# SECTION 50 - NEW ROADS AND STREET WORKS ACT 1991

**STREET WORKS LICENCE**

## INFORMATION REQUIRED

*YOUR APPLICATION* ***WILL NOT*** *BE CONSIDERED OR A LICENCE ISSUED WITHOUT THE FOLLOWING:-*

*(please complete and return with application)*

|  |  |  |
| --- | --- | --- |
|   | Checklist for Streetworks Licence | please enc |
| 1 | Form L2 Street Works Licence (New Connection) /Consent to Work on existing apparatus in the highway (Repair) |  |
| 2 | **Form L4** |  |
| 2. | **Plan** showing connection(s) marked in red |  |
| 3. | **PROOF OF** **PUBLIC LIABILITY INSURANCE** ( in excess of **£5million**) |  |
| 4. | **SUPERVISOR’S QUALIFICATIONS** (including hot & cold lay reinstatement) |  |
| 5. | **OPERATIVES’S QUALIFICATIONS** (including hot & cold lay reinstatement) |  |
| 6. | **Payment:** **£481.00** - **Street Works Licence** **or****£308.00** - **Consent to Work on existing apparatus in the highway** **Cheque made payable to Via East Midlands**  |  |

This procedure contains the following:-

L1 Guidance Notes and procedure

L2 Application Form

L3 Registration of Work (Works Completion)

L4 Statutory Undertakers Requirements

 Temporary Signals Application Form

**Part 1** **Form L1**

**SECTION 50 – NEW ROADS AND STREET WORKS ACT 1991**

**STREET WORKS LICENCE PROCEDURE**

|  |  |
| --- | --- |
| 1. | The requirement to obtain a Street Works Licence applies to any person or organisation (other than a Statutory Undertaker) who wishes to place, retain and thereafter inspect, maintain, adjust, alter or renew apparatus, or change its position or remove it from the Highway. |
| 2. | The term apparatus includes; drains, cables, ducts, sewer pipes, water and gas pipes, etc. |
| 3. | 1. The person granted a Street Works Licence, becomes an Undertaker for the purposes of the **New Roads and Street Works Act 1991**, and therefore attracts the relevant duties and responsibilities imposed by the Act and associated Secondary Legislation and Codes of Practice.
 |
| 4. | 1. **Non-compliance with the relevant statutory duties or licence conditions may lead to prosecution under the Act. Applicants should note that this liability cannot be delegated to any other person or organisation.**
 |
| 5. | 1. A “**Street Works Licence**” or ”**Consent to Work on existing apparatus in the highway**” will only be granted to the owner(s) of apparatus or his Successor in Title.
2. Owners should note their statutory duty to secure that the apparatus is properly maintained at all times. This Licence should become part of the deeds of the property(s).
 |
| 6. | 1. To enable the County Council to comply with its statutory duty, all applications must be made at least **ONE MONTH** in advance of the proposed start date for the works

Note: If a Road Closure is required then a minimum of **THREE** months maybe required. .**The application form must be signed by the OWNER of the apparatus.** |
| 7 | Either ; |
|  | a) i) | Form **L2** must be completed by the applicant for a “**Street Works Licence**” **(**to place and retain apparatus in the highway i.e. New Apparatus) and this must be submitted to Via East Midlands with:- |
|  |  ii) | **3 copies of a scale plan** of the proposed location of the relevant apparatus marked by a red broken line; |
|  |  iii) | Proof of **Public Liability** Insurance. This must provide a minimum of **£5m cover** and be maintained from commencement of the works on the highway, up to completion and acceptance by the County Council of the permanent reinstatement. |
|  |  iv) | Proof of Supervisor’s NRSWA Qualifications |
|  |  v) | Proof of the NRSWA Qualifications of the Operative who will be on site. |
|  |  vi) | 1. Payment by cheque payable to **Via East Midlands Ltd** of:-

