

Vehicle Crossing Guidance

Before a vehicle crossing can be constructed across the public highway, you must first obtain permission from the Local Highway authority, Milton Keynes Council. The process is designed to ensure the safety of users of the highway and to protect the public asset.

Please read the guidance on the Councils website at <https://www.milton-keynes.gov.uk/highways-and-transport-hub/managing-our-highways/vehicle-crossings-and-dropped-kerbs> to ensure that you understand the process before you start an application. The guidance includes a flow-chart to explain the process.

The process is split into 3 parts; **Application**, **Construction** and **Approval** by the Council.

APPLICATION

- Before making an application, potential Applicants should read the guidance documentation.
- There is a non-refundable Application Fee of £195.00 residential (£825.00 Commercial)
- Note that separate 'in and out' crossings are not generally permitted by the Council
- Applicants must have a hardstanding of at least 5.0m x 2.5m on their property, perpendicular to the road, on which to park a vehicle. If not they will have to construct one, before construction of the crossing commences.
- Planning permission may be required. You can check by emailing the Councils Planning service at planning.enquiries@milton-keynes.gov.uk or contacting them on 01908 691691
- Complete the application form and return it to Milton Keynes Council to the address shown on the form, along with any relevant planning documentation.
- The Council will contact you to take payment by credit or debit card. When payment is received the Council will progress the application.

The Council will review the application, inspect the site and undertake a number of highway safety checks before notifying the Applicant of the outcome.

- Where the application is refused, the Applicant will be informed. Note that **the application fee is NON refundable** as this covers the cost of processing the application and checks that the Council undertakes. Any revisions or amendments to an application may require a new application to cover the cost of re-evaluation by those involved in the safety checks.
- Where the application is successful and permission to construct vehicle access crossing the Applicant will be notified and the application will move on to the construction stage.
- **Once a licence is granted you will then only have 6 months to start the work, if the licence expires with no works started you will need to re-apply and pay an additional fee of £195.00 for a new application and £94.81 for the final inspection.**

CONSTRUCTION

- The Council will send the applicant a '*permission to build vehicle crossing*' letter and provide the applicant with a quotation from the Councils appointed contractor, thereafter. Alternatively, the applicant can appoint their own contractor to undertake the construction of the crossing.
- There is a road opening licence fee of £195.00 (residential) and £825.00 (Commercial) irrespective of the contractor appointed to undertake the construction
- when constructing the dropped kerb the works should not exceed the agreed specifications or the land boundaries between properties as this could result in a failing of the final inspection
- If you have no hardstanding on your land perpendicular to the road of a minimum size of 5.0m x 2.5m, you must construct one, within planning constraints, prior to construction of the vehicle crossing.

Using the Councils Highways Contractor to construct the crossing

- The Councils contractor will provide a quotation to build the crossing, which includes the cost of all fees, materials, labour and overheads – The price quoted is the price you'll pay and includes the provision of a 'Road Opening Licence' and all necessary inspections.

- To accept the quotation, you must complete the quotation form and the electronic payment (by BACS or credit/debit card) for the full amount.

- The Councils contractor will notify you of the date planned for commencement and the expected duration of the work.
- The Councils contractor will undertake statutory undertakers' checks and manage the construction of the crossing, including protection of the site with any signage and cones etc.
- Upon completion, the Council will adopt the vehicle crossing as part of the adopted highway.

