



Appendix L: Commuted Sum Assets

Streetscape Design Guide 2025

Worcestershire County Council

Appendix L: Commuted Sum Assets

1. Introduction

Commuted sums are financial contributions made by third parties to Highway Authorities as compensation for taking on future maintenance responsibility for newly created highways or highway improvements on the public highway network. Usually, they are secured through Section 38 and/or Section 278 legal agreements made with developers and landowners and allow the Highway Authority to maintain the new assets or modifications to the required standards.

Regardless of the potential offer of a commuted sum payment, the Highway Authority will retain discretion as to what it is prepared to adopt, particularly where a proposal may not be acceptable in principle (e.g. on the grounds of highway safety) or where it would be inappropriate for it to do so (e.g. street art, play areas) or where materials are considered to be of an unacceptable or inappropriate specification.

2. Commuted Sum Payments

Commuted sum payments will be necessary for the future maintenance of highways in the following categories:

1. Alterations to the public highway to provide access to a new development that would not have been necessarily had the development not been constructed. This would normally be by means of traffic signal-controlled junctions or roundabouts conducted under Section 278 or combined Section 38/278 Agreements.
2. New highway constructed under Section 38 Agreements, and any additional areas or features over and above standard operational requirements which are not required for the safe functioning of the highway.
3. The use of approved alternative materials above standard highway construction.
4. Additional features that require maintenance above that expected for access to a development.
5. Utilisation of existing highway infrastructure by a proposed development.
6. Alterations to the existing highway – to cover future maintenance of any alterations as well as the following.
 - a) Traffic signal-controlled junctions: the cost of maintenance of signal apparatus, additional carriageway, and footway construction over and above existing highway, additional street lighting including illuminated signs and bollards, signs & road markings, highway drainage, vehicle restraint systems, landscaping and any other items requiring future maintenance.
 - b) Roundabouts: additional carriageway and footway construction over and above existing highway, additional street lighting including illuminated signs and bollards, signs and road markings, highway drainage, vehicle restraint systems, pedestrian

guard rails, landscaping and any other items requiring future maintenance.

Junctions: additional carriageway and footway construction over and above existing highway for right turn lanes, additional street lighting including illuminated signs and bollards, signs and road markings, highway drainage, vehicle restraint systems, pedestrian guard rails, landscaping and any other items requiring future maintenance. New highway constructed: any additional area over and above that necessary for standard operational requirements.

- c) Grassed areas to be adopted as highway verge to accommodate visibility splays, forward visibility, or verges.
 - d) New trees / shrubs.
 - e) Traffic calming facilities.
7. Additional features to be adopted above standard construction required to access a development. For example.
- f) Retaining Structures
 - g) Bridge
 - h) Traffic Signals
 - i) Controlled pedestrian & cycle crossings.
 - j) Vehicle restraint systems.
 - k) Traffic calming
 - l) Traffic signs & markings
 - m) Additional areas of carriageway.
 - n) Street Lighting
 - o) Bollards
 - p) Highway soakaways, highway drainage including attenuation, flow control systems, linear kerb drainage, and gullies.
 - q) Landscaping
 - r) Street Trees

Please note that this list is not exhaustive, and other features may incur Commuted Sums.

Commuted Sums will be reviewed and published on the Worcestershire County Council website separately on an annual basis.