

Proposed Construction of a Vehicular Crossing Facility

Thank you for your enquiry about the construction of a vehicular crossing facility.

Any resident who wishes to take their vehicle over the footway must make an application to the Council in accordance with Section 184 of the Highways Act 1980 for permission to construct a vehicular crossing facility.

A vehicular crossing facility alters the construction of the kerbline and pavement to ensure no damage is caused to the apparatus (pipes or cables) underneath the footway. This then allows access to your property legally, safely and easily when you are using a car or other domestic vehicle.

For a vehicle to be allowed to drive on to your property legally you must have an approved vehicular crossing facility installed and have been issued with permission to show you have complied with current legislation.

The installation of a legal vehicular crossing facility with permission can add thousands of pounds on to the value of your property and many solicitors now require documented proof when selling properties.

I have enclosed an application form, location plan of the area, and the summary of conditions which must be read before proceeding with your application. You don't need to pay any fees at this stage but you must:

- **complete parts 1 and 2 of the application form** *and,*

If approval is given, we will send your application form back to you for you to complete and provide details of your chosen contractor.

Before you apply please be aware of the following:

1. If your application is approved the council requires payment of a fee in the sum of £162.21 for an initial survey, Section 184 works license, vehicular crossing standard design specification, administration and final inspection. Please note that this fee is separate and additional to any sum that you agree with your chosen contractor for the cost of constructing the vehicular crossing facility. This fee is listed on the Councils published list of fees and charges under “Vehicular Crossings – Consultation and Final Inspection”
2. Before the vehicular crossing facility can be constructed you must have a hardstanding (parking area) or driveway on the property which is a minimum size of 5 metres long by 2.5 metres wide required by our colleagues in Planning. The Council has a duty to ensure the safe passage along the highway network and we have to ensure that a vehicle would not overhanging the pavement, causing an obstruction to pedestrians and other users of the highway network.
3. If you need to construct a hardstanding (parking area) or driveway then please check the “Find Out If You Need Planning Permission” section on the Kirklees website. [Find out if you need planning permission | Kirklees Council](#)
4. Before the vehicular crossing facility can be constructed you must have a hardstanding (parking area) with a sealed surface (tarmac, stone or concrete) for example – not grassed or unbound material such as shale or pebbles as they could wash onto the highway network causing a potential obstruction or danger to users.
5. Before the vehicular crossing facility can be constructed your hardstanding (parking area) or driveway must have a way of preventing surface water from flowing onto the pavement and road. This is to comply with Section 163 of the Highways Act 1980.
6. If you are a tenant of Kirklees Homes & Neighbourhoods or live in a former Kirklees Homes and Neighbourhoods property please note that you will need to speak to your local Housing Officer and request their written permission to construct a driveway or hardstanding (parking area) before completing the vehicular crossing application form. You can contact Homes and Neighbourhoods by email housing@kirklees.gov.uk or by phone **01484 414886**.
7. If the location is within a conservation area or there are listed structures on site then consent may be required. To check if this is the case please contact the Conservation and Design Department on 01484 414909 or by email at conservationdesign@kirklees.gov.uk. Consent applications can be made online at www.planningportal.gov.uk.
8. Any application to construct a vehicular crossing facility to serve a means of access that exits onto a classified road (either an A, B or C road) requires planning permission, prior to any application being submitted to Highways Service. Planning applications can be made online at www.planningportal.gov.uk.
9. If a highway tree is situated within the area where you wish to construct a vehicular crossing facility, you must contact the Forestry team by email forestry@kirklees.gov.uk or by phone **01484 221000** to obtain written permission for the tree to be removed. Please note the cost of any works will be the responsibility of the applicant and also *“The Council’s Forestry Team will not support the removal of trees for vehicle drop crossings unless the tree is of limited life expectancy, or a suitable mitigation scheme is agreed. All trees removed will be replaced with suitable specimens and all costs for removal and replacement will be borne by the person*

applying for the drop crossing, calculated using the Capital Asset Valuation of Amenity Trees (CAVAT) methodology.