Using your own appointed Contractor

- Successful Applicants can appoint their own suitably qualified and competent contractor to undertake the construction of the crossing. Applicants should note that alternative quotations may at first appear cheaper than the Councils contractor but they should ensure that the total cost is comparable and includes searches, safety plans and all fees payable to the Council, which must be purchased in advance including;
 - The cost of the road opening Licence (£195.00 Residential and £825.00 commercial)
 - The cost of all necessary inspections; £94.81 Final inspection and any subsequent inspections of remedial work at a charge of £50.00 each.
- The Applicant shall remain liable for work undertaken by their contractor and for any maintenance issues identified by the Council, for a period of 24 months from Council approval of the completed crossing.
- Your appointed contractor must be qualified and competent to the following standards;
 - Hold current 'Streetworks supervisors certification' (must be on site during construction)
 - Hold minimum of £5 million Public Liability Insurance
 The Applicant must provide evidence of these to the Council prior to commencement of any works. The Council will undertake an initial contractor competency check at no charge. However, where the proposed contractor is found to be unsuitable, the Applicant will need to submit an alternative proposed contractor and the Council shall make a charge of £50 for each subsequent competency check.
- When your appointed contractor is approved, the Council shall issue a 'Road Opening Licence'. Please note that is an offence under the Highways Act to open the highway without the authorisation of the Local Highway Authority.
- The Applicant will provide evidence of a current statutory undertakers search and a traffic management plan and will book a 'road opening space' with the Councils streetworks team.
- Your appointed contractor will construct the vehicle crossing to the Councils specification, which is subject to inspection at any point during construction. The Applicant shall notify the Council, to provide an opportunity for inspection, at the following stages;
 - At completion of the excavation (at no additional charge)
 - At completion of the base layer (at no additional charge)
 - At completion of the surface material (**Final Inspection - £94.81 fee identified above**)
- The Applicant shall remain liable for the safety of the site during construction. Where the construction work presents a risk to the safety of Highway users or to the public asset, the Council reserves the right to take whatever action necessary, including withdrawal of the approval, completion of the crossing and re-charge of all associated costs to the Applicant.

APPROVAL BY THE COUNCIL

- Upon completion of the works, the Applicant shall notify the Council and request a 'Final inspection'. If the work is found to be of an unsatisfactory standard, the Council shall issue a remedial notice and require the Applicant to purchase a subsequent 'Final inspection' at an additional cost of £50. This requirement shall apply until the construction of the vehicle crossing is completed to a satisfactory standard that enables the Councils to issue a certificate of completion.
- When the work has been undertaken to a satisfactory standard the Council will issue a certificate of completion and adopt the vehicle crossing. However, **the Applicant shall remain liable for all costs relating to any maintenance work necessary to the vehicle crossing, undertaken by the Council, for a period of 24 months following certification.**
- The Council has endeavoured to provide as much information, concerning the construction of vehicle crossings, as reasonably practicable. If you require any further information, please contact streetworks@milton-keynes.gov.uk

Appendix 1 - Frequently Asked Questions

NOTE 1

From the 1st October 2008 any property proposing to construct a hardstanding within its boundary may require planning permission. You will need to contact Milton Keynes Council on 01908 691691 for advice. And ask for Planning Enquiries.

Hardstanding Milton Keynes Council Highways Authority will not formally permit a crossing to be constructed until a permeable hard standing has been constructed on the property. This is to ensure that the purpose of the application is for the legal use of the crossing to gain access onto the property and not for other means. Also see Note 1 above.

Do you currently have a Hard Standing in place Yes / No

Are you planning to put Hard Standing in place after submitting application for the vehicle crossing Yes / No

If Hard Standing is in place this will not guarantee approval of vehicle crossing application.

Size of Crossing? A standard crossing is 5 metres (3 metres of flat kerbs and 2 tapers) wide at the roadside tapering back to 2.5 metres wide at your property boundary. An extension to an existing crossing may be of variable width each location will be considered on its merit taking into consideration the balance between removing parked vehicles from the highway and providing 'on street' parking.

Are all properties suitable for front garden parking? No. Gardens can be too steep, narrow or too short. To park most cars without overhanging the footway (which is an offence) requires a depth from the adopted highway boundary of at least 5.0 metres.

If the slope to your garden is greater than 1:4 the application will not be agreed

Do I need Planning Permission? In most cases no, but you will if you live on a classified road, i.e. an A, B or C road. Also, if you live in a flat or maisonette and intend to construct a permeable hard standing for your car you may require planning permission. You will need to check with planning.

Who pays for its construction? The householder or person/company with responsibility as signed for above.