**£ 481.00** |
|  |  | 1. Which is made up of
2. a) £162.00 Administration Fee (non-returnable);
3. b) £169.00 Commuted sum to maintain and operate records

c) £150.00 Inspections Fee per unit of inspection. |

|  |  |
| --- | --- |
|  | Or |
|  | b) i) | Form **L2** must be completed by the applicant for “**Consent to work on existing apparatus in the highway”** (Repair to Existing Apparatus), and this must be submitted to the County Council with:- |
|  |  ii) | Proof of **Public Liability** Insurance. This must provide a minimum of **£5m cover** and be maintained from commencement of the works on the highway, up to completion and acceptance by the County Council of the permanent reinstatement. |
|  |  iii) | Proof of Supervisor’s NRSWA Qualifications |
|  |  iv) | Proof of the NRSWA Qualifications of the Operative who will be on site. |
|  |  v) | Payment by cheque payable to **Via East Midlands Ltd** of:- **£308.00** |
|  |  | 1. Which is made up of
2. a) £158.00 Administration Fee (non-returnable);

b) £150.00 Inspections Fee per unit of inspection. |
|  |  |  |
| 8. | Applicants should note that the County Council may require other special conditions which must be strictly adhered to:- |
|  | a) | To minimise the inconvenience to persons using the street, having particular regard to people with a disability. |
|  | b) | For Traffic Sensitive Streets, Streets with Special Engineering Difficulty and Protected Streets |
| 9. | The Licensee must then give at least **SEVEN DAYS** advance notice of the intended works start date to Via East Midlands Ltd, re using their original Form **L2**. |
| 10. | The Licensee must permit the County Council to monitor his performance throughout all stages of the works. These are signing, guarding, excavation and reinstatement. |
| 11. | The Licensee must inform the County Council of the completion of the reinstatement by the end of the following working day, stating whether it is interim or permanent. If an interim reinstatement is carried out this must be made permanent within six months. |
| 12. | 1. The Licensee must complete and submit Form **L3** to Via East Midlands within **seven days of completion of the works** and clearing site.
2. This is to start the guarantee period. (This is 2 years for excavations up to 1.5 metres in depth and 3 years for excavations greater than 1.5 metres in depth.)

During this time the Licence will be liable for any defects, which, if found must be repaired free of charge to Via East Midlands. |
| 13. | The Licensee and the Contractor are reminded that they must fully comply with the Environment Agency’s Waste Regulations, with regard to any arisings from these works. |
| 14. | Where the apparatus in respect of which an application for a Street Works Licence is made is to be placed or retained on a line crossing the street, and not along the line of the street, a person aggrieved by:-a) The refusal of the Authority to grant him a Licence;b) Their refusal to grant a Licence except on terms prohibiting its assignment, or;c) Any terms or conditions of the Licence granted to him;may appeal to the Secretary of State. |

  **Form L2**

|  |  |  |  |
| --- | --- | --- | --- |
| **Street Works Licence** |  | Tick as necessary |  |
| **Consent to work on existing apparatus in the highway** |  |  |
| Please complete in BLOCK CAPITALS | Licence Ref no | SWL3 SEC50 -  |
|  |
| USRN |  |  |  |  |  |  |  |  |  |
|  |
| Street Name  |  | Town |  |
|  |
| Co ordinates of Works  |
| Point/Start  | E |  |  |  |  |  |  | N |  |  |  |  |  |  | End | E |  |  |  |  |  |  | N |  |  |  |  |  |  |  |
|  |
|  | Advance | 10 Day | Actual Start | Works Closed |  |
| Start Date | dd / mm / yyyy |  | dd / mm / yyyy |  | dd / mm / yyyy |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
| End Date | dd / mm / yyyy |  | dd / mm / yyyy |  | dd / mm / yyyy |  | dd / mm / yyyy |  |  |  |
|  |
| Special Engineering Difficulties |
|  | NO / YES | Agreed with |  | on | dd / mm / yyyy |  |
|  |
| Works Promoter Name |  | Works Reference |
|  |  |  |
|  |
| Works Description | Works Type |  |
|  | Major |  |
|  | Standard |  |
|  | Minor |  |
|  | Urgent |  |
|  | Emergency |  |
|  |
| Site Location | Traffic Management |  |
|  | Road Closure |  |
|  | Convoy |  |
|  | Multi Way Lights |  |
|  | Two Way Lights |  |
|  | Stop / Go |  |
|  | Other Agreed |  |
|  | Signing only |  |
|  |
| TM Agreement Ref no |  | with |  | on | dd / mm / yyyy |
|  |
| 24 Hours **EMERGENCY** site contact number |  |
|  |
| Premises Owner Contact (Licensee) | Works Agent Contact (Contractor) |
| Name |  | Name |  |
| Phone |  | Phone |  |
| Address |  | Address |  |
|  |  |
|  |  |
|  |  |

