

GUIDANCE NOTES

APPLICATION FOR A TEMPORARY TRAFFIC RESTRICTION

In accordance with the Road Traffic Regulation Act 1984, Sections 14, 15 & 16 (as amended by the Road Traffic (Temporary Restrictions) Act 1991 and the Road Traffic Regulation (Special Events) Act 1994), the Road Traffic (Temporary Restrictions) Procedure Regulations 1992 (SI 1992/1215) and the New Roads & Street Works Act 1991 Section 76 & 77

Temporary Traffic Restrictions can be applied for when it is necessary to temporarily prohibit or control traffic, including vehicles and/or other users, along a length of public highway (road/footpath/bridleway/restricted byway, byway) due to planned, urgent or emergency works, or special events.

The most common restriction that we process is the temporary road closure, but we also process rights of way closures (/footpaths/ bridleways etc.); one way notices/orders; weight restrictions; width restrictions; height restrictions, speed restrictions and event closures etc.

Guidance notes for applicants

All applications are subject to various co-ordination checks and approvals; these can be other works or events as well as the emergency services and SCC's area highway offices. After these checks and approvals have been completed you will be notified in writing of our decision.

A temporary closure should only be applied for if there is no other method of working safely and minimum road widths as described in The Safety at Street Works and Road Works A Code of Practice and Traffic Signs Manual Chapter 8 (Part One and Part Two) cannot be maintained.

Please note all other traffic management options must be investigated and ruled out before a temporary closure is applied for.

Types of Restriction

Temporary Full Order – Roads £1250, Rights of Way £950

A Section 14(1) 'Full Order' allows an authority to restrict or prohibit the use of a road / route for **up to** 18 months duration (6 months for public rights of way) for planned works. The duration of the Order is not necessarily equivalent to the duration of the closure.

The order will remain in force for 18 months to allow, if needed, the reinstatement of the closure for the same works anytime within this period.

The fees include:

- Preparation of legal documents and notices
- Co-ordination checks
- Statutory consultation
- General administration
- Placing adverts in local papers as required by the Road Traffic Regulation Act 1984

The applicant is responsible for providing a suitable diversion route and signing schedule. The applicant is also responsible for placing and then removing the diversionary route signs on site and reply to all public enquiries with reference to the diversion route and signage. Signing schedule requirements may be waived for some rights of way closures.

The above fees also apply to Special Events closures.

Emergency 21 day Notice - £450

A section 14(2) allows the authority to grant a 21 day notice in cases of danger to the public or damage to the road or right of way e.g.

- Gas leak, risk of explosion and damage to property and public
- Burst water main, damage and undermining of highway, highway impassable

The £450 fee covers Somerset County Council costs to process this notice.

The applicant must provide a full explanation in writing as to why an emergency notice is required.

The applicant is responsible for providing a suitable diversion route and signing schedule. The applicant is also responsible for placing and then removing the diversionary route signs on site and reply to all public enquiries with reference to the diversion route and signage. Signing schedule requirements may be waived for some rights of way closures.

Urgent 5 day Notice - £450

A section 14(2) allows the authority to grant a 5 day notice in cases of urgent works only e.g.

- A tree is at risk of falling down, there is no immediate risk; however the condition of the tree is such that work will need to be completed within three months.
- A water main is starting to leak but has not yet burst - if left for three months the leak may cause damage the highway.
- A wall has been damaged in a road traffic incident and needs to be made safe prior to a full road closure.

The £450 fee covers Somerset County Council costs to process this notice.

The applicant must provide a full explanation in writing as to why this notice is required.

The applicant is responsible for providing a suitable diversion route and signing schedule. The applicant is also responsible for placing and then removing the diversionary route signs on site and reply to all public enquiries with reference to the diversion route and signage. Signing schedule requirements may be waived for some rights of way closures.

Road Closure Applications received outside of the standard 3 month notice period

For road closure applications

(Fast Track) an additional fee of £1000 is applied and would be in addition to the £1250 fee made for processing a road closure. Total cost of a Fast Track TTRO £2250.

For rights of way closure applications received outside of the standard 3 month notice period the additional fee is £200, making a Fast Track Rights of Way TTRO £1200.

Extensions - £500 for a full order

Should an extension be required to the duration of a temporary full order you will need to re-apply for the closure at least one month prior to the original order expiring. Any extension to the closure will be limited in the first instance to six months. Further extensions will require approval from the Secretary of State.

The £500 fee covers Somerset County Council costs to process this notice.

The applicant must provide a full explanation in writing as to why this notice is required. The applicant is also responsible for maintaining and then removing the diversionary route signs on site and reply to all public enquiries with reference to the diversion route and signage. Signing schedule requirements may be waived for some rights of way closures.

A temporary 21-day notice can be extended by a further 21-day notice at no additional cost, or if necessary by a full order. The fee for a full order would apply in addition to the emergency notice fee.

Temporary 5 day notices cannot be extended.

Revisions

In the event of the start date of the works being delayed once the order has been made, additional advertising and administration costs may be incurred. A minimum of two weeks' notice of the revised start date is required.

