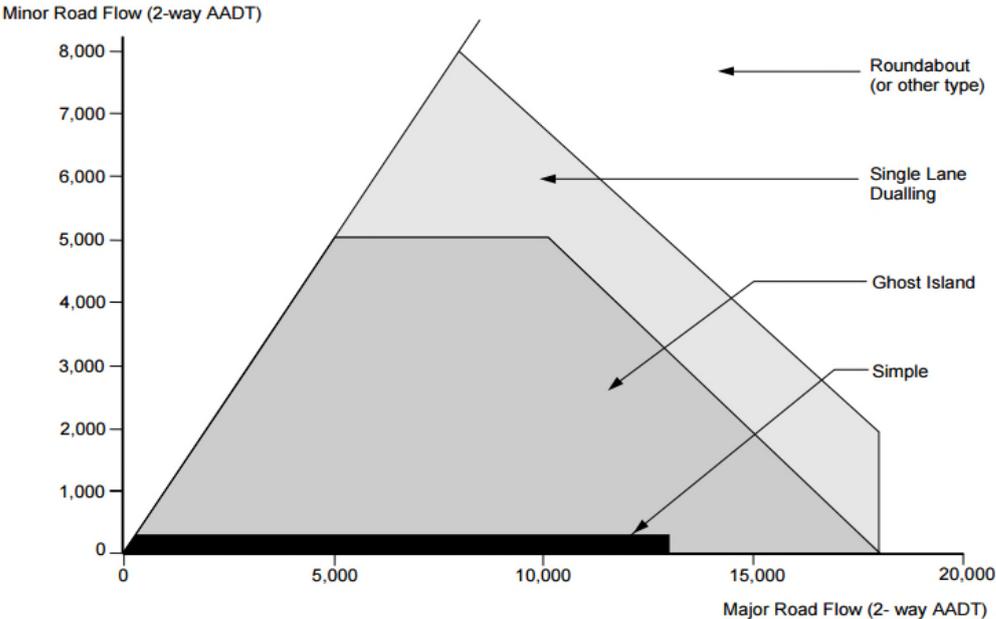


Figure 2. Junction Type Thresholds (Source: DMRB Volume.6 Section 2 Figure 2/2)

4. SECTION 184 AGREEMENT

This is required if you wish to make a vehicular crossover across a footway or verge to access a development or your property, it is usually associated with a planning application.



Figure 3. Example of a Vehicular Crossover for a Residential Property.



Figure 4. Example of a Vehicular Crossover for a Large Development.

Generally due to the small scale of the works for a residential property a Pre-Application Design Review will not be required, (see Figure 3), unless it forms an access to a larger development, (See Figure 4).

The Section184 agreement is managed by our Trunk Road Agents on our behalf. The area within Wales covered by each Agent can be found on Figure 1.

4.1 Agent contact details:

For North and Mid Wales please apply to the [North and Mid Wales Trunk Road Agent](#).

For South Wales please apply to the [South Wales Trunk Road Agent](#).

4.2 Section184 Fees

The fees associated with this type of agreement are available from the Trunk Road Agents.

5. SECTION 278 AGREEMENT

This Agreement should be employed if your development requires alterations to the existing WGMTRN, or within WG highway land. Figure 4 shows an example of a new highway layout that has been undertaken in order to provide right turn lane into a new development.



Figure 4. Example of a New Highway Layout for access to a New Development.

5.1 Pre-Commencement Certificate

Before entering into a S278 Agreement you will need a Pre-Commencement Certificate from us, which will require:

- Planning permission with all relevant planning conditions being discharged.
- Confirm that you are the owner of the land on which you propose to undertake the development in accordance with the Planning Permission. If you are not the owner of the land, then the land owner will also have to be a signatory to the agreement.
- Agree that you are prepared to meet all costs associated with the highway works, and enter into a bond with surety to secure your performance of your obligations under the agreement, and have provided a bond, set at 110% of the estimated works cost.
- Have an approved design for the highway works and a set of drawings as set out in Appendix 2, which is in accordance with the DMRB and MCHW, see <https://beta.gov.wales/highway-standards> . If your design does not meet the standard, then all the necessary Departures from the DMRB standard have to be formally reviewed and approved.

- Agreed your Construction Traffic Management Plan with us, which identifies temporary traffic management arrangements along with suitable control measures. If we feel that the highway is likely to be damaged as a result of construction or operation of the new development, we will require that you carry out a condition survey before the development commences and after the development has been completed. Depending on the outcome of this we may seek to cover the additional expense of repairs
- Have all the necessary Traffic Regulation Orders (TRO) and temporary diversions approved, which ensures traffic flows are maintained during the construction of the works. Applications for a TRO and temporary diversions should be agreed with the Trunk Road Agents who will guide you through the process. You should allow 12 weeks for the processing of a TRO.
- Have consulted with all Statutory Undertakers and demonstrated that the necessary fees to divert any apparatus have been paid to them, and that all their requirements have been met under the New Roads and Street Works Act 1991: <https://beta.gov.wales/national-approach-road-and-street-works>.
- Paid a commuted sum which must be agreed to the Trunk Road Agent. This money is required to pay for the future maintenance of any new highway infrastructure that has to be adopted by us. This is usually calculated for the next 20 years. It allows for renewal and depreciation in accordance with the [Government Green Book](#). An example of a commuted sum calculation can be found in Appendix 3.
- Have an agreed Health and Safety plan with us, and the F10 has been sent to the HSE in accordance with [the Construction \(Design and Management\) Regulations 2015](#).
- Have a certificate of Public Liability Insurance, the minimum of £10M, but the actual specified amount has to be agreed with us.
- Have paid the required fees, to cover the design check, supervision of the works and legal fees. (See Section 5.2). In addition to the design drawings an additional drawing at a scale 1:500 is required highlighting the Section 278 boundary, see Appendix 5. (Note this boundary is to include not only where the works are going to be undertaken, but the extent of any traffic management put in place to undertake the works).