|  |  |
| --- | --- |
|  | NRSWA Qualifications of supervisor & operative undertaking works (evidence of qualification held must be provided with the application) |
| Supervisor |  |  | Operative |  |  |
| Name: |  |  | Name: |  |  |
| Registration No. |  |  | Registration No. |  |  |
| Expiry Date: |  |  | Expiry Date: |  |  |
|  |  |

|  |  |
| --- | --- |
|  | Public Liability Insurance (Proof must be submitted with this form) |
| Company Name: |  |  | Address: |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| Tel. No: |  | Policy No.: |  | Expires (Date): | dd / mm / yyyy |  |
|  |  |  |  |  |  |  |
|  |
|  | **Declaration by applicant** |
| I confirm that the foregoing details are correct, and acknowledge that the works referred to above must be conducted in accordance with the requirements of the New Roads & Street Works Act 1991, and associated legislation and codes of practice.I also acknowledge the statutory need for me to pay the prescribed inspection fees which will be imposed by the Street Authority including any defect inspection fees and the cost of any necessary remedial works conducted by the Street Authority during the guarantee period.I also acknowledge that the licence is granted on the condition that I will indemnify the Street Authority against any claim in respect of injury, damage or loss arising out of:1. The placing or presence in the street of apparatus to which the licence relates, or
2. The execution by any person of any works authorised by the licence.

(N.B. Those applicants not familiar with the requirements of this legislation are strongly advised to appoint a contractor with the appropriate knowledge to conduct the works on their behalf.) |
| Signature: |  |  | Date: | dd / mm / yyyy |  |
| Full Name |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Part 3**  **Form L3**

Date of Notice

 / /

USRN

Street Name Town

 Co ordinates of Works

Point/Start N E End N E

Works Promoter Name Works Reference

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Site No | Location / Address | Cw/Fw/Verge | Depth (m) | Length (m) | Width (m) | Completion Date(dd / mm / yyyy) |
| 1 |  |  |  |  |  |  |
| 2 |  |  |  |  |  |  |
| 3 |  |  |  |  |  |  |
| 4 |  |  |  |  |  |  |
| 5 |  |  |  |  |  |  |
| 6 |  |  |  |  |  |  |
| 7 |  |  |  |  |  |  |
| 8 |  |  |  |  |  |  |
| 9 |  |  |  |  |  |  |
| 10 |  |  |  |  |  |  |
| 11 |  |  |  |  |  |  |
| 12 |  |  |  |  |  |  |
| 13 |  |  |  |  |  |  |

Works Owner Contact Works Agent Contact

Name Name

Telephone Telephone

Address Address

 **Form L4**

**STATUTORY UNDERTAKERS’ REQUIREMENTS**

To comply with Section 69 of the Act where street works are likely to affect another person’s apparatus in the street, applicants must take all reasonable practical steps:-

1. to give the person to whom the apparatus belongs reasonable facilities for monitoring the execution of street works, and
2. to comply with any requirements made by them, which is reasonably necessary for the protection of the apparatus or for securing access to it.

All statutory undertakers must therefore be contacted before the commencement of any work.

They should provide plans of their own apparatus, **free of charge** to Section 50 Licence holders.

Failure to do so will leave the Works Agent liable further action by the relevant Utility Company.

Addresses and telephone numbers of the major Utilities can be found on the East Midlands HAUC website [www.emhauc.org.uk](http://www.emhauc.org.uk) under the contacts section.

Applicants can use the following list to assist in this task.

|  |  |  |  |
| --- | --- | --- | --- |
| Undertaker | ApparatusPresent? | ApparatusAffected? | Undertakers’ Requirements |
| Severn Trent Water | Y/N | Y/N |  |
| National Grid Gas | Y/N | Y/N |  |
| Western Power Distribution | Y/N | Y/N |  |
| Openreach (BT) | Y/N | Y/N |  |
| Virgin Media | Y/N | Y/N |  |
| Anglian Water(Bassetlaw & Newark Districts) | Y/N | Y/N |  |
| CE Electric (YEDL)(Bassetlaw District) | Y/N | Y/N |  |
| National Grid Electric | Y/N | Y/N |  |
| Environment Agency | Y/N | Y/N |  |
| Other Telecoms | Y/N | Y/N |  |
|  | Y/N | Y/N |  |