Revised start dates may not be available due to other works or events taking place in the area.

Access

A temporary road closure can only restrict vehicular access to properties for up to 8 hours in any 24-hour period. However in certain circumstances a 24 hour closure may be approved, the road closures team will be able to discuss this with you if needed.

Pedestrian access to properties must be maintained throughout.

Where possible, vehicular access to properties should be maintained from one end of the closure.

Applicants Responsibilities

Signing and alternative routes

All signing, lighting and guarding must be provided, maintained and removed by the applicant and must be in accordance with the Traffic Signs Regulation General Directions 2002, The New Roads and Street Works Act 1991, and in conjunction with The Traffic Signs Manual Chapter 8 (Part One and Part Two). It will be the applicant's responsibility to reply to all public enquiries with reference to the diversion route and signage.

Advance warning signs must be erected on site a minimum of two weeks prior to the restriction coming into force.

Provide diversion route plan and signing schedule with the application form. The plan should identify any restriction or obstruction on the diversion route that may affect traffic, e.g. low bridges, one-way streets, weight and height restrictions or other movement restrictions.

Signing schedule requirements may be waived for some rights of way closures.

Consultation

All public relations must be carried out by the applicant including the notification by way of a letter to residents and all affected properties along the length of highway (including businesses). This must be sent (including a copy to Somerset County Council) a minimum of **two weeks in advance** of the restriction coming into force.

Road Space Bookings

Road space must be booked in accordance of the Traffic Management Act 2004, for all highway and street works. If you are a statutory undertaker then an EToN notice must be submitted a minimum of 3 months in advance of the start date of the works commencing or if you are non-statutory undertaker then **a road space booking form** must be submitted 3 months in advance of the start date of the works commencing. This must be sent to the Street Works Coordinator, Somerset County Council.

In the event of the diversion route requiring the use of either a motorway or a Trunk road (e.g. M5, A303 or A36) you must book road space with the Highways England. Failure to do so may result in the removal of your signs from the diversion route.

Contact other Highway Authorities in the event of diversion route going into other counties. The relevant authority's written approval must be submitted with the application form.

Legal Requirements

Where by reason of street works the use of the highway is restricted or prohibited and the diverted traffic uses, as an alternative route, a highway of a lower classification, the applicant shall indemnify the highway authority in respect of the cost reasonably incurred by them relating to strengthening works for making good

any damage occurring as a result of the diverted traffic.

By applying for a temporary order to carry out street works you are agreeing to pay all costs of any strengthening works or making good any damage to the highway which may be required to the alternative route where the diverted traffic uses, as an alternative route, a highway of a lower classification.

You will agree to indemnify the Somerset County Council against all claims however arising, which may be made against them by reason of making the restriction, and to defray all costs incurred as a result of such claims being made.

Applicants must:

Give 3 months' notice of the required restriction; applications received outside of the standard 3 month notice period will incur an additional cost (see below).

Agree to meet the Somerset County Council's costs, provide, erect, maintain and remove diversion signs

Inform all interested parties known to be directly affected by the proposed prohibition, including all frontages on the length of the road concerned and those identified by the County Council

Ensure that road space for works is booked 3 months in advance of the works starting

Provide a diversion route plan and signing schedule with the application form.

How much does it cost?

Roads

1. Temporary traffic restrictions (TTRO) e.g. road closure £1250.
2. 5 day Urgent Notices and 21 day Emergency Notices £450.
3. TTRO applications received outside of the standard 3 month notice period (Fast Track) will incur an additional cost of £1000 and this would be in addition to the fee charged for processing the TTRO.
4. For each additional road included in the TTRO, up to a maximum of 10 roads, a charge of £200 will be made.
5. For TTRO applications requesting more than 10 roads the charge will be subject to negotiation with the applicant.
6. Extension to full order £500

Rights of Way

1. Temporary traffic restrictions (TTRO) e.g. right of way closure £950.
2. 5 day Urgent Notices and 21 day Emergency Notices £450.
3. TTRO applications received outside of the standard 3 month notice period (Fast Track) will incur an additional cost of £200 and this would be in addition to the fee charged for processing the TTRO.
4. Extension to full order £500.

Notification regarding the processing of any personal data supplied on this form

Data Controller – Somerset County Council

Data Protection Officer contact – informationgovernance@somerset.gov.uk

Purpose for processing – to process your application

Legal basis for processing – Traffic Regulation Order (Road Traffic Regulation Act 1984)

Data Sharing – the personal data provided will not be shared

Transfers abroad – this data will not be transferred abroad

Data Retention – this data will be retained for a period of 6 years to comply with the Limitation Act 1980 (Section 2)

Your Rights – You have the right to ask Somerset County Council to a copy of your data, the right to rectify or erase your personal data, and the right to object to processing

However these rights are only applicable if the Council has no other legal obligation concerning that data. You also have the right to complain to the regulator, <https://ico.org.uk/>

Consequences – If you do not supply this information to us we will not be able to process your application for a road closure

For more information see www.somerset.gov.uk/privacy