

Guidance Notes – Temporary Excavation

- 1 This application must be made at least 4 weeks before commencement of any works in order that Statutory Utilities are consulted and information on their services collected. A location plan (preferably OS Extract Scale 1:2500) should be supplied with this application.
- 2 On receipt of your application, our compliance officer will carry out a site inspection.
- 3 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 S171 and the first line of your address as the payment reference.
- 4 It is an offence under S131 of the Highways Act 1980 to excavate in the highway unless a formal permit has been issued.
- 5 If approved, we will contact your nominated contractor for a proposed start date and the permit will be issued prior to this date.
- 6 A permit to carry out work in the highway will only be issued by the Street Authority (Cumberland Council) to contractors with the relevant street works qualification or equivalent. If they are unable to provide this information you would need to choose an alternative contractor. **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.**
- 7 Should you need to change your contractor after the permit has been issued there will be a charge to do this (please see Cumberland Council's web site for the current fees and charges – www.Cumberland.gov.uk) when your application has been processed.
- 8 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.
- 9 **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.

- 10 Please note that it is an offence to excavate in or 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.