

The Searches Team • Highways, Transport and Fleet
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Guidance Notes for Personal Searches Section 7 Good Practice Guide.

Cumbria County Council Highway Search Information.

Access to Information Required for a Local Search Enquiry through Con29.

The information that the Searches Team holds allows Con 29(R) questions 2.1, 2.2, 2.3, 2.4, 2.5, 3.2, 3.4, 3.6 and 3.7(e, g) and Con 29(O) Question 4 and Question 21 to be answered.

You can view information on question 3.7(g) and question 21 on the following website:

http://hims.cumbria.gov.uk/wip3_no_login/map.aspx?cg=lfm

Question 2.1(a)

The 'Section 36 List of Streets Maintainable at Public Expense', updated and maintained by Cumbria County Council (CCC) is available to view, free of charge, at CCC's Parkhouse Building, Carlisle and at the 6 District

Land Charge offices that serve Cumbria or online at

<http://www.cumbria.gov.uk/roads-transport/highways-pavements/searches/S36.asp>

The Searches Team can research historic records that supplement the Section 36 List and are able to provide information in answer to Question 2.1(a) based on these records, local highway engineering knowledge and the list of streets. This information, including a plan, may be requested in paper or electronic format.

If you wish to view the Section 36 List please visit

<http://www.cumbria.gov.uk/roads-transport/highways-pavements/searches/S36.asp>

Alternatively, a paper version is available to view - please contact the relevant office

Allerdale Borough Council – Allerdale House, Workington, CA14 3YJ
Barrow Borough Council – The Town Hall, Duke Street, Barrow in Furness, LA14 2LD
Carlisle City Council – The Civic Centre, Carlisle, CA3 8QG
Copeland Borough Council – The Copeland Centre, Catherine Street, Whitehaven, CA28 7SJ
Eden District Council – Mansion House, Penrith, CA11 7YG
South Lakeland District Council– Lowther Street, Kendal, LA9 4UQ
Cumbria County Council – The Parkhouse Building, Kingmoor Business Park, Carlisle, CA6 4SJ

The offices are open Monday-Friday, 9-5 but please check with the individual office for any specific requirements.

Question 2.1(b)

Cumbria County Council Legal Services Department are responsible for agreements under Section 38 of the Highways Act 1980.

The Searches Team is able to provide an answer to Question 2.1 (b) based on these and local highway engineering knowledge. The information may be requested in paper or electronic format.

A Section 38 (HA80) register is also available to view at the offices listed in 2.1 (a).

Question 2.1 (c) (d)

The Searches Team is kept informed of any roads, footways and footpaths that are to be made up by reclaiming the cost from the frontagers/adopted by the local authority without reclaiming the cost from the frontagers. There is no record available for public viewing.

The information may be requested in paper or electronic format.

Public Rights of Way

Question 2.2

Is there any public right of way that abuts on, or crosses the property, shown in a definitive map or a revised definitive map?

Question 2.3

Are there any pending applications to record a public right of way that abuts, or crosses the property, on a definitive map or revised definitive map?

Question 2.4

Are there any legal orders to stop up, divert, alter or create a public right which abuts, or crosses the property not yet implemented or shown on a definitive map?

Question 2.5

If so, please attach a plan showing the approximate route.

A copy of the 1976 Definitive Map of Public Rights of Way, updated as a working copy with Post '76 Modification Orders by the PRow team, is held at the CCC Parkhouse Building, Carlisle. This electronic working copy may be viewed free of charge within business hours.

The information may also be requested in paper or electronic format from the Searches team.

Question 3.2

There is no centrally maintained schedule of land to be acquired for road works. There is therefore no record available for public viewing. However, the Searches Team is able to interrogate the available information. This information may be requested in paper or electronic format.

Question 3.4

Council minutes, where local committee decisions are documented, may be viewed on the CCC website. The Searches Team is able to provide an answer to Question 3.4(a-f) based on local highway engineering knowledge and a compilation of records.

A list of schemes may also be viewed at CCC office, The Parkhouse Building, Kingmoor Business Park, Carlisle, Cumbria, CA6 4SJ. Please email searches@cumbria.gov.uk to make an appointment to view the register.

If a search property is within 200m of a trunk road, you will be advised to consult the Highways England.

Question 3.6

Council minutes, where local committee decisions are documented, may be viewed on the CCC website. The Searches Team is able to provide an answer to Question 3.6(a-l) based on local highway engineering knowledge and a compilation of records.

Traffic Regulation Order (TRO) information is available on CCC website at

<http://www.cumbria.gov.uk/roads-transport/highways-pavements/traffic-parking/trafficregulations.asp>

If a search property is within 200m of a trunk road, you will be advised to consult Highways England

Question 3.7

There is no centrally maintained schedule of statutory notices relating to highways. There is therefore no record available for public viewing. However, the Searches Team is able to interrogate the available information. This information may be requested in paper or electronic format.

Question 4

Information is available through the relevant District planning authority websites and planning application records.

Cumbria County Council Legal Services Department is responsible for legal Agreements under various sections of the Highways Act 1980 and copies of agreements may be obtained through CCC Legal Services.

The Searches Team is able to provide an answer to Question 4 based on CCC Highway Development Control information. The information may be requested in paper or electronic format.

Question 21

Flood defence and land drainage concerns.

For all the above questions, other sources may be referred to by the Searches team as necessary.

Should you require the Searches Team to provide responses to these Con 29 questions, please send details of the specific questions you require along with a plan clearly showing the property location to:-

The Searches Team
The Parkhouse Building
Kingmoor Business Park
Carlisle
CA6 4SJ

Email us direct by contacting the Searches Team: searches@cumbria.gov.uk

If you wish to view a hard copy of the Section 36 List or the 1976 Definitive Map (Working Copy) please contact the Searches Team.

All enquiries relating to trunk roads in Cumbria should be directed to Highways England
Email info@highwaysengland.co.uk

Charges

Regulation 6 states that charges, including internal recharges:

- must be calculated by dividing an estimate of the total yearly costs in providing access by an estimate of the number of requests to be received in that year
- over a period of three years the local authority must ensure that the total income from charges does not exceed the total cost
- where an authority has made an under or over estimate of the unit charge it must take this into account the following year.

The following charges have been set after taking the above regulation into account.

Charges relating to highways Con 29 R (2.1, 2.2, 2.3, 2.4, 2.5, 3.2, 3.4, 3.6 and 3.7(e, g) as refined data from the Searches Team

£19 for a bundle of all questions £8 each for individual questions

Charges relating to highways Con 29 O (4) as refined data from the Searches Team

Question 4 £4

Payment is by cheque made payable to Cumbria County Council.

Please contact searches@cumbria.gov.uk or The Highways Searches team at the address above for further details.

If you have any comments, suggestions or complaints about the service you receive, please direct them to searches@cumbria.gov.uk at the address above.

Visit <http://www.cumbria.gov.uk/roads-transport/highways-pavements/searches/highwaysearch.asp> for more information