

**Highways Act 1980; Section 184
Important Notes for New Estate Road Junction Construction**

- 1 It should be noted that planning consent will be required for these works - you should contact your local Planning Department to discuss this.

A copy of your planning consent must be submitted with your application together with the detailed design plan showing the bell mouth construction adjoining the public highway.
- 2 Developers wishing to construct a new estate road junction or other ancillary works on the highway must complete the attached form, ensuring that details of the location are given. This application must be made at least 4 weeks before commencement of any works and a location plan (preferably OS Extract Scale 1:2500) must be supplied with this application.
- 3 On receipt of your application, our compliance officer will carry out a site inspection.
- 4 You will be contacted for the payment (please see Cumberland Council's web site for the current fees and charges – www.Cumberland.gov.uk) when your application has been processed. You can make this payment by cheque, which should be made payable to Cumberland Council, or we will send you our bank account details should you wish to pay by direct transfer. If paying by direct transfer, then please use S184 and the first line of your address as the payment reference.
- 5 It is an offence Under S131 of the Highways Act 1980 to excavate in the highway unless a formal permit has been issued.
- 6 We will contact your nominated contractor for a proposed start date and the permit will be issued prior to this date.
- 7 A permit to carry out work on the new junction will only be issued by the Street Authority (Cumberland Council) to contractors with the relevant street works qualification or equivalent. **No opening may be made until the Permit has been issued and before the agreed start date given by the contractor on the Works Start Notice.**
- 8 The junction must be completed to at least binder course level, which must extend for a minimum length of at least 4.5m from the existing carriageway edge into the site and temporary road markings must be applied before the construction traffic can use the junction.
- 9 Road markings must comply with the Traffic Signs Manual Chapter 3 pages 51-61.

- 10 If the developer wishes to carry out the surfacing works in two stages i.e., running traffic on the binder course he will need to book the road space before carrying out work on laying the surface course. Please contact the relevant office for a cost to book the road space.
- 11 The works must be signed, guarded and lit in accordance with the current edition of the Code of Practice "Safety at Street Works and Road Works", published by HMSO.
- 12 Should you need to change your contractor after the permit has been issued there will be a charge (please see Cumberland Council's web site for the current fees and charges – www.Cumberland.gov.uk).
- 13 If the work has not been started on the agreed date, then you must contact the relevant office for the next available date and you may be charged to book the road space. These charges are in accordance with the Councils Permit scheme, and this is calculated by the duration of the works and the road type.

The service plans are only valid for 28 days. If the work is not carried out within 28 days of the date on these plans, then you must contact the statutory undertakers for new service plans and re agree the timing of the works with the Street Authority.

- 14 Please note that the 2-year guarantee period, for works up to 1.5m depth, starts from the point when we receive the registration of reinstatement, and the reinstatement is deemed satisfactory by the Street Authority. For works over this depth there is a 3-year guarantee period. To ensure that you do not remain indefinitely responsible for the reinstatement please make sure your contractor returns the registration of reinstatement notice.
- 15 **Please note that the Street Authority cannot be held responsible for the actions of these contractors if you were to suffer any loss and/or damage due to works carried out by them. We would strongly recommend that you carry out your own checks on any contractor that you engage and that you obtain professional or specialist advice before engaging any contractor as they will be engaged entirely at your risk.**
- 16 Please note that it is an offence to deposit materials on the highway without a permit. If you wish to temporarily deposit materials on the highway, please email the relevant area office for an application form.