

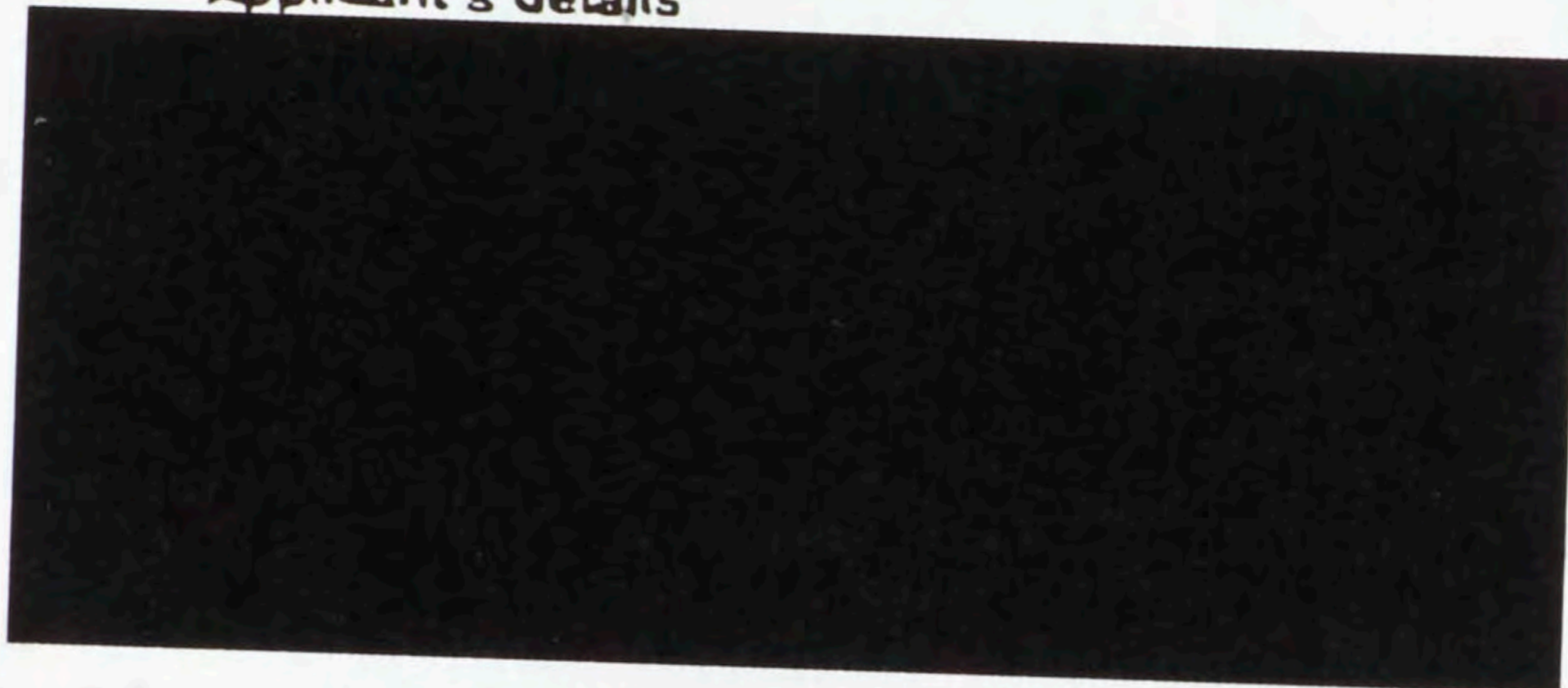
Department of the Environment for Northern Ireland
Roads Service

The Roads (Northern Ireland) Order 1993, Article 73

Application for Consent to fix or place Rails, Beams, Cables, Arches etc over a

- Please read the notes overleaf before completing this form.

Applicant's details



Agent's details

Name

Address

Postcode

Telephone no.

Location of proposed works

GARVAGHY ROAD

PORTADOWN

Brief details of proposed works

ERECTION AND DISMANTLING
OF ARCH

Proposed date to commence installation of works 30th JUNE 1999

Time required to install 1 HOUR

Proposed date for removal of works 29 JULY 1999

Time required to remove 1 HOUR

Reference number of attached drawing DRG NO 1

Additional comments

I hereby apply for consent to carry out the above works.

