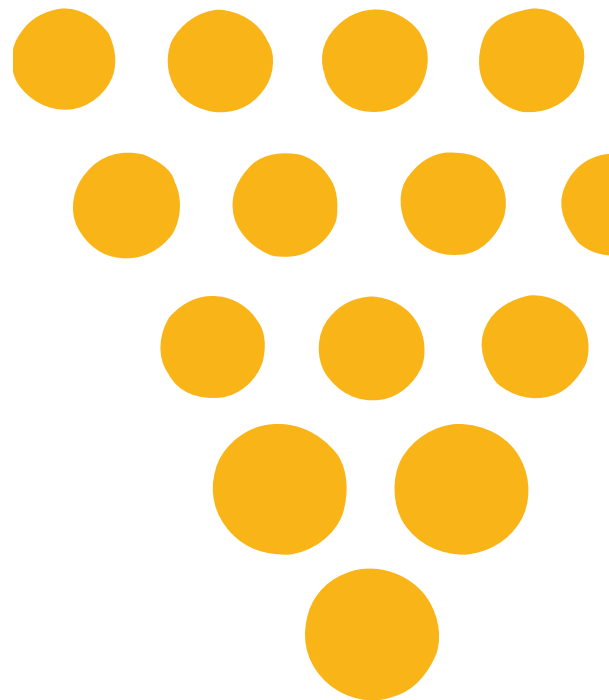


# **Cornwall Council Vehicular Crossing Guidance Notes**

## **Highways Act 1980**

## **New Roads and Street Works Act 1991**



## Guidance Notes for Applicants

### Things to consider before applying

1. **Are you the property owner?** Vehicle crossing licences will only be issued to the property owner.
2. **Do you require Planning Permission?** It is recommended that you complete the Dropped kerb/alterd access – planning permission checklist which can be found on the Cornwall Council website.
3. **Is there good visibility?** Take into consideration the location of the crossing point and any walls, hedges, columns and signs that may cause an obstruction. If the visibility is obstructed it is likely that your application for a Vehicle Crossing will be denied. If there is a requirement to remove or alter a highway sign, street lighting column or other highway feature you will be charged the full cost of these works which could cost £3,000 or more.
4. **Are there utility covers in the vicinity of the vehicle crossing?** In some circumstances it may be necessary to drop or relocate utility apparatus. If this is the case, you will need to contact the utility company to discuss. Utility companies will usually make a charge which will be at a cost to you.
5. **Are you able to cover the costs?** The Cost of having a vehicle crossing constructed can vary owing to the Contractor you use, the specification of the vehicle crossing and the need to relocate any apparatus, however, as a general rule the crossing should cost between £1000 and £3000. The fee for the Vehicle Crossing Licence can be found on the Cornwall Council website - Apply to install a new dropped kerb or alter an existing access.

### Potential Costs

Works	Potential Charge
Standard vehicle crossing	£1000 to £3000
<b>Works that may be required in addition to the Vehicle Crossing</b>	
Relocating a Street lighting column	£1000
Relocating of signs	A minimum of £150
Works to Utility apparatus	£1200

Please note that these costs are for guidance purposes only to enable you to assess the costs that may be incurred. Owing to this it is possible that costs could be significantly different and therefore we recommend that you obtain firm quotations where necessary from all parties involved.

In order to establish the suitability of your site for a vehicular crossing, a site visit will be required.

### **When making your application the following points should be considered:**

- Planning Consent. Vehicle crossings may require planning permission and it is recommended that you complete the Dropped kerb/alterd access – planning permission checklist. This can be found on the Cornwall Council web site.
  - It is your responsibility to ensure that the correct permissions are obtained prior to making an application to the Streetworks Team. The planning permission checklist has been prepared to help you decide whether planning permission is required. The answer will only be correct if the information you provide is accurate. The results

are not binding upon the Council. It cannot be relied upon as Certificate of Lawful Development and does not prejudice any formal action the Council may take if the works are subsequently found to be unauthorised. If you are in any doubt or the particular circumstances of your case do not fit squarely within the prompted questions it is advisable to use one of the above listed services on the checklist and pay the appropriate fee.

Please be aware that in the event of a vehicle access being installed that is subsequently found not to have the required permissions, it is your responsibility for arranging and paying for it to be reinstated to match the original condition. Should this not occur, then the Highway Authority may undertake this work and recharge the costs to you.