What type of vehicle can use a crossing? Only cars - any vehicle over 1.5 tonnes may require an industrial strength crossing. If you are planning to have commercial vehicles using your crossing you will need complete a temporary private opening on the highway. There is a cost for this and you can find an application on our website.

How much does a Vehicle Crossing cost? This depends upon a number of factors, including the distance from the road to the property and any services affected. If you engage your own contractor there is a fee payable to Milton Keynes Council for inspection and approval of works.

Who can construct the crossing? Either Milton Keynes Council's contractor or a contractor who has the required public liability insurance and the appropriate 'NRSWA' qualifications (any contractor must provide this information to Milton Keynes council prior to any work being started).

On receipt of the license the applicant will be required to carry out the necessary works within a period of **6 Months** to complete the crossing, **Failure to do so will require the applicant to re-apply for a new license where additional charges for the sum of £94.81 for an additional inspection.**

What if my property does not join the public highway? You only have a right to cross from your property to the public highway. If, between your property and the highway, there is land owned by others (and this includes land owned by the Council that is not highway) you need that land-owners permission.

This can be checked on GIS @ <http://svr-imp-002/isharegis/>

Who will maintain the crossing when completed? The crossing remains part of the public highway and will be maintained by the Council. If the work is carried out by your contractor the work will be under a 12 month maintenance period.

Do I need any other permission? Council tenants will require the permission of the Housing Service for any works within the boundary of the property. Other tenants may also require permission from their landlord.

What if someone parks in front of it or otherwise obstructs it? The Council has no powers to prevent inconsiderate parking by others. The police do however, so if this happens you can contact them.

Are crossings suitable for all cars? Usually crossings are suitable for all cars however, if the footway slopes the opposite way to the garden some cars with low ground clearance may have problems. If such a vehicle is to be used you should let us know.

Can I have a secondary Access? The Council does not normally allow secondary crossings into a property where the property is already served by an existing crossing.

Will the Council carry out work within my property? No. If, for example, you want a hardstanding for your vehicle you must arrange for this yourself, before applying for the vehicle crossing. The hardstanding must be water permeable to meet current urban drainage requirements.

Streetworks Department

Synergy Park, Chesney Wold, Bleak Hall, Milton Keynes, MK6 1LY

Telephone: **01908 252737** or **01908 254963**

Please return form to: streetworkscoordination@milton-keynes.gov.uk

Highways Data Protection Privacy Statement

We collect and use information about you so that we can provide you with Highway services under the relevant Legislation. Full details about how we use this data and the rights you have around this can be found at <https://www.milton-keynes.gov.uk/highways-and-transport-hub/highways-privacy-notice> . If you have any data protection queries, please contact the Data Protection Officer at data.protection@milton-keynes.gov.uk

HIGHWAYS ACT 1980

APPLICATION FOR PERMISSION TO CONSTRUCT A VEHICLE CROSSING

(your application will not be processed until this fee is paid and you will be unable to construct a vehicle crossing)

The cost of processing your application is £195.00 (Residential) or £825.00 (Commercial) which is non-refundable

Any Vehicle crossing constructed without prior permission will be subject to a charge of £330.00 plus the application fee for processing of the retrospective application.

This application form is for you to give us the information that we require prior to processing an application for permission to construct a vehicle crossing. There may be other licences which you need, at further cost and, no works should be undertaken until these are applied for and relevant costs paid.

We will consider your application once your payment is made and your completed form is received and if approved we will provide you with.

- A legal certificate which gives you permission to construct a vehicle crossing (subject to other licences). This must be shown to any contractor so they can confirm that you have the necessary permission. It is also a legal document which will be needed if you wish to sell your property in the future.
- a) A quotation with a price for our contractor to carry out the works.
- b) With documentation that must be filled in prior to any works being carried out if you would like to use your own contractor (there are other fees payable with this option).

We will endeavour to try to provide you with an answer within **3 weeks** of applying to us, however your application should need further investigation this period may be extended. If this is the case we will contact you to keep you updated on progress.

