



NEW ROADS AND STREET WORKS ACT 1991 – SECTION 50

Application for a street works licence to place private apparatus in the public highway

1 DETAILS OF APPLICANT

Name.....

Address & Postcode.....

Daytime Telephone No.....Out of Hours Telephone No.....

Mobile Telephone No.

Contact E-Mail address

2 DETAILS OF SITE

Site Address.....

Name & Address of Landowner.....

.....

3 DETAILS OF PROPOSED WORK

Is new apparatus being placed in the highway? YES / NO (If yes give details)

.....

.....

If no, which of the following descriptions apply (delete as appropriate)

Inspection / maintenance / adjustment / repair / renewal / alteration

Further details.....

.....

.....

Approximate dimensions of proposed excavation.....Depth to Invert.....

Proposed method of traffic management (Tick all that apply)

- None / Signing Only
- Traffic Control – Stop/Go Boards
- Traffic Control – Two-way Signals
- Traffic Control – Multi-way Signals
- Traffic Control – Give & Take
- Traffic Control – Priority Working
- Traffic Control – Convoy Working
- Lane Closure
- Contra-flow
- Road Closure

Will the works involve a footway closure (Whether or not the traffic management will affect pedestrians) YES / NO

Will the works require suspension of parking facilities YES / NO

Proposed start date.....Duration.....

(The authority may request a Traffic Management Plan, Method Statement or Risk assessment etc.)

4 SUPERVISOR ACCREDITATION

Name of accredited supervisor.....

Street Works Qualifications Register (SWQR) No.

Qualification Units Gained

Date accredited.....

Expiry Date

5 INDEMNITY AND INSURANCE COVER

I hereby undertake to indemnify Bracknell Forest Borough Council against any claims for which I am obliged to indemnify the Council under paragraph 8 of Schedule 3 to the New Roads and Street Works Act 1991 and for this purpose to maintain an insurance policy to cover any liability up to £5,000,000 for any such claim and to produce the policy to the Council upon demand together with the receipt for the last premium.

Name of Insurance company.....

Policy Number..... Expiry Date.....

I hereby apply for permission to carry out the above work. I have read the note for guidance, which I accept and I enclose the appropriate fees as described in Notes 17 and 18.

SignatureBlock Capitals

Position in Company Date

Please ensure that you have enclosed a cheque made payable to Bracknell Forest Borough Council (normally for £470.00) and two copies of a 1:1250 location plan. (See Guidance Note 18)

BRACKNELL FOREST BOROUGH COUNCIL

NEW ROADS AND STREET WORKS ACT 1991 – SECTION 50

Application for Street Works Licence

Notes for Guidance

General

1. It is an offence under Section 51 of the New Roads and Street Works Act 1991 to excavate in the highway without obtaining a licence from the Council.

Guidance: http://www.opsi.gov.uk/acts/acts1991/Ukpga_19910022_en_1.htm
<http://www.dft.gov.uk/pgr/roads/tpm/tmaportal/tmafeatures/>

2. The name and address of the landowner requiring the service is to be provided. This may be a private individual, a limited company or a partnership. If a partnership, the names and addresses of those persons in whom the land is vested are to be given. If a company, the registered office is to be given. If the land is vested in joint names, then details of both persons are required.

3. Supervisors of street works shall be qualified to the standard prescribed in the Street Works (Qualifications of Supervisors and Operatives) Regulations 1992, and from 5 August 1997 all operatives shall be so qualified. Details are to be entered in Section 4.

Guidance: <http://www.dft.gov.uk/pgr/roads/network/local/streetworks/streetworksqualifications/>

4. The licensee shall ensure that he or any contractor employed by him shall be aware of the obligations placed on him by the various Codes of Practice and Regulations prescribed under the New Roads and Street Works Act 1991. In particular, the licensee shall comply with the Specification for the Reinstatement of Openings in Highways.

Guidance: <http://www.dft.gov.uk/pgr/roads/network/local/streetworks/cop/roo/>
<http://www.dft.gov.uk/pgr/roads/network/local/streetworks/cop/revisionofspecificationforth3889>

5. The licensee shall also comply with the Code of Practice 'Safety at Street Works and Road Works' and give details of proposed traffic management measures in Section 3. If it is considered that a road closure may be required then early advice from the Council should be sought. A period of eight weeks should normally be allowed for road closure applications to be processed.

