

COUNTY COUNCIL OF DURHAM
REGULATIONS FOR THE OPENING OF SURFACES
OF COUNTY ROADS

APPLICATIONS

- Definition 1. The word "Council" shall mean the County Council of Durham, and the word "Director" shall mean the Corporate Director of Regeneration and Local Services for the said Council for the time being, his Deputy or other duly accredited representative or agent of the Council.

N.B. This Application should only be made for openings in the highway for sewer connections, trial holes, repairs to private underground apparatus and the like. Where the applicant intends to place apparatus in or under the highway, then the applicant will require a Section 50 licence under the New Roads and Street Works Act 1991. This will also apply to apparatus that will be adopted by a statutory undertaker.

- Length of notice required 2. Applications must be made to the Corporate Director, Regeneration and Local Services, County Hall, Durham, DH1 5UQ on the enclosed application form (Form RO1) which must be duly completed and signed by the applicant or by an authorised person on his behalf and received by the Director at least three clear days before the work is proposed to be carried out.

OPENING TIMES AND TEMPORARY REINSTATEMENT

- Permission for opening 3. No portion of the highway must be disturbed or obstructed, except in emergency, until the Council's permission (Form RO3) has been given in response to this application and the whole of the work is to be carried out to the approval of the Director or his representative.

The applicant is required, as a condition precedent to permission being granted, to undertake to reinstate the street, according to Section 70 and Section 71 of the New Roads and Street Works Act 1991.

- Drains under control of Council 4. No connection is to be made to any drain or conduit under the control of the Council unless the Director has previously given special sanction to the applicant in writing.

- Permanent surface apparatus 5. Where manhole and inspection chambers are going to be adopted by the water company then all manhole and other inspection covers to be set to the carriageway surface by the applicant shall be of approved design and the covers shall be bedded so as to conform with the cambered surface of the road and no projections or depressions in the surface shall be permitted.

N.B. Where manholes or inspection chambers are to be adopted by the water company, then the applicant will similarly require a Section 50 licence under the New Roads and Street Works Act 1991.

- Provision of guard fences and traffic control 6. Before commencing work the portion of the highway to be broken open must be properly fenced with conspicuous guard fences or barriers to prevent all danger to traffic, pedestrians and animals. Prominent warning notices, which accord with Chapter 8 of the Traffic Signs Manual, must be exhibited on each approach to the work. If between sunset and sunrise the trench remains open or there is any obstruction on the highway, proper and sufficient lights must be provided and kept alight to warn traffic. The width available for traffic must at all times be as great as possible and every precaution taken to ensure full facilities for free and safe passage of traffic.

Where one-way traffic operation is unavoidable, the applicant must apply for permission from the County Council to erect suitable temporary traffic control. An application form can be provided on request.

Disposition and separation of excavated materials	7.	<p>All material removed shall be carefully separated into its various classes, all hard road material being kept free from soil or other excavated material for reuse as backfill, if acceptable. Where possible excavated materials shall be deposited on the roadside verge and not on the metalled surface of the road; all precautions must be taken to prevent danger to traffic, pedestrians and animals and to prevent nuisance or damage occasioned by depositing materials or equipment in, or on, the verge, or adjacent to hedges, trees, ditches, gateways, etc.</p>
Support of trenches	8.	<p>The sides of the trench shall be properly supported where necessary and the applicant will be held responsible for any damage resulting from a slip or breaking away of the soil and road construction along the trench.</p> <p>If support has been omitted which in the opinion of the Director is necessary, or if the support is insufficient, then the applicant shall on verbal or written demand at once construct such support or strengthen such existing support to the satisfaction of the Director.</p> <p>Where the Director so requires, support shall be left permanently in position on backfilling being undertaken. This clause equally applies to tunnelling (see Clause 18). In such case no charge shall be made against the County Council.</p>
Pipe joints concrete	9.	<p>All pipes laid under the highway shall be jointed to the satisfaction of the Director. Any stoneware, earthenware or weak pipes laid under the carriageway at a depth of less than 1 metre from the surface of the road to the top of the pipes must be surrounded with concrete type ST2 (or equivalent strength designed mix) 150mm thick. The Council accepts no liability in respect of damage to any pipes or conduits caused by traffic or otherwise.</p>
Filling of trenches	10.	<p>Only suitable material shall be backfilled into the trench and the Director reserves the right to reject any unsuitable material, which shall thereupon be removed from the site by the applicant.</p>
Trench backfill and reinstatement of opening	11.	<p>The road opening shall be reinstated in accordance with one of the methods specified in Appendices A3 to A7 of the Specification for the Reinstatement of Openings in Highways, depending on the relevant Type of road or footpath.</p> <p>The permitted materials and layer thicknesses are specified in Appendices A1 and A2 of the above Specification.</p>
Disposal of excavate material. Removal of obstructions. Temporary and permanent	12.	<p>All surplus soil and debris must be removed from the highway at once.</p> <p>Obstructions and guard fences are to be removed as soon as the trench has been properly refilled and debris has been removed. The applicant shall at once temporarily reinstate any road surface damaged by the fencing.</p>
	13.	<p>The applicant shall undertake all temporary reinstatement to the satisfaction of the Director and the whole of the surface disturbed shall be maintained in a satisfactory condition until the permanent reinstatement is carried out. Temporary reinstatements have to meet the same performance standards as permanent reinstatements.</p> <p>The applicant shall undertake final reinstatement of all concrete foundations and concrete carriageway.</p>
	14.	<p>After replacing and temporarily making good the surface of the highway the applicant shall keep it in repair for such period as subsidence may occur and until the trench is permanently reinstated by the applicant and at his own expense carry out any necessary work for the protection of the public.</p> <p>The guarantee periods for reinstatements are set out in Section S1.2 of the</p>

