FREEDOM OF INFORMATION REQUEST – 1558/18

Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request / Response:

1. Please could you confirm the total number of road bonds called-in over the last 3 years for total number of road bonds called-in over the last 3 years for S278 and S38 agreements?

Answer:
Only one S38 Agreement bond has been called upon in the last 3 years. The site then received the final certificate and was adopted by the county council on 2/12/2016. Rutland County Council have not called upon any S278 Agreement bonds.

2. Please could you confirm what are the individual elements that your Authority includes within their bond requirement for all highways work for S278 and S38 agreements?

Answer:
The bond is the total cost of construction for the site. This will include:

- Street lighting
- Footpath construction (including kerbs)
- Road construction (including kerbs)
- Drainage (gullies, pipes, swales, ponds, headwalls)
- Signage
- Highway verges

3. Please could you provide an average value for bond provision for S278 and S38 agreements?

Answer:
The average bond value is £334,087.85.

4. Would you consider using the developer obtained tender value for calculating the bond provision for S278 and S38 agreements?

Answer:
All of Rutland County Council’s bonds are calculated using the rates provided by our term
maintenance contractor. By using another company we would have to ensure their rates are the same as those used by Rutland County Council. If the rates are not the same it would result in a bond being calculated too low and therefore if Rutland County Council were required to construct the site it may work out at a loss.

5. Please could you confirm your inspection fee or percentage applicable relevant to the bond provision for S278 and S38 agreements?

Answer:
The inspection fee for both the S38 and S278 agreement is calculated out the same. This is 11% of the total cost of the bond on the first £100,000, and then 5% thereafter. For example, if a development bond is £250,000 11% will be charged on £100,000 and then 5% on £150,000.

If you are dissatisfied with the handling of your request please contact the Head of Corporate Governance, Rutland County Council, Catmose, Oakham, Rutland LE15 6HP
You can also complain to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House, Water lane
Wilmslow, Cheshire
SK9 5AF
Tel: 01625 545700

Yours faithfully

FOI Administrator
Business Support Team
Rutland County Council