Guidance: <http://www.dft.gov.uk/pgr/roads/network/local/streetworks/cop/safetyatstreetworksandroadworks>

6. The licence shall remain in force until it is withdrawn by the Council or terminated by the licensee giving written notice under the provisions of paragraphs 5 and 6 of Schedule 3 to the Act.

7. The licensee shall be responsible for all costs of removal of the private service installed under this licence in relation to paragraph 7 of Schedule 3 to the Act.

8. The licence does not dispense the licensee from obtaining any other consent, licence or provision which may be required and it does not authorise installation of apparatus for the use of which the licence of the Secretary of State is required unless and until that licence has been granted. This includes the search for Statutory Undertakers plant records in accordance with the Code of Practice "Measures Necessary Where Apparatus Is Affected By Major Works (Diversionary Works)".
9. If the property is sold, the licence may be assigned to the new owner of the property by the original licensee provided that six weeks written notice of the transfer is given to the Council by the licensee.
10. If the applicant is a contractor employed by the owner of the property, which the new apparatus serves, then the licence should be assigned to that property owner upon completion of the work.
11. Two copies of an A3/A4 size drawing to a 1:1250 scale clearly identifying the location of the site are to be provided with the application.
12. The licensee shall provide an 'as-built' drawing to a 1:1250 scale within 28 days of completion.
13. Under Section 74 of the New Roads and Street Works Act 1991 a charge may be levied upon the licensee by the highway authority where works in the publicly maintainable highway are unreasonably prolonged. It should be noted that works have not finished until all spoil, unused imported materials and any unused stores are cleared from all sites, and all signing, lighting and guarding is removed. The prescribed charges for unreasonably prolonged works range from £100 per day in category 3 & 4 roads to £2500 per day for category 0 & 1 roads. (Full details of these powers are available in the 'Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters'.)
14. A minimum notice period of **20 days** should be allowed for the application to be processed. The applicant should note that the Council must notify the Utility Companies at least ten day prior of its intention to grant a Street Works Licence. Once the licence has been issued the licensee shall submit a street works notice in accordance with the statutory notification times detailed in the Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters. The notice periods range from 2 hours after commencement for immediate works to 3 months for major works.

Guidance: <http://www.dft.gov.uk/pgr/roads/network/local/streetworks/cop/cop3rdedition.pdf>

<http://www.dft.gov.uk/pgr/roads/network/local/streetworks/cop/pdfelectronictransnotices.pdf>

15. Notices shall be served electronically in the prescribed manner (EToN). Alternatively for those company's without the means of submission in this way they may use the Street Works Notification Form available at the following link;

<http://www.bracknell-forest.gov.uk/environment/env-streetcare/env-street-works/env-street-works-application-forms.htm>

Guarantee Period

16. The licensee shall ensure that the interim reinstatement conforms to the prescribed standards referred to in Section 4 of these notes for the guidance and that the permanent reinstatement conforms to the prescribed standard throughout the guarantee period. The guarantee period shall begin on completion of the permanent reinstatement and run for 2 years, or for 3 years in the case of deep openings. A deep opening is one in which the depth of cover over the buried plant or equipment is greater than 1.5 metres.

Licence Fees

17. A non-refundable remittance in the sum of £320 to cover legal and administrative costs involved in the granting of a Street Works Licence, is to be provided with the application.

Inspection Fees

18. Inspection will be made by the Council in accordance with the Code of Practice for Inspections and it is intended that the 3 inspections will be carried out at the following stages:-

- (a) Undertaken during the progress of works.
- (b) Undertaken within six months following interim or permanent reinstatement.
- (c) Undertaken within the three months preceding the end of the guarantee period.

A fee of £50.00 (or as revised from time to time) for each excavation not exceeding 200 metres in length will be charged for each inspection and the total inspection charge of £150.00 (3 x £50.00) is payable at the time of application. For excavations longer than 200 metres, an additional charge of £100.00 (2 x £50.00) per 200 metres or part thereof is payable.

If any works are found to be defective, as defined in the Specification for the Reinstatement of Openings in Highways, then the licensee will be charged for the cost of three defect inspections at £47.50 (or as revised from time to time) per inspection plus the costs of any necessary investigatory works.

As the majority of excavations are less than 200 metres in length, the total fee usually applicable will be £470.00 (£320 licence fee plus £150.00 inspection fee). However, should the excavation exceed 200 metres in length, the appropriate fee should be calculated on the basis of the aforementioned rates. All cheques are to be made payable to Bracknell Forest Borough Council. Credit/Debit card payments may be made by telephone on 01344 352000 Monday – Friday 09:30 to 15:30.