Signature of Applicant / Agent PAUL EMMETT (SECRETARY)Date 2/7/99

Authority if acting for an Organisation or Company

DEPUTY MASTER



The Roads (Northern Ireland) Order 1993. Article 73

**Notes for guidance to Applicants for the fixing or placing of
Rails, Beams, Cables, Arches etc over a road**

- 1 The fixing or placing of such apparatus is subject to Article 73 of the Roads (NI) Order 1993.

Copies are available from HMSO.

Any person who carries out such works without the consent of the Department shall be guilty of an offence and liable on summary conviction to a fine. This does not apply to anything done in relation to a road which is not a special road by those referred to in Article 73 (2)(b) of the Roads (NI) Order 1993.

- 2 All applicants shall complete and submit to the Divisional Roads Manager the application form overleaf setting out-

- i The purpose for which the work is to be carried out
- ii The location of the work
- iii The name and permanent address of the applicant
- iv The duration of the works if temporary.

- 3 If consent is granted it shall be subject to conditions as seems to the Department to be adequate for securing the safety and convenience of traffic.

- 4 In all cases conditions will be laid down to cover the following items-

- a Signing of the works to ensure traffic control and safety
- b Excavation or damage caused to road or footpath surfaces
- c Temporary reinstatement of excavations or damaged areas
- d Maintenance of the works and / or the road and footway surfaces
- e The final reinstatement and / or removal of the works
- f Investigation of the existence of cables, pipes and equipment belonging to Statutory Service Authorities and provide for their protection where appropriate.

- 5 Depending on the complexity of the proposed works conditions may be stipulated requiring the applicant to-

- a Lodge a cash deposit with the Department
- b Provide insurance
- c Provide detailed drawing
- d Provide certification of safety and fitness for purpose from a Chartered Engineer
- e Erect and / or dismantle on specific dates and times.

- 6 Notwithstanding the above general information there may be other conditions necessary due to the nature of the applicant's specific proposal.

- 7 Applicants should check in advance whether Planning Permission is required for the proposed works.

- 8 Where consent is granted, applicants will be obliged to indemnify the Department in accordance with Article 73 (9) of the Roads (NI) Order 1993.

- 9 Any person aggrieved by the refusal of the Department to give its consent, under Article 73 (2)(a) of the Roads (Northern Ireland) Order 1993 or any condition subject to which any consent is given may within 21 days of receiving notice thereof, appeal to the Planning Appeals Commission by notice in writing under Article 84 of the



Department of the Environment for Northern Ireland
Roads Service

The Roads (Northern Ireland) Order 1993, Article 73

Consent for fixing or placing any permanent or temporary overhead beam, rail, arch, pipe, cable, wire or other similar apparatus over, along or across a road

Applicant's details

Consent no. _____

Name _____

Address _____

Postcode _____

Description of proposal

ERECTION AND DISMANTLING

OF ARCH ON GARVAGHY ROAD PORTADOWN.

ADJACENT TO CORRAW RIVER BRIDGE.

The Department of the Environment for Northern Ireland (hereinafter called "The Department") HEREBY GRANTS A CONSENT under the provisions of Article 73 of the Roads (NI) Order 1993 in accordance with your application for consent to fix or place an overhead beam / rail / arch / pipe / cable / wire or other similar apparatus over, along or across a road in accordance with Drawing No. 1

lodged with the Department's Roads Service at MARLBOROUGH HOUSE, CENTRAL WAY

CENICAWON

on 6/7/99

This consent relates to GARVAGHY ROAD.

in the position indicated on the said drawing.

This consent is given subject to the conditions overleaf -

Department of the Environment for Northern Ireland
Roads Service

The Roads (Northern Ireland) Order 1993, Article 73

Conditions

1 Traffic Control and Safety

Any excavation shall be indicated by signs, lamps or other measures in accordance with HMSO Publication Traffic Sign Manual, Chapter 8 "Traffic Safety Measures for Roadworks" and any subsequent amendments thereof as directed by the Department, throughout the duration of the works and until the road surface is restored and reopened for the use of traffic and completion of the works.

