



19 December 2018

Dear ,

Request for Information – ATISN 12849

Thank you for your request for information dated 18 December. You have asked for the following information in relation to Highway Bond Provision:

1. The total number of road bonds called-in over the last 3 years for S278 and S38 agreements?
2. What are the individual elements that your Authority includes within their bond requirement for all highways work for S278 and S38 agreements??
3. An average value for bond provision for S278 and S38 agreements?
4. Would you consider using the developer obtained tender value for calculating the bond provision for S278 and S38 agreements?
5. The inspection fee or percentage applicable relevant to the bond provision for S278 and S38 agreements?

I can confirm that we hold some information relating to your request. The Welsh Government Network Management Division deal with S278 agreements only as these are the licences for developers to construct minor highway improvements within the existing trunk road network. S38 agreements are related to highways that developers construct themselves and offer to the highway authority to accept and these are usually carried out between developers and Unitary authorities. We therefore don't hold any information relating to S38 agreements, you may want to contact the relevant Unitary Authority for that part of your request.

I can confirm the following in relation to s278 agreements –

1. None in the last 3 years.



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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

2. It's a bond for 110% of the estimated works cost which is provided by the developer and checked by our agents.
3. There is no 'average' figure as all schemes are vastly different and the bond is set based on the estimated works cost and whether the 'developer' is a public body separate to the highway authority, but funded by the WG, such as a health board. The bond value is set by the level of the works to be carried out.
4. Yes we do, but the estimate it is always checked again by our Agents usually using agreed framework contactors rates to reach an agreed estimated works cost figure.
5. The Inspection/supervision fee and the checking fees are of the order of 5 % of the agreed estimated works cost fee. Supervision fees may be significantly higher if the developer programmes all the work to be carried out overnight and/or at weekends as this would incur a premium rate from our Consultant Inspector/Supervisor. Both fees are always payable in all cases plus £1500 in legal fees.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ
or Email: Freedom.ofinformation@gov.wales. Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely