



## MILTON KEYNES COUNCIL - HIGHWAYS SECTION

### DUTIES and RESPONSIBILITIES

#### **INTRODUCTION**

With the creation of Milton Keynes Development Corporation (MKDC) in 1967 and publication of the *Plan for Milton Keynes* in 1970, Milton Keynes became designated as a new town. However, it was not until Local Government re-organisation in 1997 that Milton Keynes became highway authority and legally responsible for 'highways maintainable at public expense' within the borough.

*Note: Organisational changes have transferred responsibilities to Milton Keynes Development Partnership (MKDP), Parks Trust and the Homes & Community Agency (HCA) but historic legal obligations relating to highways have generally remained the responsibility of the council.*

*Note: Some highways are in private ownership so responsibility for their upkeep lies directly with the frontagers or with appointed management companies. Highways not maintainable by the council are often referred to as unadopted roads or private streets.*

The council is fortunate as a large percentage of its infrastructure has been designed and constructed as part of its development as a new town rather than created haphazardly through historic use and this permitted the provision of a grid road network with in-built capacity for enhancement and extension.

*Note: Enhancement and extension of the highway infrastructure is generally required when increased traffic demand causes localised congestion problems or proposed development requires improved means of access to the highway network.*

Members of the Development Management, Highway Adoptions and Traffic Management teams manage the implementation of enhancement and extension projects and their particular duties and responsibilities are touched upon here.

*Note: Term contractors Ringway deal with maintenance issues and provide a construction resource for minor highway improvement schemes. Management of Ringway works is undertaken by others.*

#### **DEVELOPMENT MANAGEMENT**

Planning applications that include modification to the existing highway or the construction of new roads will be referred to the Development Management team for consideration as part of the planning process. Feedback to the planners will then be provided and include highway specific planning conditions as appropriate.

Pre-planning guidance (for a fee) can also be given by the Development Management team but it must be understood that no subsequent guarantee of acceptance by the planners can be provided.

In consideration of the proposals the Development Management team will consider local and national guidance on planning and highway engineering requirements to a level of detail appropriate for the submission. E.g. Outline Full or Reserved Matters planning applications.

The Development Management team will also assist in the negotiation of Town and Country Planning Section 106 agreements where developers provide financial

# MILTON KEYNES COUNCIL - HIGHWAYS SECTION

## DUTIES and RESPONSIBILITIES



contributions to community organisations or provide funding to support infrastructure upgrades.

*Note: A Stage 1 Road Safety Audit is generally required for works being undertaken within the highway or for works where there may be a safety concern.*

### **HIGHWAY ADOPTIONS TEAM**

The Highway Adoptions team become involved once planning permission has been obtained and the developer wishes to offer newly constructed roads up for adoption or needs to work within the existing highway.

*Note: Sections 38 and 278 of the Highways Act 1980 provide the legal mechanisms for adoption and for working within existing highway respectively. The council will generally adopt roads serving six or more residential properties but the roads must be offered up for adoption as the council has no right to impose adoption on to private land owners.*

*Note: No works are permitted within the existing highway until a Section 278 has been signed and permission has been received from the Road Space Booking team.*

*Note: If a developer wishes to retain private street status for his access roads but wishes to provide documentary evidence that the road has been constructed to an acceptable standard they can enter into a Private Street Agreement. Under this agreement the council will inspect the works and provide certification upon completion.*

The council needs to ensure that all works are constructed to an acceptable standard and in accordance with current planning permissions and Section 106 commitments. To achieve this, the adoptions team undertake a technical audit of the submission and, once acceptable, provide an approval certificate.

Following technical approval MK Legal will be instructed to prepare a draft legal agreement for the developer's consideration. The agreement formally documents what has been agreed, identifies the technically approved drawings and documents, details fees and Bond requirements, acknowledges the planning and Section 106 commitments and provides any time limitations relating to the works.

To ensure satisfactory build quality the council will inspect works periodically on site, facilitate material testing and monitor traffic management proposals, and undertake a remedial works inspection on completion.

If satisfactory a practical completion certificate will be provided and the works will be put into a minimum maintenance period of twelve months where the works will be tested by being fully open to traffic.

*Note: Works within private property are the responsibility of the land owner. Although the council may provide advice on traffic control measures or on construction issues it has no authority to interfere. Where works are within the public highway, whilst the developer may have permission to construct the approved works, the council retain ultimate responsibility as the highway authority.*

After the maintenance period each element of the works will be inspected and any remedial works completed. After as-built drawings and a Health & Safety file have been

## MILTON KEYNES COUNCIL - HIGHWAYS SECTION

### DUTIES and RESPONSIBILITIES



provided and a final completion certificate issued the works will become 'highways maintainable at public expense'.

#### **TRAFFIC MANAGEMENT**

The Traffic Management team deal with operational issues on the existing highway network but can also provide a design or technical assessment service for external bodies.

Issues may be identified by routine highway inspections, by staff, by accident statistics, by councillors or the police or from complaints received from the public or residents through the helpdesk. When safety becomes an issue appropriate guidance will be sought from the Road Safety team.

*Note: Consideration will be given to all of the issues raised with feedback provided as appropriate but, due to a lack of resources, it is not always possible to provide a satisfactory solution to every issue.*

When sufficient funding is available the Traffic Management team will undertake consultation exercises, prepare Traffic Regulation Orders, carry out or commission detailed design work and Road Safety Audit's. The works will then be undertaken by the term contractor under the supervision of the delivery team.