2 Interference with Road Surface

If any material is excavated in the course of the work it shall be stored in such a manner as to avoid further obstruction of the road. The different types of materials ie macadam, stone or subsoil will be heaped separately so that they may be returned and compacted in a satisfactory way. The excavated material will be protected from the effects of weather so far as is possible. Unsuitable excavated material shall be removed.

3 Temporary Reinstatement

- a The temporary reinstatement shall be carried out by the applicant in accordance with the diagram type issued with this consent.
- b In the case of bituminous macadam surfaces if the material is properly compacted and laid in a workman like manner the temporary reinstatement may be accepted as permanent.

4 Maintenance

- a The applicant shall be responsible for maintenance and upkeep of the proposed works for the entire duration of those works.
- b If the proposed works require opening of the road or footpath surface or cause damage to those surfaces the applicant shall be responsible for the upkeep of the reinstated surface in a satisfactory condition for a period of not less than 6 calendar months after notifying the Department that the reinstatement works are complete.

5 Final Reinstatements

Where interference with road surfaces occur as in 4 above the reinstatements will be inspected and the applicant will be informed of the results of that inspection which would normally be as follows -

- a The reinstatement is acceptable and a refund of balance of deposits is included; or
- b The reinstatement is acceptable and notice of termination of the consent is issued along with refund of balance of any deposits; or
- c The reinstatement is not acceptable and details of defects are given. This may take the form of provision of a final reinstatement or a notification of a further specified maintenance period prior to final reinstatement; or
- d The temporary reinstatement is acceptable for final reinstatement to be carried out by the Department under the terms of condition 8.

6 Indemnity

The applicant shall indemnify the Department of the Environment (NI) against any claim in respect of injury, damage or loss arising out of -

- a The fixing, placing or presence of apparatus to which the consent relates over, along or across the road; and
- b The execution of works on the road arising out of the withdrawal of that consent; which is not attributable to the negligence of the Department.

Conditions (continued)**7 Public Utilities**

The applicants are advised that service cables, watermains, pipes etc may be present in footways, verges and

carriageways and care must be taken at all times to avoid damage. Applicants must contact all relevant service

authorities and establish position and depth of their plant. Applicants must accept liability for any damages resulting from interference with such plant either by the applicant or the applicant's agent.

8 Cash Deposit

You shall lodge with the Department the sum of £150. deposit prior to the work commencing, from which sum may be deducted any costs incurred by the Department -

- a restoring the road and / or footway to a condition similar to that which existed prior to the execution of the works;
- b ensuring the safety of the public or the prevention of damage to property.

The applicant shall be liable to pay any additional costs as may be incurred by the Department and exceeds the amount of deposit.

9 Insurances

Proof of sufficient insurance cover (minimum £5,000,000) shall be forwarded to the Department's Roads Service Divisional Headquarters - Section Office prior to the placing or presence of such apparatus or the execution of works on the road.

10 Structural Integrity

The design, erection, fixing or placing procedures shall be checked by a Chartered Engineer and certified as safe and fit for purpose.

11 Time Restrictions

The proposed works may be erected between the inclusive dates of 30/6/99 and 31/7/99 (delete if permanent) and shall be removed by and the construction of the works shall be restricted to between the hours of * and * LIASE WITH RUC.

12 Notification of Completion

When a permanent installation is complete or a temporary installation has been removed the applicant shall notify the Department at the address shown below.

The above conditions are without prejudice to the obligations imposed by Article 73 of the Roads (NI) Order 1993 c applicants and any right or remedy which the Department may now or hereafter possess.

Dated this 6th day of July 1999

W Atkinson

Authorised Officer

Name and address of
Divisional Headquarters / Section Office

DOR ROADS SERVICE

CAW SECTION OFFICE

CAW ROAD

CRAIGAVON Post code



01-JUL-99 15:21

RD GORDON & CO

01762 350452

R.D. GORDON & COMPANY

Registered Insurance Brokers

OUR REF: RDC.JA

1st July, 1999

Dear Sirs,

Re: Parkmount Ltd. No 127

We confirm the above hold Public Liability insurance effective from the 30th June, 1999 to the 31st July, 1999 with Guardian Insurance under policy number SH626/VD418305. The limit of indemnity is £5,000,000.

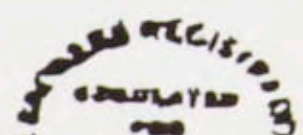
We trust this is the information you require and if you have any further queries, please do not hesitate to contact us.

Yours faithfully,

J. Allen

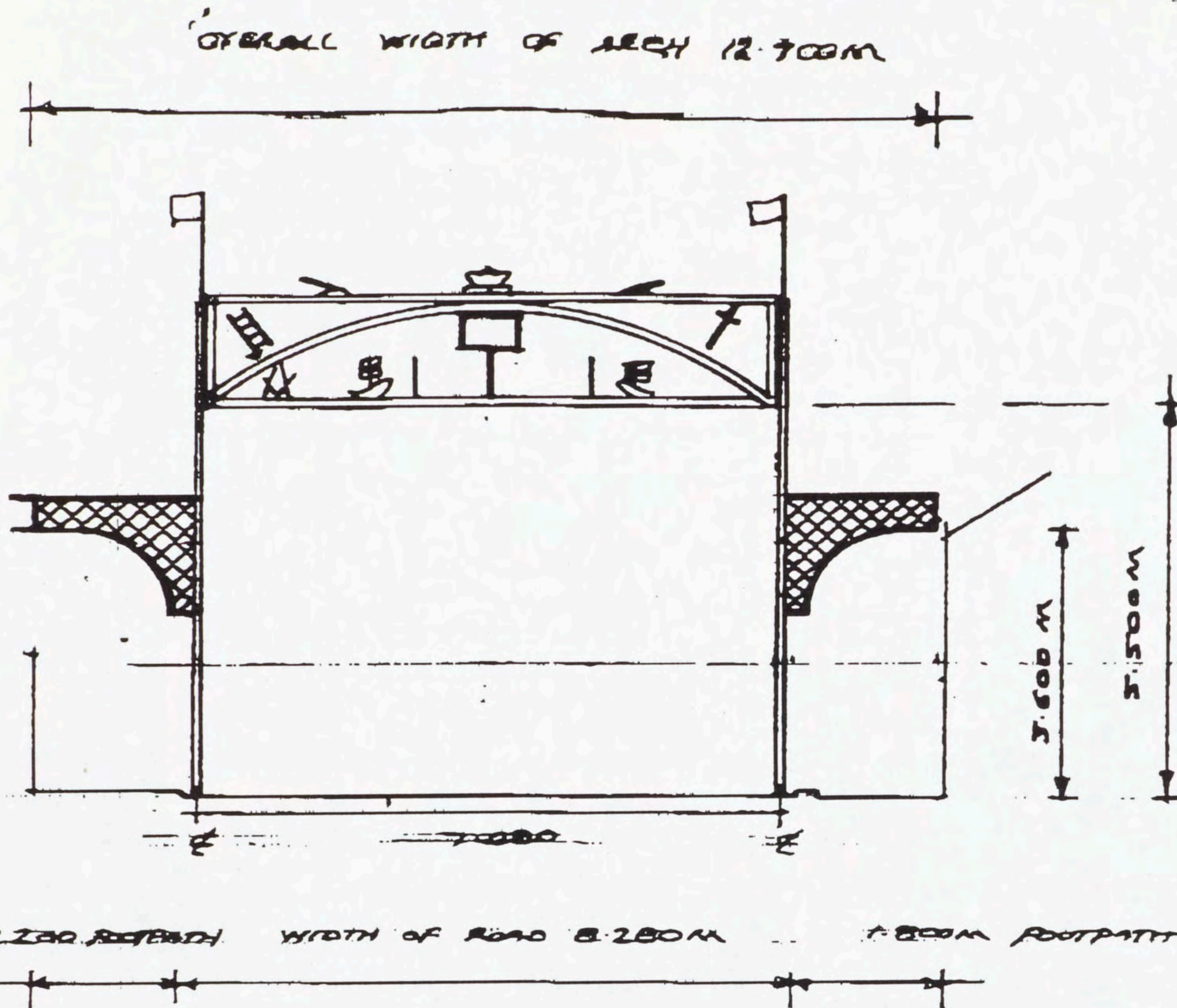
Pp. R D GORDON

TO WHOM IT CONCERNS

20 Church Street
Portadown, Co. Down BT6 1AA

19 Scotch Street

34 Hamilton Road



DETAILS OF ARCH. (SCALE 1/100.)

DRG No. 1