- Accredited Contractor, you must nominate a company that holds both the Streetworks Supervisor and Operative qualification and also Public Liability Insurance with a minimum cover of £5 million.
- The person granted a Street Works Licence (applicant) becomes an Undertaker for the purpose of the New Roads and Street Works Act 1991 [NRSWA], and therefore attracts the relevant duties and responsibilities imposed by the Act and the associated Secondary Legislation and Codes of Practices. This liability cannot be delegated to any other person or organisation.
- Specification. The vehicle crossing must be constructed in accordance with the specifications and drawings which can be obtained on Cornwall Councils website [www.cornwall.gov.uk](http://www.cornwall.gov.uk) under Highway Construction Details reference 11/6 Private Access Construction.

### **Construction Layers**

Layer	Material	Minimum Layer Thickness (mm)	
Surface Course	6mm Asphaltic Concrete (AC6 Dense surf 100/150) to BSEN 13108 Pt1 (2006) & PD6691 (2007) Annex B	25	N/A
Binder Course	20mm Asphaltic Concrete (AC 20 Dense BIN 100/150 REC) to BSEN 13108 Pt 1(2006) & PD6691 (2007) Annex B	60 (110) *See Note 1	60 (110) *See Note 1
	Laying course for blocks – Natural sand confirming to BSEN 7533-3: 2005 Category II & BSEN 12620:2002	N/A	30
Sub-Base	Type 1 Granular Sub-base to SHW Clause 803	150	150

#### **Notes**

1. For areas subject to vehicular traffic, i.e. footway crossovers an additional 50mm binder course shall be laid
2. Vehicle Crossings as part of a development may require Technical Approval from Estate Roads prior to application.

### **Your Contractor: Whom should you choose?**

A competent contractor will be able to assist you to complete the forms. You will need to ensure that they have the relevant experience and knowledge of the NRSWA. It is your legal responsibility to ensure that all persons working on the Highway on your works do have the appropriate accreditation.

It is your responsibility under the NRSWA to guarantee the work for 2 or 3 years for trench depths up to 1.5 metres and over 1.5 metres respectively, therefore you are advised to seek the same assurance from your contractor.

Your Accredited Contractor must be covered by £5 million Public Liability Insurance. This must indemnify the Street Authority against any claim in respect of injury, damage or loss arising out of the placing or presence in the Street of apparatus to which the licence relates or the execution by any person of any work authorised by the licence in accordance with The New Roads & Street Works Act 1991.

The Accredited Contractor will need to have Street works qualifications for both a Supervisor and Operative. Your contractor will need to supply front and back copies of the cards with the application along with a copy of their Public Liability Insurance which must have a minimum cover of £5 million. Contractors without street works accreditation or public liability insurance will not be allowed to work on the Highway.

Accredited contractors can be found on the Internet by searching for Ground work Contractors or Street works Contractors Companies or you can view the Trading Standards buy with confidence website – Buy with Confidence Trading Standards Approved website - <https://www.buywithconfidence.gov.uk>

### **Fees**

The fee for a vehicle crossing licence can be found on the Cornwall Council website – Apply to install a new dropped kerb or alter an existing access.

Should you decide not to continue with the works once the licence has been issued a refund will not be given for the administration cost or the pre-site survey.

A licence will provide a six month period for work to begin. Work will also not be permitted to start until a licence has been issued and a start date notified to this office as indicated below. If you wish to extend the dates of the licence past the six month period you will need to contact the Street works department to arrange new dates. An administration charge of £50 will be incurred.

All licence fees will be invoiced to the Applicant or Contractor as stated on the application form

### **Inspection Fees**

Inspection Fees are charged at £47.50. Your initial inspection fee is included in the licence fee therefore further charges will only be incurred for follow up defect failures or a passed inspection upon completion of remedial works. For Example:

1<sup>st</sup> January 2022 – Cornwall Council completes a Category B Sample Inspection that Fails – No Charge

1<sup>st</sup> February 2022 – Cornwall Council completes a Follow up inspection that fails as the remedial work has not been completed - £47.50

1<sup>st</sup> March 2022 – Cornwall Council completed a Follow up inspection that passes as the remedial works has been completed – £47.50

