



## DECISION OF DIRECTOR OF DEVELOPMENT AND ENVIRONMENT

DECISION No. 15/16 – 16/17  
DE 265

### **SUBJECT: DELEGATED AUTHORITY WITHIN HIGHWAYS ACT 1980 SECTION 38 & 278 AGREEMENTS**

The Council's Constitution delegates to the Director authority to exercise all the functions of the Council as Highway Authority under the Highways Act 1980. It is desirable in the interests of the efficient functioning of the authority that certain functions relating to agreements under Sections 38 and 278 of the Highways Act 1980 and Section 106 of the Town and Country Planning Act 1990 are further sub delegated to New Works Manager and the Scheme Engineer.

#### **Decision:**

1. That the following functions be sub delegated to the New Works manager;
  - a) Authorising the service of Advance Payments Code Notices under Highways Act 1980 sections 219 to 225.
  - b) Authorising entry into agreements under Section 38 and 278 of the Highways Act 1980.
  - c) Authorising the amendment of agreements made under Sections 38 and 278 of the Highways Act 1980.
  - d) Authorising the advertisement of Traffic Regulation Orders associated with agreements made under Sections 38 and 278 of the Highways Act 1980 and Section 106 of the Town and Country Planning Act 1990.
  
2. That the appropriate Scheme Engineer be authorised to issue completion Certificates at the start of the maintenance period and Final Adoption Certificates in respect of works carried out in accordance with agreements made under Sections 38 and 278 of the Highways Act 1980 and Section 106 of the Town and Country Planning Act 1990.

#### **Reason:**

To ensure that decisions are made at the appropriate level so as to reduce unnecessary delays and costs and to improve services to the public.

#### **Other Alternatives Considered:**

None.

Signed  Director of Development and Environment

Dated 29/3/16 .....