If we have to refuse an application we will write to you to inform you of this decision including the grounds for refusal. **Your fee is non-refundable** as it covers the cost of processing your application.

If your application is refused you can appeal, in writing by emailing the Traffic and Network Manager @ streetworkscoordination@Milton-keynes.gov.uk or in writing to Synergy Park, Chesney Wold, Bleak Hall, Milton Keynes, MK6 1LY

Before completing this application form please read the FAQs in appendix 1 of this form.

1.0 Applicant Details

1.1 Contact Details

Name of Applicant		Contact Telephone number	
Address of applicant		Company Name (if a commercial application)	
Email Address of applicant			

Are you applying on behalf of someone else? Yes/No

Address where vehicle crossing will be		Quote No.(office use only)	
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2.0 Highways

2.1 Is there an existing crossing? Yes / No

2.2 If Yes, are you requesting an extension to this access ? Yes / No

2.3 If Yes by how much? (i.e. number of kerbs).....No.

2.4 Do you have any other parking on your property i.e. rear parking Yes / No

2.4(a) If your answer is yes to the above please state why you require this crossing/ extension, and why the existing crossing is not sufficient.

2.5 Are there any parking restrictions / markings on the road outside your property ? Yes / No

2.6 Is the position of the crossing within 15 metres of either a junction and / or roundabout ? Yes / No

2.7 Is there at least 5 metres depth on your own drive/garden? Yes/No

2.8 Is there a width of at least 2.5m on your own drive / garden? Yes/No

2.9 Is there a hard standing on your property, in line with the Proposed vehicle access, to park a vehicle on ? Yes / No
You may require planning permission – SEE NOTE 1

2.10 Are there any trees or items of street furniture or lamp columns within one metre of the proposed access? (Please indicate on 4.4) Yes / No

(vehicle crossings are not normally allowed within 1 metre of any of these items, however, some items may be re-located at the applicants cost but this is dependent on individual site conditions. A price for this will be included in your quote from us if applicable. If you chose to use your own contractor they will need to liaise with MKC to ensure relocation of the items is acceptable).

3.0 Planning

3.1 Are you applying for a vehicle access as a result of a planning application ? Yes / No

3.2 If Yes please enclose a copy of drawings including any Conditions and enter Planning Ref No. here

3.3 Have you enclosed copies of your plans and Conditions recommended by MKC Planning Department? Yes / No

3.4 If you are unable to provide these please state why not?

4.0 General Information

4.1 Do you own the property which the crossing will serve ? Yes / No

If No, you will need to seek permission from your Landlord and enclose their approval in writing to park on the frontage of the property.

4.2 What are your landlord's contact details or their agents details

Name of Landlord/Agent		Contact telephone number	
Address of above			

4.3 Who will be responsible for meeting the costs of this application and constructing the vehicle crossing?

Name of Person responsible for costs of processing this application	
Signature of person responsible	

Name of person responsible for meeting the costs of constructing the vehicle crossing	
Signature of person responsible	

4.4 In order to enable us to process your application, please indicate on the drawing below the **EXACT** location of the vehicle crossing including all relevant measurements. Also include any Street Furniture, Trees, Other Obstructions

You will need to have a depth of at least 5 metres from your property to the edge of the highway and a width of at least 2.5 metres of any hardstanding.

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4.5 Please use the following box to add any further information you feel is relevant to your application. You can also attach any documentation you feel may assist in making a decision, but please list what it is in the box below.

4.6 Please indicate below where you would like the vehicle crossing to be when facing the front of your property (tick as appropriate)

	Right side of the property
	Left side of the property
	Centre of the property

5.0 Declaration

5.1 Before submitting this application can you confirm that you have yes/no
Read and understood the FAQs in Appendix 1 –

If you have any further questions or need any clarification of the points raised in Appendix 1 please contact us prior to submission of the form.

Signed (applicant) :

Date :

Please Print Name :

When you have completed this form please return to : Highways Dept., Synergy Park, Chesney Wold, Bleak Hall. MK6 1LY or by email to streetworkscoordination@milton-keynes.gov.uk