The complete check list for the Pre-Commencement Certificate can be found in Appendix 1.

5.2 Section 278 Fees

You will be responsible for:

- All inspection fees, which are usually 5% of the estimated works cost.
- All Legal fees.
- The final design will have been submitted to us for a Design Check, and approved. A fee is payable which is at least 5 % of the estimated works cost. Details of the design check can be found in Appendix 2.
- Provide a commuted sum to cover our costs for additional maintenance for the next 20 years, which is to be arranged with our Agents. (See Appendix 3).

5.3 The Construction Period

You should be aware that once the agreement has been signed, during the construction period you will take over responsibility for the section of highway where your works are to be undertaken. You will be responsible for all repairs, any third party damage, and any routine highway maintenance. All the maintenance items to be agreed with the Trunk Road Agents can be found in Appendix 4. They will vary according to the frequency of inspection the duration and location of the works. All of which must be agreed prior to commencing construction.

You must inform us if you wish to amend the design; the works programme; method statement or any previously agreed information forming part of the Section 278 Agreement

You must provide reasonable access for us to inspect the works and inspect all materials used, or those intended to be used. In addition at your expense you will need to agree with us an independent accredited testing facility to test all the materials you use.

You will be responsible for ensuring compliance with the provisions of the Health and Safety at Work Act, and you will undertake all the obligations of a Client as defined in the CDM Regulations. This will include, but not limited to, maintaining the Health and Safety File, ensuring that all contractors are competent, and indemnifying us against any breach of your obligations.

You must ensure that all environmental legislation is complied with and that waste arising from the works are be disposed of correctly.

You must ensure that all rights of way and other means of passage that lead to, from or cross the site of the works and are available for use by the public, or have an appropriately signed division approved by us.

5.4 Certificate of Substantial Completion

Once you have completed the works you must clear away and remove from the Highway Land all construction plant, surplus material, rubbish and temporary works.

We will inspect the works and either issue a list of outstanding items to complete the works, or provide a Certificate of Substantial Completion. Following this, the agreement moves into the Maintenance Period. The Highway Land (together with the Highway Works) at this point must be available for use by vehicles and pedestrians. At this point 70% of the bond figure is usually released.

5.5 The Maintenance Period

The Maintenance Period lasts a year from us issuing the Certificate of Substantial Completion, during this time you will maintain the Highway Works, but not any third party claims. Before applying for the Certificate of Substantial Completion you will commission a Stage 3 Road Safety Audit Report and carry out and complete at your own cost any additional works.

During this time any associated Section 38 Agreement must be completed, see Section 6.

5.6 Certificate of Acceptance

At the end of the Maintenance Period you must complete any further works required to make good any defects and pay any additional associated costs, further inspections, or design checks. Once this is complete you can apply for a Certificate of Acceptance, however you must first supply:

- A set of coloured drawings showing to a scale of 1:500 the Highway Works as constructed, in a format specified by us.
- A copy of the Health and Safety File.
- If required the Section 38 Agreement must be completed..

From the date of issue of the Certificate of Acceptance your Highway Works then become part of the Highway which is maintained by us. The remaining 30% of the Bond is usually released.

6. SECTION 38 AGREEMENT

This is necessary where, as part of your development, it is proposed to construct or extend the existing highway into land associated with your development. This can occur, for example when it has been deemed necessary that you have to construct a right turn lane into your development, as illustrated in Figure 4. The extra land required to do this from your development will need to become part of the adopted highway. The transfer of this land is done via an agreement under Section 38 of the Highways Act.

You will also need to enter into Section 278 Agreement to enable you to connect your newly constructed area of highway into the existing highway network. On completion of the works and when the Certificate of Substantial Completion has been issued, the process of transferring the additional highway land to us can be undertaken via the Section 38 agreement, and should be completed prior to the issue of the Certificate of Acceptance. When complete this will mean that the new section of highway will become part of the trunk road network, and that we as the Highway Authority will take on the responsibility of maintaining it.

The remaining 30% of the Bond taken for the associated Section 278 Agreement is usually released, see Section 5.

6.1 Requirements when entering into a S38 Agreement

When entering into a Section 38 Agreement you must:

- Be the owner of the land (or the owner must be agreeable) to transfer the land over to us.
- Have full planning permission.
- Forward for approval two drawings at a scale of 1:500, indicating the land you wish us to adopt as highway. An example can be found in Appendix 6.

