

Appendix D – Traffic Management Act 2004 and New Roads & Street Works Act 1991

1.1 Introduction

1.1. For the purposes of booking Road Space and Permitting, it is assumed that all S278 proposals are deemed 'Major Works', i.e., planned activity that lasts 11 days or more or one requiring a Temporary Traffic Order.

1.2 For clarification, Standard Works are those which last between 4 and 10 days and therefore only require a 10-day Permit Request Period. The Council's decision on type of notice applicable for any scheme shall be final.

1.3 The Developer / Contractor **MUST** ensure that sufficient notice is given to enable NYC to comply with the required Permitting periods.

1.2 Provisional Advance Authorisation – 3 Months

1.2.1 An advance notification requires **a minimum of 3 months' notice prior** to works commencing on site. Such permit requests will not be submitted until detail design approval has almost been achieved bar a few very minor items, temporary traffic management has been agreed by all relevant parties and NYC are content with the works programme.

1.2.2 Failure to submit this at least 3 months in advance of the proposed start date will mean the S278 Works will not be able to commence on the planned date. In exceptional circumstances, the local Streetworks Co-ordinator may permit an "early start", BUT this should not be relied upon. The potential for any Early Starts can be discussed during the Construction Pre-Start Meeting.

1.3 Permit Application – 10 Days

1.3.1 In addition to the above 3 month notification, a permit application must be served **a minimum of 10 working days before** commencement on site.

1.4 S74 In-Progress and Works Closed Notices

1.4.1 A start notice must be served **within 1 working day** of works commencement; similarly, a stop notice must be issued **within 1 working day** of works finish.

1.5 Extensions of Time – Works Overruns

1.5.1 If works are likely to overrun the planned duration, an email must be sent to NYC Streetworks with a copy to NYC Engineer requesting an extension BEFORE the expiry of the current notice. Valid reasons for the extension request must be clearly stated; the Contractor is expected to ensure site is fully staffed as periods of inactivity will need to be fully justified.

1.5.2 Where the requested extension conflicts with other permitted street works or programmed events, the Streetworks Co-ordinator is likely to refuse the extension. In such cases, NYC's Engineer will require the Contractor to 'make safe' the Works at the Contractors expense and agree a future time for the Works to be completed.

1.6 Registration Notices

1.6.1 A Registration notice must be served **within 10 working days** of the works finish.

1.7 Responsibility

1.7.1 The Developer / Consultant is responsible for requesting the Council to initiate each step in this process. Should the process not be followed, any works that commence on the highway will be unauthorised and could be immediately suspended by NYC as the Streetworks Authority. Any claims for any disruption or delay from either the Contractor or Developer shall NOT be accepted by the Highway Authority as it is the Developer's/Contractor's responsibility to inform the Streetworks Authority in good time.

1.7.2 This process in no way absolves the Developer/Consultant of their responsibility to contact all Statutory Undertakers regarding location of any existing plant. Nor does it alter the Developer's/Consultant's responsibility with regard to the placing of orders with the Statutory Undertakers for any diversionary or protection works that may be necessary in conjunction with the works as it is their responsibility to ensure this is programmed in accurately and In good time.

1.7.3 Final surfacing to both carriageway and footway must only be carried out AFTER all supply & service connections have been completed; NYC reserve the right to require appropriate full resurfacing where any final surfacing has been trenched due to lack of planning / coordination.

1.8 Section 58 – Advance Notification Form 'A'

1.8.1 To enable 'Major Works' to be protected under Section 58 of the legislation, preventing non-exempt utility works for a period of up to five years from works completion, NYC may serve a formal notice to all Statutory Undertakers.

1.8.2 The notice, providing full works details, including accurate location information, is served three months in advance of the commencement on site. Additionally, the scheme must also be raised a minimum three months in advance at the appropriate local Streetworks coordination meeting to qualify under Section 58 of the Act.

