

Introduction

I write to clarify matters in respects of the roads and refuse collection.

This project is to have the internal roads as a private scheme (maintained by a Management Company) as opposed to be putting forward for adoption by Leicestershire County Council Highways. The Management Company would also maintain the Open Spaces. The roads are public, however are not maintained at the public expense. This is a relatively common occurrence nationwide and exists within Leicestershire. We recognise that this is perhaps a less common approach within Hinkley and Bosworth Borough Council administrative area and have therefore set out the reasoning and explanation of the process below.

In its most basic sense, the site being very flat best lends itself to that of a private scheme, as to achieve local adoptable standards would see the site raised out of the ground to achieve acceptable falls and gradients. This would prevent the proposed development from being sympathetic to and reflective of the existing topography and is not a desirable approach. This would give rise to other issues such as changes to surface water run-off, unnecessary earthworks and the need for retaining works. A private approach is the best design response and achieves an attractive development which sits well in its local context.

Highways

The roads are safe and suitably designed for their intended use. As confirmed by LCC Highways in their consultation response, the road layout is not considered unsafe, and adoptability is not a material planning consideration. LCC Highways raise no objection and have recommended conditions which are set out in the Draft Conditions which have been prepared.

The main access point and other works in Kirkby Road are designed to adoptable standards and will be progressed under a Section 278 Agreement and will be put forward for adoption. The internal road network will be a private scheme.

Roads and refuse provision is shown on drawing 1089-ENG-1251 Rev B. Fire Tender provision is shown on drawing 1089-ENG-1250 Rev A.

Tracking

The submitted drawings demonstrate that suitable tracking is available for Refuse vehicles and Fire Tender vehicles. Indeed, the vehicles tracked for refuse are larger than that currently operated in the Borough and the turning provision has been reviewed by the Local Highway Authority. Davidsons are happy for these details to be suitably conditioned to secure availability for the relevant roads to be traversed by such vehicles.

Construction and Design

The internal roads are designed in accordance with the relevant sections of the Leicestershire Highway Design Guide (LHDG), which contains specific guidance for private roads. The construction of the roads will be in accordance with Table 36 of the LHDG and on-site works will be supervised and verified by a Clerk of Works to ensure that these are adhered to.

Designs are to be submitted to and approved by Leicestershire County Council as per the “Technical Approval of Roads to Remain Private” section of the LHDG. This includes the need to demonstrate that the site will be maintained long term, that purchasers are informed about the private status of the road and that the site is inspected. To ensure that maintenance responsibility for the site does not get moved onto LCC in future, the right to petition under Section 37 of the Highways Act is to be revoked within the TR1 land registry document for each dwelling. This is a requirement of LCC’s guidance.

To further protect future residents, Advance Payment Codes can be served by Leicestershire County Highways. These provide a fund to LCC which is available should LCC need to intervene and undertake the construction of the highways under Sections 219-225 of the Highways Act 1980.

The roads proposed meet the relevant technical requirements. The roads can be dedicated as private highways under Section 31 (6) of the Highways Act 1980 as per LCCs requirements for public use including use by refuse vehicles. The roads are to be available for use by residents and public/visitors alike and public rights of access will be secured by the dedication under the Highways Act and the Management Company obligations, which will be provided to LCC as part of their approvals process.

Refuse Collection

Relevant Bin Collection Points are provided in line with LCC guidance throughout the site which allow relevant collections points to be utilised by the Local Authority refuse provider.

As part of their dedication as public (un adopted) highway under Section 31 (6) of the Highways Act and through the contractual obligations of the Management Company the roads within the site are designed to accommodate refuse vehicles without sustaining any damage. Any damage that results from the appropriate use of these highways by refuse vehicles will therefore be the responsibility of the adopting Management Company and the Local Authority refuse provider will not be liable.

Management Company

As part of the sale of properties, the residents will be obliged to make an annual payment toward the Management Company both for Roads and footways and for the wider Green

Infrastructure. This is set out at property reservation stage and is set out in the house Deeds and is subsequently passed onto any future purchasers. Future repairs and maintenance is covered for the eternity of the site.

Davidsons currently operate “private” schemes in Leicestershire. In Charnwood BC our current site at Broadnook Garden Village for 1,950 dwellings and Employment and Commercial development, Queniborough for 47 Dwellings and our forthcoming Rothley site for 70 dwellings. We also have a scheme in Melton Borough at Stathern for 74 dwellings. We are also aware of a number of developments by other developers which are proposed or have been constructed with privately maintained roads.

Current typical estimated cost per Anum (based on 2026/2027):

Queniborough £303/£313

Stathern £247/£254

Rothley £383/£394

Desford £296/£313

Broadnook £199 – £559 (Prices ranges due to large size of site and size of properties)

As you will see the costs being proposed at Desford are reasonable in comparison with other schemes.

Summary

The internal roads and footpaths allow safe access in and around the site. The roads are constructed to details that meet the relevant guidance. The Management Company (via an annual payment from residents) are responsible for upkeep and maintenance. A private arrangement can indeed be more responsive to residents’ needs as any issues arise. A private road scheme can also be repaired quicker than that of roads part of the County wide general provisions which need to prioritise repairs.

The undertaking of refuse collection is the same as that undertaken on an adopted road. The roads are designed for the relevant vehicles and are provided with suitable turning as demonstrated by the tracking provided. Likewise suitable Bin Collection points are provided. All relevant matters are satisfactorily addressed under the submitted details and ensure that excellent management and maintenance arrangements will be in place.