6.2 Section 38 Fees

You will be responsible for:

- All legal fees and any cost for drawing up any associated easements.
- Provide a commuted sum to cover our costs for additional maintenance for the next 20 years, (unless covered as part of the S278 Agreement).
- Paying the local land charge under the Section 38 Agreement, so you must consent to us registering a notice in the charges register of Title to the H M Land Registry, and pay for the associated costs.

6.3 Easements

As part of the Section 38 Agreement you must include a Deed of Grant of Easement for us to gain access for future maintenance to any highway asset. This could be for access to a new highway structure or a highway drainage system. See Appendix 7, for an example of a Section 38 Easement Drawing at a scale of 1:500.

For example, an easement for drainage is typically 3m either side of the pipe or 5m to gain access to a retaining wall, although these can vary according to the site conditions at each development, and need to be agreed with us.

Within these easement areas of land you must agree not to put the highway asset at risk and only to use them as open space. These will vary between sites, but typically you must agree within the vicinity of the highway asset not to:

- Erect any buildings walls or other structure nor to carry out any other development.
- Lay or permit any construction over any sewers drains pipes conduits cables ducts and wires.
- Plant trees, hedges or shrubs.
- Erect fences.
- Restrict outfall chamber.
- Alter the original level of the ground.
- Cover or obscure any part of a structure.
- Allow any piling operation within the area and if nearby, seek out separate agreements to do so.

6.4 Sale or Lease the Development

Should you sell or lease your development it is your responsibility to make any future tenant or lessee aware of the Section 38 Agreement and any associated easements.

Appendix 1: Section 278 Pre-Commencement Checklist

Below is an example of the information that will be required before the Pre-Commencement Certificate can be issued, which will then to enable us to enter into a Section 278 Agreement with you.

The Welsh Ministers Network Management - Pre-Commencement Checklist

Scheme: Green Field Site at..*Insert Location?*.....on the A ?

The Developer has provided the following documentation which has been approved for use as part of the Section 278 detailed above on the following dates:

Documentation	Date Received	Comments / Documents	Date Approved
The detailed design for the Highway Works, the Specification, the Programme and the Method Statement – Including approvals such as HD22, AIP, and Land Drainage Consent as required.	16/05/16	Green Field Site Method Statement.pdf Green Field Construction Environmental Management Plan.docx.pdf Green Field Programme.pdf Design Check Complete (see Appendix 2)	16/05/16
The Estimated Cost of Works	16/05/16	£500,000 Price Schedule.pdf	16/05/16
The Traffic Management Plan	16/05/16	Traffic Management Plans.pdf	16/05/16
The name of the Contractor	16/05/16	Blogs & Co	16/05/16
The draft Construction Contract	16/05/16	Contract for Civil Engineering Works at Green Field.pdf	16/05/16

The Stage 2 Safety Audit Report	16/05/16	Green Field RSA Approval May.pdf	16/05/16
Details of any diversion or alteration works required to be carried out to Statutory Undertakers' mains, services, plant or equipment necessitated by the Highway Works	16/05/16	Copy of " Open Reach" Diversion Works .pdf	16/05/16
The certificate of insurance cover	16/05/16	Exp 15 Feb 2016 Sum £10M	16/05/16
The location of car parking for site and construction personnel during the carrying out of the Highway Works	1/04/16	Vehicles will be parked at the Green Field construction compound located close to the adjacent works (Location Plan.docx)	16/05/16
Any other information that the Proper Officer shall [reasonably] require including any variation (whether by way of alteration, addition or omission) to the Highway Works. e.g. Routine maintenance to be agreed between Agent and Principal Contractor at inaugural meeting and be recorded on the spreadsheet	16/05/16	Green Field Access Route Condition Planning Permission	16/05/16
Pay to WG the Design Check Fee	01/03/16	5% of estimated scheme cost £ 100K Paid See evidence of payment of WG fees for s278.msg	20/05/16
Pay to WG the Estimated Inspection Fee	01/03/16	5% of estimated scheme cost £ 100K Paid Email WG fees for s278.msg	20/05/16

Pay to WG the Commuted Sum	01/03/16	Email evidence of payment of WG fees for s278.msg Paid see above	20/03/16
Pay to WG all legal, administrative and construction costs incurred by the WG in connection with any amendments required to existing Traffic Regulation Orders or the promotion of new Traffic Regulation Orders arising as a consequence of the Highway Works	16/05/16	£ 7,500.00 Paid	16/03/16
Install the Advanced Road Works Information Warning Signs in such locations as the Proper Officer advises and to the Proper Officer's reasonable satisfaction and in agreement to TM plans	16/05/16	Traffic Management Plans.pdf	20/05/16
Submit to WG noise readings, supporting information, calculations and any other information or data that the proper officer may [reasonably] request for the purposes of ascertaining whether any properties are eligible for an offer of insulation works or a grant to cover the cost of such works pursuant to the Noise Insulation Regulations 1975 (SI 1975/1763		Not Required	
Consult with, place orders with and pay any costs to Statutory Undertakers in relation to any works to their mains, services, plant or equipment necessitated by the Highway Works including any works required by the Statutory Undertakers to divert the services to the satisfaction of the Proper Officer	10/02/16	"Open Reach" Diversion Works Order .pdf	12/02/16
Provide to the Proper Officer the contact details of a representative for the duration of the construction of the Highway Works and the Maintenance Period [and a telephone number of such representative which number will be manned on a 24 hour basis in cases of emergency]	20/3/16	John Jones @ Blogs & Co .co .uk... Tel: 0712345678	20/04/16

