

**Nottinghamshire County Council  
Highways Act 1980 178**

The Nottinghamshire County Council as Highway Authority for the highways listed below hereby gives consent, pursuant to Section 178 of the Highways Act 1980, to .....("the Operator") to erect, maintain, operate and remove decorations on or above the highways listed on the attached schedule and plan.

The decorations shall be as detailed on the plan submitted with the application dated..... Reference.....and any specific additional or modified requirements set in writing by the Authority and attached to this consent.

This consent shall operate from..... until .....unless the Operator wishes to make significant changes to the installation in which case a new application is required.

The installation work shall commence and the removal work be completed not more than .....before and after the period of operation which is.....to .....

The decorations shall be installed and operated according to the County Surveyors Society Code of Practice for such works and the Additional Conditions notified by the Highway Authority.

Signed on behalf of the Highway Authority

.....

For the Highway Authority

Date.....

In consideration of the Highway Authority granting the written consent to the Operator under Section 178 of the Highways Act 1980, the Operator shall comply in full with the County Surveyors Society Code of Practice for such works and the Additional Conditions notified by the Highway Authority and shall indemnify the Highway Authority and their servants and agents against all loss, damage, expenses, claims, actions, proceedings or demands (including any necessary incidental costs) which arise out of the granting of the consent except to the extent that such loss, damage, expenses, claims, action's proceedings or demands are attributable to the wilful default or negligence of the Highway Authority, their servants or agents.

Signed on behalf of the Operator

.....

Date.....

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**Notes**

**Note 1** The consent given by this notice is solely for the purpose of the provisions of Section 178 of the Highways Act 1980 and does not exempt the Operator from obtaining any further consents or permission which may be required.

**Note 2** This consent is granted pursuant to subsection (1) of Section 178 and the Operator's attention is drawn to: -

(a) Section 294 of the Highways Act 1980 which provides powers for representatives of the Highway Authority to satisfy themselves that the works of construction and maintenance are properly carried out.

(b) The rights of appeal contained in Section 178 (2) of the Highways Act 1980 which reads as follows:-

"Subject to subsection (3) below, a person aggrieved by the refusal of consent under subsection (1) above or by any terms or conditions attached to such a consent may appeal to a magistrates courts."

(Subsection (3) states:-

"No appeal lies under subsection (2) above against any terms or conditions attached by the Minister to a consent given by him under this section if he declares the term or condition to be necessary for the purpose of securing the safety of the persons using the highway to which the consent relates or of preventing interference with traffic on it."

**Note 3** Any person or organisation erecting or installing seasonal decoration on or above a public highway without consent under Section 178 of the Highways Act 1980 is committing an offence and may be liable to prosecution by the Highway Authority.