

Application to enter into an Agreement under Section 38 and/or Section 278 (and Section 111 LGA 1972) of the Highways Act 1980

Refer to the Guidance and Technical Notes document when completing this form.

If completing by hand, please use BLOCK CAPITALS.

Send your completed form, supporting documents, and plans by post to: Highway Agreements Team, Planned Delivery, West Sussex County Council, Chichester, PO19 1RH.

Visit our website for more information: www.westsussex.gov.uk/roadagreements.

1. NAME AND ADDRESS OF DEVELOPMENT

2. OWNER(S) OF THE LAND COMPRISING THE DEVELOPMENT

Name

Organisation

Address 1

Address 2

Town

Post Town

Postcode

Phone

Email

Additional owner(s)

3. AGENT

All correspondence will be sent to the agent.

Name

Organisation

Address 1

Address 2

Town

Post Town

Postcode

Phone

Email

4. APPLICANT/DEVELOPER (if different to landowner)

Name

Organisation

Address 1

Address 2

Town

Post Town

Postcode

Phone

Email

5. SOLICITOR ACTING ON BEHALF OF THE APPLICANT/DEVELOPER

Name

Organisation

Address 1

Address 2

Town

Post Town

Postcode

Phone

Email

6. SURETY ACTING ON BEHALF OF THE APPLICANT/DEVELOPER (see Note 2)

Name

Organisation

Address 1

Address 2

Town

Post Town

Postcode

Phone

Email

7. ROAD CONTRACTOR (see Note 4)

Name

Organisation

Address 1

Address 2

Town

Post Town

Postcode

Phone

Email

8. PLANNING PERMISSION

Planning application reference

Date approved

Copies of Planning Decision Notice and Approved Layout Plan are enclosed with this application

9. TYPE OF AGREEMENT

Section 38 only – complete the “Section 38 Works” section

Section 278 only – complete the “Section 278 Works” section

Combined Section 38/278 – complete both the “Section 38 Works” and “Section 278 Works” sections

Section 38 Works

10. Start Date

11. Number of months required to construct the works to base course level (Part One Standard)

Number of months required to complete all remaining works (Part Two Standard)

Section 278 Works

12. Target start date

This must be at least 3 months from the date of this application.

13. Duration of works (months)

Programme of highways work is attached

14. List of statutory undertakers consulted

Copies of undertakers’ replies and plans are attached

15. ADDITIONAL INFORMATION (complete as appropriate)

(a) Do the Section 278 works need to be in place before the start of the new development?	Yes	No	N/A
(b) Do the Section 278 works need to be in place before occupation?	Yes	No	N/A
(c) Is there an existing access that can be used to construct the new development before completion of the agreement?	Yes	No	
(d) Has a temporary access licence been issued to facilitate the construction of the new development?	Yes	No	
(e) Have the works been the subject of a Stage 1 Safety Audit? If yes, then a Stage 2 Safety Audit must be submitted with the application.	Yes	No	
(f) Who is adopting the new surface water drainage system?			
(g) Has permission been given to connect to an existing highway drainage system?	Yes	No	N/A
(h) Has the design of street lighting been undertaken by the West Sussex PFI contractor? Note: Costs will be recovered through the agreement where the PFI contractor checks third-party designs and installation.	Yes	No	N/A
(i) Has the design of illuminated equipment, such as signs, bollards, and beacons, been undertaken by the PFI contractor?	Yes	No	N/A

16. FEE (see General Note 1)

Fee (5% upfront for administration and inspection) is enclosed with this application in the form of a cheque or receipt for online payment

17. ANY OTHER INFORMATION

DECLARATION

I/We hereby apply to enter into a Section 38 and/or Section 278 with West Sussex County Council for works in connection with the above planning permission.

I/We have read the notes attached to this form and agree to comply with the requirements contained therein.

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 County 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 County Council will be unable to adopt the works or will require extensive alterations prior to adoption.

Signed on behalf of the applicant/developer¹

Name in BLOCK CAPITALS

Position in company

Company

Phone

Date

¹ If completing this form electronically, please print the complete form and then sign your name here