Ensure that the Highway Works are properly notified to the Health and Safety Executive in accordance with the CDM Regulations and give to the WG (or the Council) a copy of the notification and any acknowledgement from the Health and Safety Executive	20/04/16	Copy of F10 for Onsite Blogs & Co 18th May 2016.pdf	15/04/16
Ensure that appropriate Environmental Assessments have been completed (e.g. Determination, NTS, EIA)	10/05/16	Doc 24 & 25	20/05/16
Secure any necessary Traffic Regulations Orders which may be required in order for the Highway Works to commence	10/6/16	None Required	12/06/16

If known possible date of commencement of the Highway Works...3rd July 16.....

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Appendix 2: Section 278 Detailed Design Information that is required for the Design Check.

Scheme:		Date Received:	Closing Date for Comments:		S278 Design Check Tracker				
RSA 1/2 with Designers Comments: Yes / No	HD 22 Required: Yes / No	BD 2 Required: Yes / No	Departure/s Reference/s	Departure Details:		Date Appended to S278 Check List:			
Notes:	Initial Review Complete: Yes/No	Designer Submitted AIP: Yes/No				Notes:			
	Certification Required: Yes/No	TAA Agreed/Rejected							
	Certification Completed: Yes/No	Design & Check Cert: Yes/No							
	GDR Completed: Yes/No								
DRAWING	DRAWING NO.	SPECIALIST/S NAME/S	SPECIALISTS COMMENTS	DATE	DESIGNERS RESPONSE	DATE	AGREED OUTCOME	DATE	COMMENTS
SECTION 278/S38 BOUNDARY									
SERIES 100-300 PRELIMINARY & SITE CLEARANCE									
SERIES 400 ROAD RESTRAINT SYSTEMS									
SERIES 500 DRAINAGE AND SERVICE DUCTS									
SERIES 600 EARTHWORKS									
SERIES 800 -1000 PAVEMENTS									
SERIES 1000 KERBS & FOOTWAYS									
SERIES 1200 TRAFFIC SIGNS									
SERIES 1300 - 1400 STREET LIGHTING									
SERIES 1600 -2500 STRUCTURES									
SERIES 3000 LANDSCAPE AND ECOLOGY									
OTHER DRAWINGS									



To be completed by the Developer's Designer.

Note: We require drawings and the associated information on the Pre-Commencement Checklist for the Section 278 Agreement to be submitted **all together**. Due to the total size of all these the files we request you submit them on a memory stick, CD, or provide access to a download all the information from a cloud storage server.

Appendix 3: Example of a Section 278 Commuted Sum Calculation.

		Commuted Sum Calculation.																							
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20				
TRUNK ROAD ELEMENT		Quantity	Unit	Rate																					
Signs and Lines																									
Traffic Signals (per annum)	(Including energy costs)	7	units	£ 285	£1,995	£1,925	£1,855	£1,786	£1,716	£1,646	£1,576	£1,506	£1,436	£1,367	£1,297	£1,227	£1,157	£1,087	£1,017	£948	£878	£808	£738	£668	£ 26,633
Road Markings (5 yrs)		39.6	m2	£ 5	£198	£191	£184	£177	£170	£163	£156	£149	£143	£136	£129	£122	£115	£108	£101	£94	£87	£80	£73	£66	£ 473
Traffic signs cleansing (2 yrs)		1	unit	£ 20	£20	£19	£19	£18	£17	£17	£16	£15	£14	£14	£13	£12	£12	£11	£10	£10	£9	£8	£7	£7	£ 130
Traffic signs replacement (15 yrs)		1	unit	£ 500	£500	£483	£465	£448	£430	£413	£395	£378	£360	£343	£325	£308	£290	£273	£255	£238	£220	£203	£185	£168	£ 255
Road Studs (5 years)		56	units	£ 4	£224	£216	£208	£200	£183	£185	£177	£169	£161	£153	£146	£138	£130	£122	£114	£106	£99	£91	£83	£75	£ 535
Carriageway Repairs																									
Anti-skid surfacing (5 yrs)		306	m2	£ 15	£4,590	£4,429	£4,269	£4,108	£3,947	£3,787	£3,626	£3,465	£3,305	£3,144	£2,984	£2,823	£2,662	£2,502	£2,341	£2,180	£2,020	£1,859	£1,698	£1,538	£ 10,970
Tactile Pavings (20 yrs)		110	units	£ 40	£4,400	£4,246	£4,092	£3,938	£3,784	£3,630	£3,476	£3,322	£3,168	£3,014	£2,860	£2,706	£2,552	£2,398	£2,244	£2,090	£1,936	£1,782	£1,628	£1,474	£ 1,474
Lighting																									
Routine maintenance	Ad hoc replacements and repairs (1yr)	1	item	£ 50	£50	£48	£47	£45	£43	£41	£40	£38	£36	£34	£33	£31	£29	£27	£26	£24	£22	£20	£19	£17	£ 668
Bulk lamp change and clean	50 w att SON luminaires (3 yrs)	1	unit	£ 30	£30	£29	£28	£27	£26	£25	£24	£23	£22	£21	£20	£18	£17	£16	£15	£14	£13	£12	£11	£10	£ 120
	2 x 11w att PL sign luminaires (2 yrs)	1	unit	£ 28	£28	£27	£26	£25	£24	£23	£22	£21	£20	£19	£18	£17	£16	£15	£14	£13	£12	£11	£10	£9	£ 182
Cleaning lanterns	50 w att SON cleansing (2 yrs)	1	unit	£ 15	£15	£14	£14	£13	£13	£12	£12	£11	£11	£10	£10	£9	£9	£8	£8	£7	£7	£6	£6	£5	£ 98
	2 x 11w att PL sign cleansing (3 yrs)	1	unit	£ 10	£10	£10	£9	£9	£9	£8	£8	£8	£7	£7	£7	£6	£6	£5	£5	£5	£4	£4	£4	£3	£ 40
Replacement	50 w att SON luminaires and columns (20 yrs)	1	unit	£ 500	£500	£483	£465	£448	£430	£413	£395	£378	£360	£343	£325	£308	£290	£273	£255	£238	£220	£203	£185	£168	£ 168
	2 x 11w att PL sign luminaires and posts (20 yrs)	1	unit	£ 250	£250	£241	£233	£224	£215	£206	£198	£189	£180	£171	£163	£154	£145	£136	£128	£119	£110	£101	£93	£84	£ 84
Pedestrian guardrails																									
Replacement (15 yrs)		20	m	£ 200	£4,000	£3,860	£3,720	£3,580	£3,440	£3,300	£3,160	£3,020	£2,880	£2,740	£2,600	£2,460	£2,320	£2,180	£2,040	£1,900	£1,760	£1,620	£1,480	£1,340	£ 2,040
TOTAL COMMUTED SUM				£ 43,869																					£ 43,869

Note: Rates shown are for illustrative purposes only.

Appendix 4; Example of a Section 278 Routine Maintenance Agreement with the Trunk Road Agent (NMWTRA) Page 1/4

Item Ref	WAGTRMM 2015 Reference	Activity Category	Network Activity	Responsibility during period covered by Section 278
1	Cl. 1.1.3.3	Routine Maintenance and Management	Cat 1 Defect	Joint depending on nature (i.e. if defect occurs beyond kerb along edge of carriageway)
	Cl.1.1.3.4		Cat 2 Defect	Joint depending on nature (i.e. if defect occurs beyond kerb along edge of carriageway)
2	Cl.1.1.3.1	Routine Maintenance and Management	Safety Inspections	NMWTRA
3	Cl. 1.1.4.2	Routine Maintenance and Management	Safety Patrols	NMWTRA
4	Cl. 1.1.4.3	Routine Maintenance and Management	Detailed Inspections	NMWTRA
5	Table 1.1.3.2	Emergency Procedures	Emergency Response	NMWTRA
6	Part 1.1.23	Emergency Procedures	Accident Pathology	NMWTRA
7	Part 1.1.23	Routine Maintenance and Management	Minor C' Way Repairs - Detailed Inspections	NMWTRA
8	Table 1.17	Routine Maintenance and Management	Minor C' way Repairs - Maintenance	NMWTRA
9	Table 1.17	Routine Maintenance and Management	Footway & cycle tracks - inspections	N/A
10	Table 1.17	Routine Maintenance and Management	Footway & cycle tracks - maintenance	N/A
11	Table 1.17	Routine Maintenance and Management	Covers, gratings, frames & boxes - Detailed Inspections	NMWTRA
12	Table 1.17	Routine Maintenance and Management	Covers, gratings, frames & boxes - maintenance	Joint depending on nature (i.e. if defect occurs beyond kerb along edge of carriageway)

Appendix 4: Example of a Section 278 Routine Maintenance Agreement with the Trunk Road Agent (NMWTRA) Page 2/4

13	Table 1.17	Routine Maintenance and Management	Kerbs, edgings and preformed channels - Detailed Inspections (Urban)	N/A
			Kerbs, edgings and preformed channels - Detailed Inspections (Rural)	NMWTRA
14	Table 1.17	Routine Maintenance and Management	Kerbs, edgings & preformed channels - Maintenance	Joint depending on nature (i.e. if defect occurs beyond kerb along edge of carriageway)
15	Table 1.1.8	Routine Maintenance and Management	Piped drainage systems - Detailed Inspections	NMWTRA
16	Table 1.1.8	Routine Maintenance and Management	Gullies, catchpits, interceptors and ditches - inspections/maintenance	NMWTRA for inspections, joint for maintenance depending on nature (i.e. if defect occurs beyond kerb along edge of carriageway)
17	Table 1.1.8	Routine Maintenance and Management	Piped Grips < 5m	N/A
18	Table 1.1.8	Routine Maintenance and Management	Drainage Grips - Maintenance requirements	N/A
19	Table 1.1.8	Routine Maintenance and Management	Ditches	N/A
20	Table 1.1.8	Routine Maintenance and Management	Filter Drains - Detailed Inspections	N/A
21	Table 1.1.8	Routine Maintenance and Management	Culverts <900mm - Detailed Inspections	N/A
22	Table 1.1.8	Routine Maintenance and Management	Balancing ponds/ancillary items - inspections	N/A