**Application for Temporary Traffic Signal Authorisation**

|  |  |
| --- | --- |
| **To:**Highway Authority | **Via East Midlands****Email:** **roadworkssouth@viaemco.uk** **or** **roadworksnorth@viaem.co.uk** |

|  |  |
| --- | --- |
| Applicant |   |
| **Address** |  |
| **Telephone** |  | **Fax** |  |
| **E-mail** |  | **Contact** |  |
|  |
| **Works Promoter** |  | **Works Contractor** |  |
|  |
| Traffic Signal Supplier |   | Telephone |   |
|  |
| **Emergency Telephone Contact for all hours of Signal use** |  |
| **Please Include Name of Contact** |  |
|  |  |
| **Location and Type of Works** |
|  |
| **Description of Traffic Signal Arrangements or Stop / Go boards** |
|  |
| **Dates of Traffic Signal Use** |
|  |
| **Hours of Traffic Signal Use** |
|  |
|  |
| Works Reference |  |

|  |  |  |
| --- | --- | --- |
| Highway Authority use only | HA Reference | HS/H455/ |
|  |
| Traffic Sensitive | Y |  | N |  | Permanent Signals Affected | Y |  | N |  |

|  |  |  |
| --- | --- | --- |
| **Use of Temporary Traffic Signals is:** (Tick box) | Approved as application |  |
| Approved subject to conditions below |  |
| Conditions / Comments | Not approved as detailed below |  |
| An information board containing your emergency contact details **must** be provided at each end of the works |
|  | Date | Signed |

**Notes for guidance.**

1 Site approval for all Portable Light Signals is required under the Traffic Signs Regulations and General Directions 2002, Regulations 35 and General Direction 53.

2. All applications must be accompanied by a 1:1250 (or better) scale plan showing the location of the signal heads to within 2 metres of their actual location on site.

3. Upon receipt of the completed application form, the Highway Authority will, if satisfied, issue the approval in writing as required by Regulation 53. Alternatively, if the application is refused the Highway Authority will detail the reasons for this.

4. Should an applicant place and operate Portable Light Signals on the highway without the written approval of the Authority (as per Regulation 53) then an offence is committed under the Highways Act 1980 and the Authority may take legal action against offenders.

5. **It is imperative for co-ordination and administrative reasons that** **adequate advance notice is given in all cases**.

6. Applicants should, prior to submitting this form, make themselves familiar with the proposed location of the Portable Light Signals and the local features that may have an impact on their proposals. This will include, road junctions, Zebra/Pelican crossings, schools, commercial and industrial accesses, etc. Account must be taken of these features in the design and timings of the proposed Portable Light Signals.

7. Portable Light Signals must be operated in accordance with the DfT’s booklet ‘An Introduction to the use of Vehicle Actuated Portable Traffic Signals’ – ISBN 0-11-550781-7

8. Where, as part of the proposed use of the Portable Light Signals, there is a requirement to switch off any Permanent Traffic Signals or Pelican Crossings, only authorised Authority representatives may switch these off/on. The applicant may be charged for this service.

 Please note that the Authority will switch the Permanent Traffic Signals off and on and cover the signal heads and push buttons (where pedestrian facilities are involved). However it will be the responsibility of the Applicant to provide all the additional associated signing and barriers that are required at the Applicants cost. These must be on site at the time of the switch off and resources made available by the Applicant to place them on the highway in conjunction with the switch off. Conversely at the time of the switch on of the Permanent Traffic Signals by authorised Authority representatives, resources must be made available by the Applicant to remove the additional associated signing and barriers on the highway in conjunction with the switch on.

 Permanent Traffic Signal heads must not be covered by the Applicant in order to avoid having the signals officially switched off. Any such action is an offence under the Highways Act 1980 and the Authority may take legal action against offenders.

9. The Authority must be notified by the Applicant of any changes to those listed on the application.

10. Where the work is in the vicinity of a level crossing or railway bridge, the Rail Authority must also be consulted prior to any work commencing. Where the work is in the vicinity of a tram or light rapid transport system, the operator of these must be contacted prior to any work commencing.

11. The Applicant may request the Authority to design the layout and timing of Portable Light Signals. The Authority however reserves the right to decline to do this. If the Authority does enter into an agreement to undertake this work then it may charge the Applicant for this work.