



EXECUTIVE MEMBER DECISION

REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Strategic Director of Environment & Operations
DATE:	20 December 2023

PORTFOLIO/S AFFECTED:	Growth and Development
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WARD/S AFFECTED:	(All Wards);
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SUBJECT: Technical Approval for Highway Structures

To govern the planning, construction and alterations to highway structures by developers and third parties.

1. EXECUTIVE SUMMARY

The implementation of a Technical Approval for Highway Structures document will improve our control over the design and construction of all new highway structures or for the modification of any highway structures in accordance with Highway England's Standard CG 300 'Technical Approval of Highway Structures'

The Technical Approval for Highway Structures document will impose a discipline on developers, their proposals and the construction of any new highway structures or the modification of any existing highway structures by third parties, to minimise as much as is reasonable practicable the potential risks to highway users.

2. RECOMMENDATIONS

That the Executive Member:

Approves the proposed Technical Approval for Highway Structures Procedures for the review and adoption of highway structures.

3. BACKGROUND

It is a requirement that Technical Approval procedures are applied to the design and construction of all new highway structures or for the modification of any existing highway structures in accordance with Highway England's Standard CG 300 'Technical Approval of Highway Structures'

The Technical Approval for Highway Structures document sets out Blackburn with Darwen BC's guidelines for developers or any other persons who are intending to submit proposals to construct or alter any structure associated with the Highway.

These procedures and guidelines shall apply when the Developer wishes the Highway Authority to adopt the structure under Sections 38 and 278 of the Highways Act 1980.

The procedures shall also apply if adoption is not required but the design requires the consent of the Highway Authority under Section 167 of the Highways Act 1980.

The procedures can also be used for any other circumstances Blackburn with Darwen BC deem to be appropriate.

The procedures ensure, as far as reasonable practicable, that all structures associated with the highway are safe, durable, fit for their intended function and, in the case of structures proposed for adoption, designed in accordance with the current codes of practice and with overall buildability and minimum future maintenance costs in mind.

4. KEY ISSUES & RISKS

Without Technical Approval Guidance and Governance in place, there are no set procedures or requirements for developers, designers or any other persons to follow when proposing, constructing or wishing to alter any highway structures.

Without procedures in place Blackburn with Darwen BC may not be made aware of any plans or proposals for new or modifications to our highway structures resulting in sub-standard structures or poor solutions being provided without our approval.

This presents a risk to highway users by the presence of unknown or sub-standard structures on the network and a risk to Blackburn with Darwen BC of higher future maintenance costs for us to manage and maintain any sub-standard or poorly designed structures.

5. POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

None to implement the Technical Approval Guidance document.

Example fees and timescales for different categories of submissions to cover Blackburn with Darwen BC's associated costs are listed within the document.

Adopted structures will be subject to a Commuted Sum payable by the developer or 3rd party upon adoption to assist in future maintenance of the structure. Commuted Sums will be calculated taking into consideration the structure type, value, estimated lifespan and will allow for typical maintenance works usually required during this timeframe

7. LEGAL IMPLICATIONS

Requirement of Highway England's Standard CG 300 'Technical Approval of Highway Structures' to apply Technical Approval procedures.

8. RESOURCE IMPLICATIONS

None

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

None

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

VERSION:	1
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CONTACT OFFICER:	Mark Berry
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DATE:	3/7/2023
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BACKGROUND PAPER:	Technical Approval for Highway Structures
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