

Licence – Guidance Notes

Tameside Metropolitan Borough Council will only consider issuing a licence to temporarily place building materials on the public highway, where there is not sufficient space for them to be stored on private land and where they will not restrict the free passage of, or cause a safety hazard to users of the highway.

Where possible, all building materials should be placed on private land. If this is not possible, a building materials licence must be obtained from Tameside MBC **before** materials are deposited on the public highway.

All materials must be positioned so as not to obstruct other premises in the locality, impede the surface water drainage nor obstruct access to fire hydrants, highway drainage gullies, manholes and apparatus of any public utility. Nor must they be placed in such a location as to contravene any Traffic Regulation Order.

No materials that contain any flammable, explosive, noxious or dangerous material or any material, which is likely to putrefy or otherwise become a nuisance or danger to users of the highway, may be deposited. The granting of a licence does **not** permit the mixing of any mortar, concrete or cement on the highway or any other materials which may permanently stain or disfigure the highway.

Waste products or rubbish are not permitted to be placed on the public highway under this licence, please obtain a skip licence to store/dispose of your waste/rubbish responsibly.

If building materials are deposited on the public highway for which a licence has not been applied, the owner is guilty of an offence under section 137 of the Highways Act 1980 and is liable to a fine.

How can I obtain a licence to temporarily store building materials on the highway?

Where possible, all building materials should be placed on private land. If this is not possible, a building materials licence must be obtained from Tameside Metropolitan Borough Council before materials are deposited on the public highway.

To apply for a licence, please download and fully complete the application form at the bottom of this page and return it with the correct fee at least five working days before your building materials delivery on site.

How much does it cost for a building materials licence?

The current fee is £ 103 for a maximum 4 week period.

Please note: if permission is granted for a building materials licence to be extended, a new licence fee is payable.

How do I request an extension to my building materials licence?

Tameside Metropolitan Borough Council do not normally permit extensions to building materials licences. We will only consider allowing an extension to an existing licence under extenuating circumstances.

To make a request to Tameside MBC to consider issuing an extension to a materials licence, you must contact us a minimum of five working days before your existing building materials licence expires to discuss the circumstances.

You can contact us by:

- Telephoning our customer service centre on: 0161-342-8355

**APPLICATION FOR PERMISSION TO DEPOSIT BUILDING MATERIALS ON THE
PUBLIC HIGHWAY
Highways Act 1980 Section 171 & 137**

Application to be received at least 5 working days before anticipated required date.

Applicants Name:	
Address:.....	
.....	
..... Post Code:	
Daytime Telephone No:.....	Email:.....

I wish to apply for permission to deposit building materials on the public highway at:	
Site Address:.....	
.....	
.....Post Code:.....	
Location of materials if not placed outside the site address:.....	
.....	

*Delete as applicable	
For this location state (in metres):	
Width of footway:	m
Width of verge (if any):	m
Width of carriageway:	m
Is it a bus route?	Yes/No *
Is it a pedestrianised street?	Yes/No *
<i>Please include on relevant scaled plan</i>	

State proposed Area Dimensions of Building Materials to be deposited (in metres):	
Length:	m
Width:	m
Height:	m
Please note the maximum permitted area of storage shall be 4m² with a maximum height of 1m, length of 3m and width of 1.5m.	
<i>Please include on relevant scaled plan</i>	

State the measures intended for traffic and pedestrian safety (cones, barriers etc):
<i>Please include on relevant scaled plan</i>

State reasons why the materials can not be placed on private land:

The materials will be on the public highway from: to: inclusive.

Please note a licence can only be issued for a maximum of 4 weeks at any one time.

Please attach to this application:

A copy of your Public Liability Insurance. (A minimum of £10 million is required in respect of any one incident to cover liability against all third party risks)

A cheque for £ 103 made payable to 'Tameside Metropolitan Borough Council'.

I acknowledge and agree to indemnify Tameside Metropolitan Borough Council and TMBC Officers against all costs, liabilities, claims and demands for which Tameside Metropolitan Borough Council may be liable, arising directly or indirectly out of the exercise of this permission.

Name (please print).....
Signed..... Date.....

I have read, and agree to comply with, the conditions overleaf.

Name (please print).....
Signed..... Date.....