10. If a street lamp or sign is situated within the area where you wish to construct a vehicular crossing facility, you must contact the Street Lighting & Signs team by email highways.streetlighting@kirklees.gov.uk or by phone **01484 221000** to obtain written permission for the street lamp or sign to be moved. Please note the cost of any works will be the responsibility of the applicant.

11. If utility apparatus or street furniture is situated within the area where you wish to construct a vehicular crossing facility, you must first contact the owner of the apparatus (Virgin Media, BT, Yorkshire Water etc) and ask if the location of their apparatus can be altered or diverted and the applicant shall bear all costs incurred. No work shall start until any necessary works to the apparatus has been agreed with the owner of the apparatus and a copy of their written permission provided.

12. Please note that the construction of a vehicular crossing facility does not give the occupier of the premises any particular rights, except to drive across the footway to gain access to their property with a car or domestic vehicle. The vehicular crossing will continue to form part of the adopted highway network (you will not own the land) and users of the highway network must not be obstructed at anytime in their safe passage along the highway network.

To ensure we can provide you with a response in a timely and informative manner you are encouraged to return the completed application form by email to vehicle.crossing@kirklees.gov.uk where possible.

If you would like any further information, please call Highways Service on **01484 225306** and select **option 1** or email vehicle.crossing@kirklees.gov.uk

Yours sincerely

James Donoghue
Principal Technical Officer – Highway Maintenance & Claims
Highways – Kirklees Council

Ref:	VX No.	RCT
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PART 1		NAME AND ADDRESS OF THE OWNER/OCCUPIER OF THE PROPERTY					
Name							
Address							
Postcode							
Telephone							
e-mail							
PART 2		LOCATION AND DETAILS OF PROPOSED VEHICULAR CROSSING					
House/No.							
Road/Street							
Town/Area							
Property Status		privately owned		rented		Kirklees owned property or former Kirklees owned property	
Position of Crossing		new Crossing		extend existing crossing			
		As seen from the front of the property is the crossing to the:					
		left	<input type="checkbox"/>	right	<input type="checkbox"/>	centre	<input type="checkbox"/>
						other	<input type="checkbox"/>
Conservation Area		Is the site located within a conservation area? Yes			No		
Listed Building		Are any structures within the site Listed? Yes			No		
Proposed Start							
Planning consent (Required for all classified roads either A,B or C Roads)		Application No.		Approval Date.		N/A	
PART 3		DETAILS OF CONTRACTOR UNDERTAKING CONSTRUCTION					
Name							
Address							
Postcode							
Telephone							
e-mail							
		NEW ROADS and STREET WORKS ACT 1991 (NRASWA)					
		Please Note: NRASWA accreditation is for Street Works and not Building Works					
Supervisor		Name.		Accreditation No.			
Operative		Name.		Accreditation No.			
PART 4		DETAILS OF CONTRACTORS PUBLIC LIABILITY INSURANCE					
Ins Company							
Policy No.							
Pub. Liability		£ (Minimum Amount Required £10 million pound)					
Expiry Date							
DECLARATION		TO BE SIGNED BY THE OWNER/OCCUPIER OF THE PROPERTY					
		I confirm that I understand the attached listed conditions, and that any works will be carried out in full compliance.					
Signed.		Print Name.			Date.		
		Additional comments or further information to support application					

