

KENT COUNTY COUNCIL - RECORD OF DECISION

DECISION TAKEN BY

Mr Nick Chard

DECISION NO.

09 / 01390

If decision is likely to disclose exempt information please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972

Subject:

S278 Agreements for Developer-Funded Highway Improvements

Decision:

(i) The introduction of a new Model S278 Highways Agreement for use in accordance with the Highways Act 1980 with immediate effect.

(ii) The change to the existing fixed sum consultancy fee for transportation advice on new S278 highway works, as set out in the report.

(iii) Implementing a percentage-based fee structure for professional costs incurred by Kent Highway Services with respect to new S278 highway works, as set out in the report.

(iv) For existing S278 Highways Agreements, the charges for professional costs incurred by Kent Highway Services continuing to be based on actual time, but at an average hourly rate, as set out in the report.

Any Interest Declared when the Decision was Taken

No interests were declared.

Reason(s) for decision, including alternatives considered and any additional information

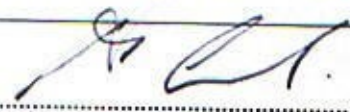
(a) To approve a new Model S278 Agreement

(b) To determine revised charging structures for transportation advice, professional advice, design checks, project management, site inspections and administration.

Developers' views were sought in a consultation exercise prior to drafting the report and their full comments were incorporated into an appendix.

Background Documents:

Proposed new MODEL S278 HIGHWAYS AGREEMENT
Report to Developers' Representatives – Unrestricted for Consultation


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signed

8th Oct 2010
.....
date

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Decision Referred to Cabinet Scrutiny			
YES		NO	

Cabinet Scrutiny Decision to Refer Back for Reconsideration			
YES		NO	

Reconsideration Record Sheet Issued			
YES		NO	

Reconsideration of Decision Published	

**KENT COUNTY COUNCIL
LEGAL AND DEMOCRATIC SERVICES**

GUIDANCE NOTES FOR COMPLETION OF RECORD OF DECISION (FORM C)

- (1) The Decision should reflect the wording in the recommendation of the report. It should be succinct, clear and capable of immediate publication by the Legal and Democratic Services. Each Decision must include the reason(s) for taking the decision. The reasons must specify what background information was taken into account in reaching the decision including:-
 - Any alternative options considered and rejected at the time the Decision was made.
 - Any conflict of interest declared at the meeting by the deciding Member.
 - Any notes of dispensation in respect of such interest.
 - Any additional document (eg comments received) not dealt with (identified) in the report.
- (2) If the Decision relates to an exempt item, please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972. For advice on the relevant paragraph(s) speak to your Democratic Services contact.
- (3) The form, once agreed and signed by the Cabinet Member who made the Decision, should be e-mailed to Democratic Services, and the original signed copy put into the internal post.
- (4) This Decision could be called in for Scrutiny. The Democratic Services will advise you of the publication of this Record of Decision, and the earliest date on which this Decision can be implemented.

NB: This form will be sent to you electronically for completion. (If necessary the boxes will expand as you type.)