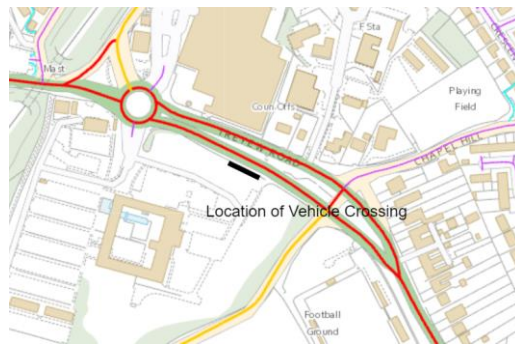
In this example the total inspection fees payable is £95. The longer it takes to complete the remedial works the more Inspection fees that will be incurred.

### **Location Plan**

Every application MUST be accompanied by a location plan showing where you would like the vehicle crossing installed.

This can be in the format of a map, photograph/street view or drawing as per the below:

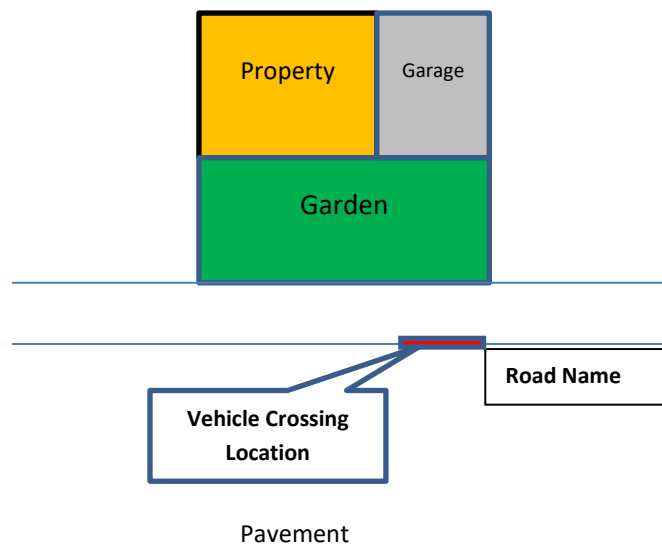
#### Map:



#### Street view:



#### Drawing:



#### Mapping

If you do not have access to a mapping system of your own there are some options available to you online for free

1. Cornwall Councils Interactive Mapping - <https://map.cornwall.gov.uk/website/ccmap/>
2. One.network - <https://one.network/> - You will need to create an account, however, this is a free to use app and once you are signed up you can view any current or planned works as well as traffic sensitivity times, seasonal embargos and reinstatement categories. It also provides details of road closures and diversion routes.
3. Google Maps/Street view

## **What happens next?**

Once we have received your application we will liaise with our Network Management team and request that our Street works Inspector carries out an onsite inspection to confirm the suitability of the location. On some occasions we may need to involve our Estate Roads team as vehicle crossing as part of a development may also require Technical Approval. Should this be the case we will contact you and advise you who you will need to speak to. Please be advised there is an additional cost involved should you need Technical Approval.

Once we receive approval from all the departments, we will issue you a licence to carry out the vehicle crossing and will also advise of any additional conditions needed on the Approval Letter and Licence. For example; you may require drainage to ensure that excess water does not run onto the Highway or it may require the relocation of apparatus. If utility apparatus is affected, then the cost of alterations or protection will be your sole responsibility.

## **Notice Required for the Works**

**For works that require a Temporary Traffic Regulation Order (TTRO)** for a Road Closure, Speed Restriction etc, the Applicant **MUST** give **3 months advance notice** of the intended start date to the Street Authority (Cornwall Council) by submitting the completed Vehicle Crossing application form and the N2 form. Please note that if you require a TTRO additional paperwork will be required.

All other Vehicle Crossing applications require the completed pack and the N2 form **6 weeks in advance of the start date.**

Applicants should note that: - Special conditions may be imposed by the Street Authority: -

- I. In the interest of safety;
- II. To minimise the inconvenience to persons using the street, having particular regard to people with a disability;
- III. For Traffic Sensitive Streets, Streets with Special Engineering Difficulties and Protected Streets; To protect the structure of the street and integrity of the apparatus in it.