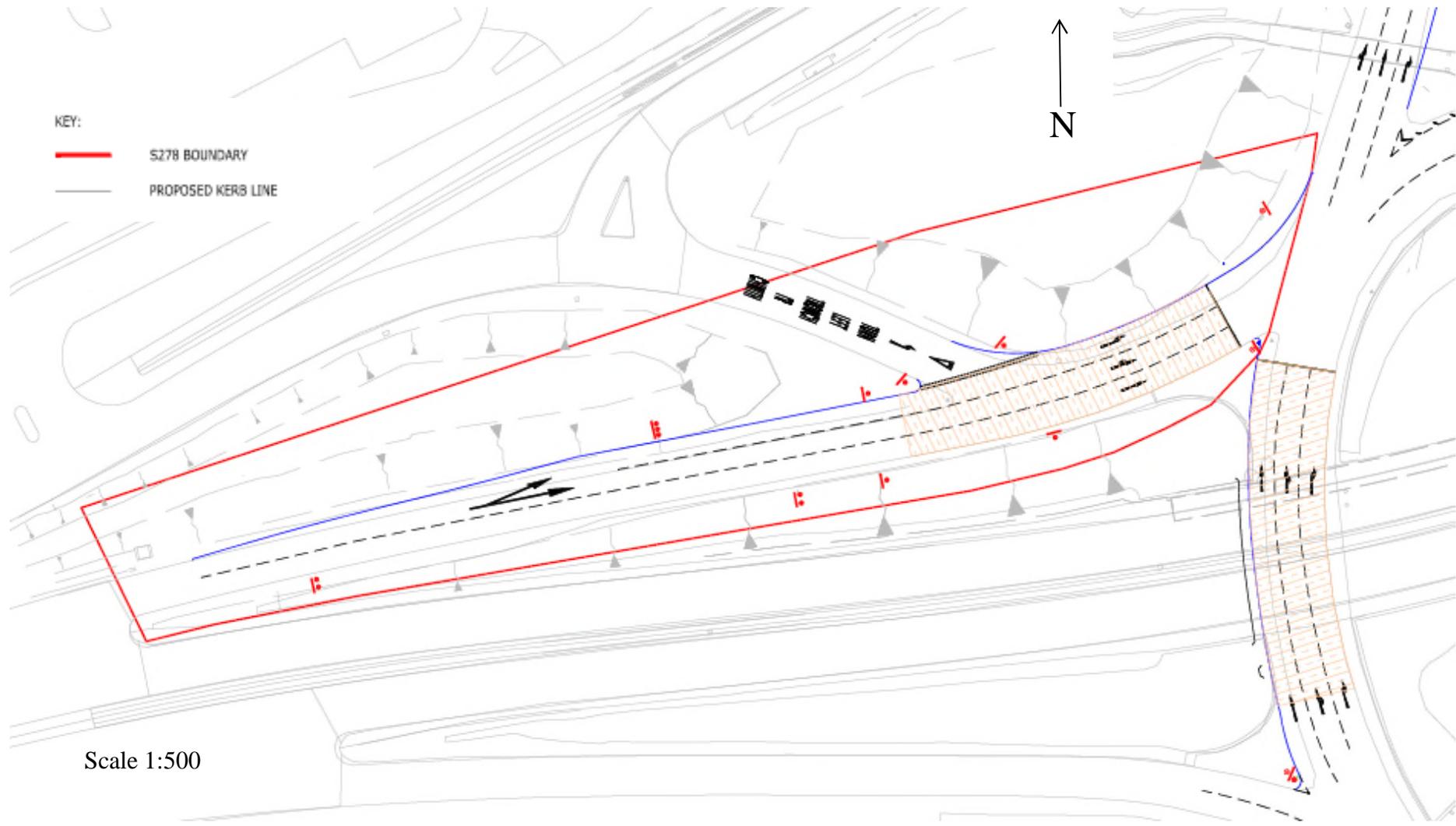
Appendix 4: Example of a Section 278 Routine Maintenance Agreement with the Trunk Road Agent (NMWTRA) Page 3/4

