

Dropped Kerb Frequently Asked Questions

The council provides a quotation and construction service if you need to drop the kerb outside your property for the purposes of access to your land or driveway.

If you are considering the construction of an access to your property to enable a domestic or similar private light goods vehicle to cross over the footway, you will need to apply to Merthyr Tydfil County Borough Council Highways Department for approval. A charge of £80 is levied by the Highways Department for the consideration of an application of a vehicle access in the highway.

If the property is rented (e.g. From Housing Association) their permission to take a vehicle into the garden will also be required.

Do I need a dropped kerb?

If you intend to drive a vehicle over the footway into your driveway off a highway, then you will need a dropped kerb. If you do not have dropped kerbs, you must not drive over the footway. If you do so, you are breaking the law and enforcement action could be taken to prevent such practice. Furthermore, you may become liable for any damage to the surface or sub-formation of the footway or any utility services damaged as a result of this action.

How do I apply for a drop kerb?

A request for an application form can be made by completing the Dropped Kerb Online Request Form with a charge of £80.

You may need Planning Consent. Please check (see 'Do I Need Planning Consent?')

Alternatively an application form request can be made through the Highways Call Centre on 01685 724939.

If there are any problems associated with the crossing you will be notified accordingly.

Estimation service

Following either request an officer will visit the property to take appropriate measurements. Within 14 days information will be posted in the form of a written quotation detailing the total cost and methods of payment.

How much will it cost?

There is a cost of £80 to make an application.

The cost of construction depends on the area of the footpath used to access the driveway. The quoted price for the build will be dependent on your specific needs.

As a guide, a typical cost for a 5-kerb extension with a footway width not exceeding 2 metres (6 foot) would be **£750 excluding VAT**.

What work is involved for the cost?

The kerbs will be replaced with lower units and a transition kerb to each side of the crossing for new construction. Where an existing crossing exists this will be extended where appropriate. The crossing

will be excavated and rebuilt to protect all utility services that are below the surface from any damage and sufficient design to support private light goods or similar vehicles.

(Extension to existing crossing. 1 transition kerb and lowered kerb)

How do I pay for the crossing?

You will receive an invoice, from which you return the cheque made payable to MTCBC Highways and return it to our payments section. **Please Do Not Send Cash in the Post**

When Does Construction begin?

Once payment has been cleared and there has been electronic notice to the Highways Section the build is put onto the crossings program. Once on the program the position is fixed. There is **NO** priority fixing or fast track options. From that point works will commence anything up to **28 days**.

How Long Does The Work Take?

The actual build will be carried out over a 3 to 5 day period.

You can Track your build and be given an approximate start date by contacting us via Highways@merthyr.gov.uk

Can I Use My Own Contractor?

It is possible to use your own contractor providing they conform to the criteria below:

- The contractor has full NRSWA staff accreditation
- Public Liability Insurance, a minimum of £10,000,000 (million pounds)
- Highway Opening Up Notice and Application Form, cost of an opening license **£68.00**
- Planning consent where applicable
- Possession of vehicle crossing installation standard details from the highway authority
- Full service/utility drawings for the location
- Conform to all chapter 8 guidelines for works to Highway Land

Can I undertake the work myself?

It is possible to undertake the work yourself providing you conform to the criteria below:

- You have full NRSWA accreditation
- Public Liability Insurance: minimum of £10,000,000 (million pounds)
- Highway Opening Up Notice and application form, cost of an opening license **£68.00**
- Planning consent where applicable
- Possession of vehicle crossing installation standard details from the highway authority
- Full service/utility drawings for the location (it's the applicants' responsibility to contact the statutory utilities prior to beginning works)
- You conform to all chapter 8 guidelines for works to Highway Land

Do the Council construct private driveways within a property?

No - Contractors can be located in the local newspaper, yellow pages or Thomson local.

Do I need planning consent?

Before submitting a request for a quotation you must ascertain whether the adjacent road is:

- A Trunk Road
- A Principal Road
- A Classified Road - Class 1 or Class 2
- Unclassified
- Unadopted

Please check with Engineering & Highways Operations on 01685 724936. If the vehicle crossing is to be positioned on a **Principle road** or **classified road** then planning permission must be obtained through the planning authority. There is a charge for this service.

On Trunk roads such applications need planning consent but would be referred to SWTRA, Contact - **0300 123 1213**

- If your property is adjacent to an **unclassified road**, planning consent is not required.
- If your property is adjacent to an **unadopted road**, planning consent is not required.
- Please proceed with enquiry request.

Please Note

Unadopted roads or unclassified roads may have Land Easements, Rights of Way, Land Title or Ownership issues. **MTCBC will not be held responsible in full or part for any land or ownership issues/contraventions before or after installation.**

The occupier/resident takes full responsibility for the instruction given to install.

Please consult your solicitor to clarify the above.

Can I be refused a crossing?

You can be refused a crossing installation and reasons can be very individual to that location.

The points below may prohibit or offer guidance to a proposed dropped crossing:

- Your property is on a bend or at a road junction
- A tree is in the proposed crossing
- Street furniture or a street lamp may impede access
- Your property is close to traffic signals
- There is a steep slope between your property and the road
- There is insufficient garden area with which to park
- There is insufficient visibility

If your application is refused you will receive a letter stating the reason why it has been refused and you have a right to appeal to the Authority.

Who owns the crossing on completion?

The construction of a vehicle crossing by MTCBC does not give the occupier of the premises any legal right of ownership to the land or license to police that crossing or any restriction to its existing state. The crossing remains part of the public highway and therefore available for public use. The responsibility for its maintenance rests with MTCBC.

However, your new crossing does provide full acceptable rights to drive across the footway/highway land to gain access to your (your landlords) property or use of land developed and deemed suitable for off road parking.

What type of vehicles can be used on the crossing?

A domestic vehicle kerb crossing may only be used by a private light goods or similar vehicle. It may not be used by a heavy goods vehicle or any form of mechanical equipment. If a delivery, such as a skip, is made into the property, and in doing so damages the crossing, any repairs to the crossing will be the responsibility of the owner/occupier.

Is there any help with the cost of the installation?

No.

Are there any legal considerations?

Gates or any other obstructions across the vehicle entrance to your property or land may under no circumstances open outwards across a footpath or carriageway. (Highways Act 1980 – section 53)

Any land that is not a dedicated Highway, unclassified or unadopted roads may require a Legal Land Easement if the dropped kerb crosses that land. Land Title, Rights of Way or Ownership issues may also have to be considered.

Please consult your solicitor to clarify the above. **MTCBC will not be held responsible in full or part for any land or ownership issues/contraventions before or after installation.**

The occupier/resident takes full responsibility for the instruction given to install.

Please consult your solicitor to clarify the above.

The council reserve the right to alter your dropped kerb in the future to accommodate dropped kerbs to neighbouring properties or any Highway refurbishment the council deems appropriate.

If you or a Contractor is carrying out the installation, you must ask for special permission to excavate and an application for an Opening Up Notice must be requested under Section 171 of the Highways Act 1980.