## **Actual Starts**

In order for the Street Authority to monitor the works **you are required to notify Streetworks that works have begun on site within 2 hours of starting. This can be done by submitting an N3 notice or by emailing [streetworks@cornwall.gov.uk](mailto:streetworks@cornwall.gov.uk)**

## **Works Stops**

In order for the Street Authority to provide accurate data **you are required to notify Streetworks that works have been completed on site within 2 hours of ending. This can be done by submitting an R1 notice or by emailing [streetworks@cornwall.gov.uk](mailto:streetworks@cornwall.gov.uk)**

## **Registrations**

For permanent reinstatements form R1 needs to be submitted no more than 10 working days after the works have stopped. This can be emailed to [streetworks@cornwall.gov.uk](mailto:streetworks@cornwall.gov.uk)

If an interim reinstatement is carried out form R1 needs to be submitted no more than 10 working days after the works have stopped. This can be emailed to [streetworks@cornwall.gov.uk](mailto:streetworks@cornwall.gov.uk)

Interim reinstatements must be made permanent within 6 months. In this case your contractor will need to submit an N2 notice to advise the Street Authority of the dates in which the works are going to be completed. All other notices, N3, R1 are to be submitted as per the above.

### **Revised Durations**

- If after your licence has been issued you wish to amend the dates your contractor will need to submit an N2 notice to advise the Street Authority of the dates in which the works are going to be completed.
- If the works have already started but are going to take longer than initially thought your contractor will need to submit an N3 notice to advise the Street Authority of date on which the works are going to be completed.

To ensure works can continue this needs to be done at your earliest opportunity or at the very latest 2 days before the works were due to end or 20% of the entire duration.

Please note that failure to adhere to these timescales may result in your extension request being refused.

### **Guarantee of Works**

The guarantee period will begin from the date the Street Authority is notified (by form R1) of the permanent reinstatement and will last for 2 years for excavations up to 1.5m deep and 3 years for deeper ones.

As the licence is such an important document it is strongly recommended that it be kept with the title deeds to your property. This will ensure that your conveyancing solicitor passes your liability on to any new owner.

### **Data Protection**

#### **Who will control my data?**

The Data Controller for all the information you provide on this form is Cornwall Council, New County Hall, Treyew Road, Truro TR1 3AY. Data Protection Registration Number: Z1745294

#### **Why do you need my information?**

You have asked us to provide you with a Vehicle Crossing licence so we need your name, address and contact details in order to issue your legal document to make alterations to the Highway. Without them we will not be able to provide you with the service.

#### **How we will use the information about you?**

The information you provide on this form will be used to provide you with a Vehicle Crossing Licence.

Cornwall Council is required under Section 184 of the Highways Act 1980 and Section 53 of the New Roads and Street works Act 1991 to issue a licence to install a Vehicle crossing on the Highway and also to maintain a register showing with respect to each street for which they are responsible such information as may be prescribed with respect to the street works, and such other descriptions of works as may be prescribed executed or proposed to be executed in the street.

#### **Who else will we share your information with?**

We will use this information in conjunction with our service partners within Cornwall Council, particularly Cormac Solutions Ltd who may require information on the works.

Occasionally we will need to release details of the works to external Statutory Undertakers, however, no personal information will be supplied only the location of the works and details of the Accredited Contractor.

Upon issuing of the licence we will send a copy to your nominated Accredited Contractor for confirmation.

### **How long will you keep this information for?**

As part of Cornwall Council's duty as a Highway Authority the Street works service is required to maintain an accurate and permanent record of works. Your application and the details it contains may be entered into the Streetworks services permanent records as evidence of works carried out within the extent of the adopted highway.

### **What are my data rights?**

Your personal information belongs to you and you have the right to:

- be informed of how we will process it
- request a copy of what we hold about you and in commonly used electronic format if you wish (if you provided this to us electronically for automated processing, we will return it in the same way)
- have it amended if it's incorrect or incomplete
- have it deleted (where we do not have a legal requirement to retain it)
- withdraw your consent if you no longer wish us to process
- restrict how we process it
- object to us using it for marketing or research purposes
- object to us using it in relation to a legal task or in the exercise of an official authority
- request that a person reviews an automated decision where it has had an adverse effect on you

### **How do I exercise these rights?**

If you would like to access any of the information we hold about you or have concerns regarding the way we have processed your information, please contact Street works on [streetworks@cornwall.gov.uk](mailto:streetworks@cornwall.gov.uk)