above Specification; two years from completion of permanent reinstatement, except for deep openings where the period is three years. A deep opening is one where the apparatus has more than 1.5 metres depth of cover, except where this depth is exceeded only intermittently in short lengths of a longer trench.

- | | | |
|--|-----|--|
| Special supervision | 15. | Should the Director consider the work sufficiently important to need special additional supervision, the applicant will be required to pay the Council's costs for each day during which special supervision is provided. |
| Broken pipes and conduits | 16. | The applicant shall be responsible for damage that may accrue to any watercourses, pipes, conduits, cables or other existing works disturbed by the execution of any work carried out there under and should any such damage occur the applicant must immediately notify the owner concerned and the Director. |
| Tunnelling and headings | 17. | Tunnelling shall not be permitted unless permission is first obtained from the Director. Such permission may be granted only subject to the applicant undertaking to notify the Director or his representative when filling in is to be proceeded with. The Director reserves the right to require backfilling of headings in mass concrete or otherwise in substitution of excavated material. A representative of the Director must be present when backfilling is undertaken and the cost so incurred will be charged to the applicant. |
| Use of mechanical boring machine | 18. | Permission may be given on application to the Director for the use of an approved type of mechanical boring machine where conditions are considered to be satisfactory for its use on the understanding that the applicant accepts all responsibility for damage to drains, cables, mains, etc., or to any services in the road or to the road itself and subject to an undertaking to notify the Director when the machine will commence. |
| Consolidation and permanent reinstatement | 19. | When the trench is properly consolidated and the permanent reinstatement carried out the applicant shall notify the Council by completing and forwarding to the Director the lower portion of form RO3. |
| Procedure in respect of broken setts and flag paving | 20. | Where kerbs, setts or flag paving are to be disturbed the applicant or his representative and the Director or his representative will inspect the course of the proposed trench, both before the trench is opened and before it is finally reinstated; half the cost of providing new flags shall be paid for by the applicant where flags, etc. are found to be broken before the ground is disturbed and also in the case of flags which when taken up are found unsuitable for reuse. Flags broken during work or before the final restatement is undertaken, whether the break is serious or not, to be paid for in full. If the applicant breaks up a road without the Director first being given an opportunity to inspect the condition of the paving, etc. disturbed, the applicant must accept full responsibility for all damage to the flags and other surfaces within the area disturbed by the works. |
| Disturbance of flags | 21. | Where it is necessary to disturb a width of flag paving greater than that of the trench, permanent reinstatement must be made for the whole area disturbed. |

GENERAL

- | | | |
|---|-----|--|
| Applicant to indemnify Council | 22. | The applicant must indemnify the Council from and against all claims for injury, damage or accidents directly or indirectly arising out of or in consequence of the opening or temporary reinstatement of the road surface until the trench (or section thereof) is permanently reinstated by the applicant. |
| Provision for temporary closing of road | 23. | No road may be closed temporarily to traffic by the applicant. Where temporary closing to traffic is unavoidable the applicant must notify the Director in writing, at least two months before the date when it is desired to undertake the work which will necessitate the closing of the road. The applicant shall repay to the Council any costs incurred on the making and advertising of such Orders as may be necessary or otherwise in connection |

with the closing of the road.

Breach of regulations 24. If the applicant commits any breach of these Regulations the Council shall be at liberty to carry out all such works as they consider necessary at the expense of the applicant and on his behalf.

NB: Prior to commencing the work in respect of which the application is made, all Statutory Undertakers shall be given notice of applicant's intention, viz British Telecom, NEDL, Northern Gas Networks, Northumbrian Water and Local Authorities, etc.

Corporate Director, Regeneration and Local Services, County Hall, Durham, DH1 5UQ