

S38 Legal Agreement Contents

- Details of the proposed highway layouts, designating which are to remain private (such as gated communities, combined private driveways short lengths of cul-de-sacs) and which are to be offered up for adoption;
- Developer's liability;
- LCC fees and charges;
- Arrangements for dealing with statutory undertakers, connections of existing services, and grants of rights for drainage;
- Arrangements for dealing with traffic regulation orders, consultation, street lighting, traffic signals and road safety audits;
- Arrangements for dealing with all necessary notices to allow works to be undertaken on or adjacent to the Adopted Highway;
- Approach to dealing with the Construction (Design and Management) Regulations 2015;
- The need and value of the financial Bond of Surety required at inception of the S38 Agreement;
- Arrangements for design checks and technical approvals (where necessary);
- Scope of Part 1 and Part 2 works, inspection procedures, and certification;
- Developer obligation during the maintenance period;
- Approach to reporting and timing of adoption.