23	Table 1.1.8	Routine Maintenance and Management	Flooding - Inspection requirements	NMWTRA
24	Table 1.1.9	Routine Maintenance and Management	Embankments and Cuttings - Detailed Inspections	NMWTRA
25	Table 1.1.9	Routine Maintenance and Management	Embankment and cuttings - Detailed Inspections (Geotechnical)	NMWTRA
26	Table 1.1.19	Routine Maintenance and Management	Grassed areas and verges - Inspections	NMWTRA
		Routine Maintenance and Management	Urban grass areas - Maintenance requirements	N/A
		Routine Maintenance and Management	Grassed areas - Paved Central Reserves, Marker Posts - Maintenance	N/A
27	Table 1.1.19	Routine Maintenance and Management	Grassed areas adjoining c/ways, footways & visibility splays - maintenance	NMWTRA
28	Table 1.1.20	Routine Maintenance and Management	Sweeping and cleaning - Detailed inspections	NMWTRA
29	Table 1.1.20	Routine Maintenance and Management	Sweeping and cleaning - Maintenance Requirements	NMWTRA
30	Table 1.1.12	Routine Maintenance and Management	Safety Fencing and Barriers - Detailed Inspections	N/A
31	Table 1.1.12	Routine Maintenance and Management	Safety Fencing and Barriers - Maintenance Requirements	N/A
32	Table 1.1.18	Routine Maintenance and Management	Fences, walls, screens etc. - Detailed Inspections	DEVELOPER

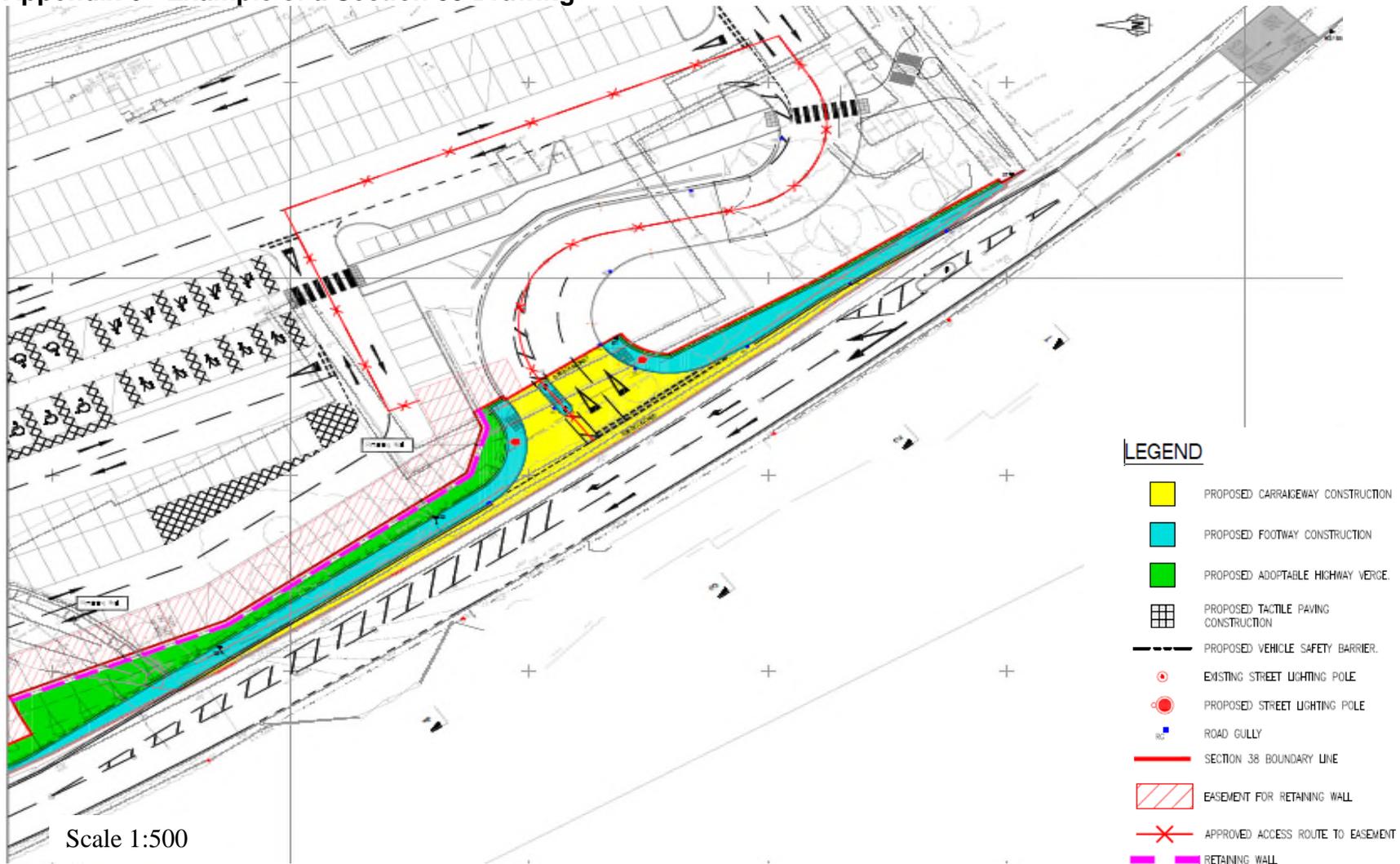
Appendix 4: Example of a Section 278 Routine Maintenance Agreement with the Trunk Road Agent (NMWTRA) Page 4/4