HIGHWAYS ACT 1980

Section 184 - Construction of Vehicular Crossings

Summary of Conditions - Applicant

- 1. Where apparatus or street furniture has to be altered or moved i.e Street Lamps, Trees or Utility Cabinets, the applicant shall bear all costs incurred. No work shall start until any necessary works to the apparatus has been agreed with the owner of the apparatus and a copy of their written permission provided.**
- 2. The Council requires payment of a fee for initial survey, Section 184 licence, vehicular crossing standard design specification administration and final inspection in the sum of £162.21. This fee is listed on the Councils published list of fees and charges under “Vehicular Crossings – Consultation and Final Inspection” – No contractor can commence works until this payment has been received and the applicant has been provided with a receipt of payment.**
- 3. Following payment of £162.21 having been received by the authority the applicants chosen contractor shall obtain all relevant statutory undertakers apparatus plans from the statutory undertakers direct. Once in receipt of all relevant statutory undertakers apparatus plans the contractor must then contact the Councils Streetworks Team to request permission to work in the public highway network and book appropriate road space. Please refer to Summary of Conditions For Appointed Contractor - Streetworks information provided.**
- 4. The applicants chosen contractor must indemnify the Council against any claim in respect of injury, damage or loss, arising in consequence of the construction of the crossing. This indemnity must include Public Liability Insurance in the sum of not less than £10 million and copy of a certificate of insurance is required.**
- 5. The applicants chosen contractor must provide all the necessary signs, cones, barriers, lamps, etc. and take all such measures as necessary to meet the prescribed requirements for the signing, guarding and lighting of street works as set out in “Safety at Street Works and Road Works: a Code of Practice”, having particular regard to the needs of vulnerable users of the highway network.**
- 6. Construction of the vehicular crossing must be supervised by a person having a prescribed qualification under the New Roads and Street Works Act 1991 as a supervisor; and they must be on site at all times when such works are in progress at least one person having a prescribed qualification under the New Roads and Street Works Act 1991 as a trained operative.**
- 7. Construction of the vehicular crossing must be to the Council’s current specification, a copy of which will be provided should consent be given. All materials must be taken to an authorised waste disposal site unless authorised otherwise, in writing, by the Council.**
- 8. The applicant shall inform the Council upon completion of the construction of the crossing to enable a final inspection of workmanship and materials to take place. Your chosen contractor will guarantee the construction for a period of 2 years thereafter. Should the crossing fail the final inspection for any reason, the applicant’s chosen contractor will carry out such remedial works as notified by the Council and will pay any reasonable costs incurred.**
- 9. The applicant must provide a copy of the “Summary of Conditions For Appointed Contractor– Streetworks” to your chosen contractor to ensure they are aware of their obligations.**

Section 184 - Construction of Vehicular Crossings

Summary of Conditions For Appointed Contractor– Streetworks

Once your client/customer has obtained the necessary permission to construct a vehicular crossing facility in accordance with Section 184 of the Highways Act 1980 would you please then contact the council's Streetworks Team so that your works on the highway network can be co-ordinated and any traffic management agreed.

Once you have a start date in mind to do the construction of the vehicular crossing, would you please email the following information to the Streetworks Team at: highways.nraswa@kirklees.gov.uk

- Address/location for the construction of the vehicular crossing facility
- VX number provided on the approval your client/customer received from the council
- Proposed start date
- Estimated duration
- Traffic management to be used
- Pedestrian management to be used
- Contact name/telephone number

If the proposed duration is up to 3 working days, please provide this information at least 3 working days before the proposed start date. For durations over 3 working days, please provide this information at least 5 working days before the proposed start date.

The Streetworks Team will carry out co-ordination checks, to see whether any other works or activities on the highway have been booked for the period covered by your proposed start date and duration. If other works/activities have been notified to the council, the Streetworks Team will contact you to discuss whether joint working might be possible or to agree different dates for the works.

You can check to see what road space bookings have already been received for current and planned works and events via visiting the following link: <https://one.network/>

The Streetworks Team will also need to agree the use of appropriate traffic management and pedestrian management for the works.

Once works to construct the vehicular crossing facility have been completed please ask your client/customer to notify the authority by emailing vehicle.crossing@kirklees.gov.uk we will then perform a final inspection to ensure that the works undertaken meet our specification and that appropriate road space was booked to undertake the works.

Any contractor undertaking works within the highway network without having booked road space will be liable to prosecution under the New Roads & Streetworks Act 1991 and/or Highways Act 1980.

Any contractor undertaking works within the highway network without having booked road space will be removed from the Councils approved list of contractors document.