Please return your completed application form with payment to –

**Engineering – Regulation, Enforcement & Technical Support
Tameside Council Offices
Wellington Road
Ashton - Under - Lyne
OL6 6DL
Tel: 0161-342-3417**

Checklist:

- *Have you read the guidance notes and terms & conditions of licence?*
- *Have all sections been completed?*
- *Have you signed the application form?*
- *Have you provided the correct fee?*
- *Have you provided the relevant scaled plan?*
- *Have you provided a copy of your public liability insurance?*

Permission to Deposit Building Materials on the Public Highway Highways Act 1980 Section 171 &137

Terms and Conditions

1. All materials must be positioned so as not to obstruct other premises in the locality, impede the surface water drainage nor obstruct access to fire hydrants, highway drainage gullies, manholes and apparatus of any public utility. Nor must they be placed in such a location as to contravene any Traffic Regulation Order.
2. Where the materials occupy highway space upon which there is a traffic regulation orders relating to on street parking, the materials owner must reimburse Tameside MBC for loss of income. *(Deposits shall not be placed on a highway contrary to a traffic regulation order restricting the parking of vehicles on that section of highway.)*
3. Where materials are to be located in an area subject to a residents parking regime the materials shall be positioned so as to be directly outside the property where the materials are to be used.
4. All materials shall be placed and stored in a safe manner so as not to cause a danger or nuisance to other users of the highway. The materials shall be positioned as to be clearly visible to traffic approaching from any direction at a distance of not less than 75m and shall not be positioned within 10m of a road junction. The materials shall be positioned so as to avoid undue obstruction and interference with users of the highway and at least 1.5m clear footway for the passage of pedestrians shall be maintained at all times. If this minimum clearance on the footway cannot be maintained, a portion of the carriageway must be fenced off for protection. Such fencing/barriers will need to be approved by the Highway Authority and may be subject to further conditions.
5. During the hours of darkness (between half an hour after sunset and half an hour before sunrise) the materials shall be illuminated by means of amber road danger lamps. Such illumination shall be provided to define the extent of any obstruction of the public highway. The lighting requirements will differ with each application and the applicant's proposals for such may be required by the Highway Authority prior to granting a licence. As a minimum requirement, lamps shall be positioned at the extreme corners of the material. Any lamps used shall be steady and positioned in such a manner as to not cause a nuisance to pedestrians or vehicular traffic.
6. All materials shall be signed and guarded at all times, in accordance with the requirements described in Chapter 8 of the Traffic Sign Manual, or the Safety At Street Works and Road Works 'A Code Of Practice'. The Highway Authority may require signing and guarding proposals prior to the approval of a licence application. If the authority's contractors are called out to lamp the site or make it safe, a charge will follow.
7. Except where agreed as part of this licence no part of the highway may be closed, without the consent of the Highway Authority.
8. No materials deposited on the highway shall contain any flammable, explosive, noxious or dangerous material, or any material which is likely to putrefy or otherwise become a nuisance or danger to users of the highway.

9. Tameside MBC does not normally permit extensions to building materials licences. We will only consider allowing an extension to an existing licence under extenuating circumstances. Any request for an extension to the period for which the licence has been granted must be made to the Highway Authority at least five working days (excluding Saturday, Sunday and Bank Holidays) prior to the expiry of the licence.
10. The depositor shall agree to indemnify Tameside MBC against all claims associated with this application (for permission to deposit building materials on the public highway) and will provide a copy of their Public Liability Insurance providing adequate cover against all risks in accordance with this permission, The Indemnity Limit for the approved policy shall provide a minimum of £10 million cover.
11. Tameside MBC as Highway Authority may undertake a detailed visual inspection both prior to deposition and after the removal of the materials. Any damage caused as a consequence of positioning or storing the materials on the carriageway, verge or footway will be made good by the Council's highways maintenance contractor at the expense of the license holder.
12. On the expiry of the licence, the public highway where the materials were deposited shall be left in a clean and tidy condition and any damage to the public highway shall be repaired by the Highway Authority at the expense of the licence holder.
13. The Highway Authority reserves the right to carry out inspections at any time so as to ensure compliance with those conditions specified. If we have to contact the owner regarding non-compliance of the permit an additional charge will be levied.
14. Nothing in this licence absolves the holder from their responsibilities to maintain access or provide protection to apparatus owned, used or maintained by Statutory Undertakers.
15. The Highway Authority may require the materials to be removed prior to the expiry of the licence in certain circumstances.
16. The Highway Authority is under no obligation to permit any person(s) or organisations a licence to temporarily place building materials on the public highway. Therefore, Tameside MBC reserves the right to remove this service or to change the Terms & Conditions at any time.
17. The acceptance or refusal of a licence to temporarily place building materials on the public highway is at the sole discretion of Tameside MBC, whose decision will be final.

- **Important Notes**

- For the purpose of this licence 'The Highway' shall include the carriageway, footway and any verge.
- The granting of this licence does **not** permit the mixing of any mortar, concrete or cement on the highway or any other materials which may permanently stain or disfigure the highway.