33	Table 1.1.14	Routine Maintenance and Management	Road studs - Detailed inspections	NMWTRA
34	Table 1.1.14	Routine Maintenance and Management	Road studs castings - maintenance	NMWTRA
35	Table 1.1.14	Routine Maintenance and Management	Road Markings - Detailed Inspections	NMWTRA
36	Table 1.1.14	Routine Maintenance and Management	Road markings - Maintenance requirements	NMWTRA
37	Table 1.1.15	Routine Maintenance and Management	Road Traffic Signs - Detailed Inspections	NMWTRA
38	Table 1.1.15	Routine Maintenance and Management	Road Traffic Signs - Maintenance requirements	NMWTRA
39	Table 1.1.16	Routine Maintenance and Management	Road traffic Signals - Detailed Inspections	N/A
40	Table 1.1.16	Routine Maintenance and Management	Road Traffic Signals - Maintenance requirements	N/A
41	Table 1.1.17	Routine Maintenance and Management	Road Lighting - Detailed Inspections	N/A
42	Table 1.1.17	Routine Maintenance and Management	Road Lighting - Maintenance	N/A
43	Table 1.1.10	Routine Maintenance and Management	Routine Maintenance of Structures - Inspection	N/A
44	Table 1.1.10	Routine Maintenance and Management	Routine Maintenance of Structures - Maintenance	N/A
45	Part 1.1.22	Routine Maintenance and Management	Winter service	NMWTRA

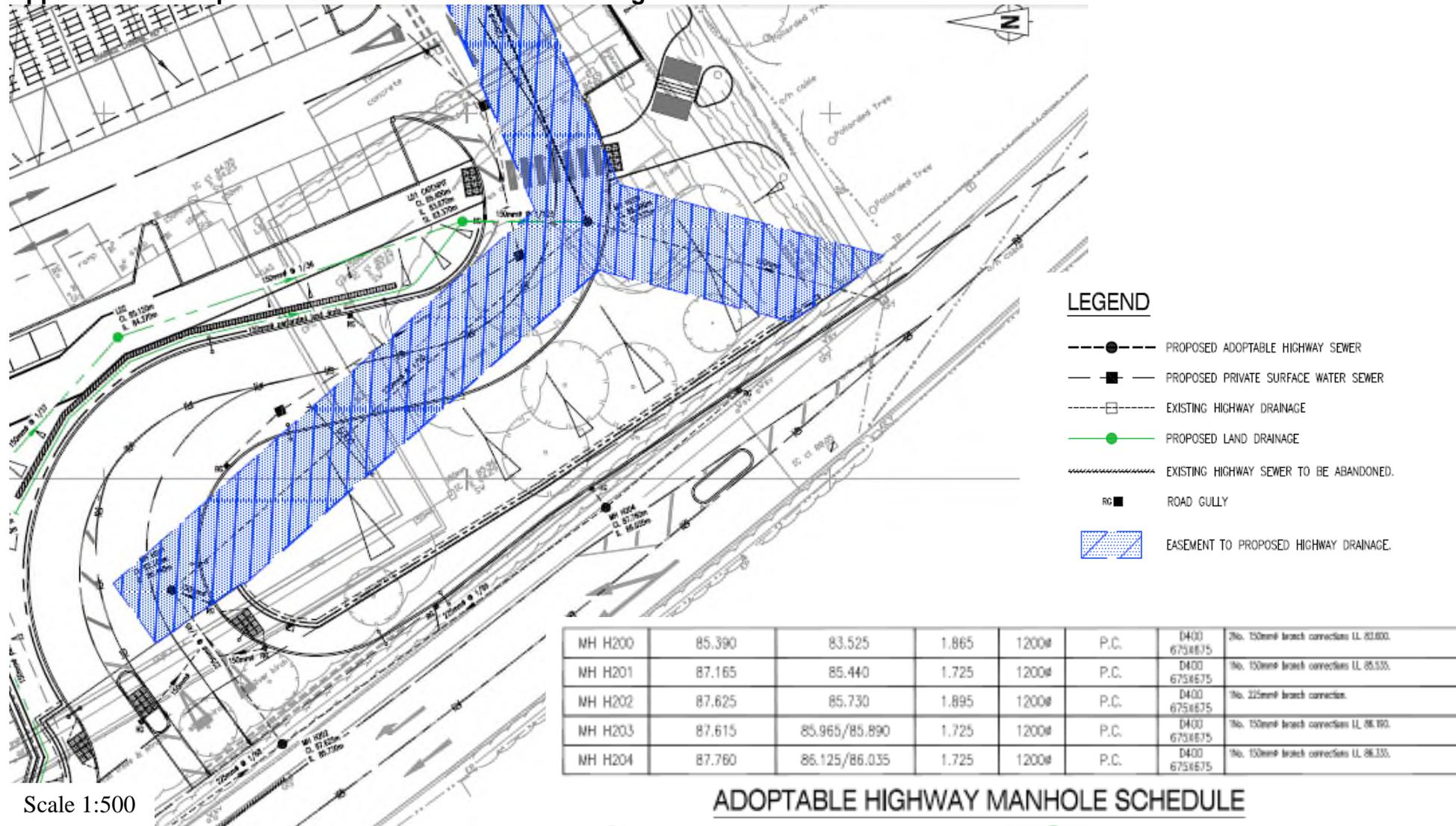
Appendix 5: Example of a Section 278 Drawing showing the Section 278 Boundary.



Appendix 6 - Example of a Section 38 Drawing



Appendix: 7 Example of a Section 38 Easement Drawing



Scale 1:500