

NEW ROADS & STREET WORKS ACT 1991 SECTION 50  
STREET WORKS LICENCE  
 APPLICATION FOR PLACING **NEW** APPARATUS IN THE HIGHWAY

TO: TAMESIDE MBC

LA Ref:

**IMPORTANT NOTE**

Those applicants not familiar with the requirements of this legislation are strongly advised to appoint a contractor with the appropriate knowledge to help complete and to conduct the works on their behalf. Non-compliance with any requirement of the New Roads & Street Works Act 1991 may result in severe financial penalties.

<b>SECTION 1 Owner(s) of Apparatus</b>	
Name	
Address	
Telephone	
Fax	
E-mail	

<b>SECTION 2 Location of Proposed Works</b> (Two detailed scaled plans at 1:500 to be submitted with this form)					
Address					
National Grid Coordinates		Start		End	
Proposed Start Date			Proposed End Date		
Work within Verge		Work within Footway		Work within Carriageway	

<b>Category of Work</b> (Tick where applicable)			
<b>Immediate</b> (Emergency or Urgent)	<b>Minor</b> (1 to 3 days duration)	<b>Standard</b> (4 to 10 days duration)	<b>Major</b> (11 days or greater duration)

<b>Purpose of Work</b>

<b>Estimated Length of Work (m)</b> <i>Tick where applicable</i>					
Average depth of Excavation <1.5m		Average depth of Excavation <1.5m		Works with no Excavation	

<b>Traffic Control (Tick where applicable)</b>						
Stop/Go Boards	Temp Traffic Signals	Road Closure	Footway Closure	Out of Hours Working	Priority Flow	Not to be Used

*(Applications for use of temporary traffic signals and road/footway closures are available on the Council's website)*

<b>SECTION 3 Details of Person/Company Carrying Out the Works</b>					
Name					
Address					
Telephone		Fax		Email	

<b>SECTION 4A Details of Accredited Supervisor (Copy of Street Works Qualifications to be Provided)</b>	
Name	
Registration Number	
<b>SECTION 4B Details of Accredited Operatives (Copy of Street Works Qualifications to be Provided)</b>	
Name	
Registration Number	

<b>SECTION 5 Insurance</b>	
<i>Public Liability Insurance of a minimum of £10m must be provided up to completion of the permanent reinstatement (copy of insurance documentation to be submitted with this form)</i>	
Insurance Company Name	
Address	
Telephone	
Policy No	
Expiry Date	

<b>SECTION 6 Statutory Undertakers' Service Plans (Tick)</b>	
National Grid Gas	
UU Water	
Electricity North West	
BT Openreach	
Cable TV/Comms	

### **SECTION 7 Declaration by Owner(s) of Apparatus**

I/We 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 and Street Works Act 1991, and associated Legislation and Codes of Practice, together with any other conditions imposed by the Street Authority in the relevant licence.

I/We also acknowledge the statutory need for me/us to pay the prescribed inspection fees which will be imposed by the

Street Authority, together with any defect inspection fees and the cost of any necessary remedial works conducted by the Street Authority during the guarantee period, any Section 74 fees which may be imposed for unreasonably prolonged occupation of the highway along with the required administration and capitalised fees.

I/We also acknowledge that the licence is granted on the condition that I/We will indemnify the Street Authority against any claim in respect of injury, damage or loss out of:

- a) The placing or presence in the street of Apparatus to which the licence relates
- b) The execution by any person(s) of any works authorised by the licence.

I/We also acknowledge that I/We have read and understood the Notes for Guidance contained in Part 1(Form SWL1).

Signed		Date	
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### SECTION 8 Conditions

In order for Tameside MBC (Street Authority) to comply with its statutory duty, all applications must be submitted at least THREE MONTHS in advance of commencement of the proposed works for Major Works, or TEN DAYS in advance for other works. The application form must be signed by the owner of the Apparatus.

1. The Street Authority for the Highway mentioned in Section 2 of Form SWL2 (hereinafter called 'the Authority') hereby grant to the party named in Section 1 of Form SWL2 (hereinafter called 'the Licensee) with the intent that the same shall benefit and run with the property described in Section 2 of Form SWL2 hereto Licence under Section 50 of the New Roads and Street Works Act 1991 to place and leave in the Highway in the position shown by a red broken line on the plan attached hereto the apparatus (hereinafter referred to as 'the Apparatus') short particulars of which are set out in Section 2 of Form SWL2 hereto and to maintain repair and reinstate the Apparatus and break open and have access to the Highway for those purposes upon the terms and subject to the conditions hereinafter specified and subject also to the relevant conditions and provisions contained in Schedule 3 of the said Act and the Licensee hereby accepts the Licence upon and subject to the said terms conditions and provisions.
2. This Licence is granted to the owner of the Apparatus and his Successors in Title and where he proposes to part with his interest in the Apparatus, he shall before doing so give at least 6 weeks written notice to the Street Authority of the intention to abandon the Apparatus and transfer the licence stating whom the benefit of the licence is to be transferred, and also give written Notice to the Street Authority of the date of the transfer.
3. The Licensee shall:
  - (a) Conduct all the relevant works in accordance with the requirements of the New Roads and Street Works Act 1991, and its associated Secondary Legislation and Codes of Practice.
  - (b) Indemnify the Street Authority against any claim in respect of injury, damage or loss arising out of
    - i. the placing or presence in the street of apparatus to which the licence relates, or
    - ii. the execution by any person of any works authorised by the licence and the former licensee shall indemnify the Street Authority against any claim in respect of injury, damage or loss arising out of the execution by the Authority or the Licensee of any works under paragraph 7 or schedule 3 of the said Act.
  - (c) Give at least 6 weeks written notice to the Street Authority of his intention to cease using or abandon the apparatus.
4. The Licensee shall pay the Street Authority in connection with the grant of the Licence:-
  - (a) The sum of £200.00 which the Street Authority will accept as a capitalised payment in lieu of the annual fee for administering the licence recoverable under Schedule 3 Section 2b of the New Roads and Street Works Act 1991
  - (b) The sum of £287.00 for the chargeable inspection fees and associated administration costs.

5. The Licence hereby granted shall remain in force until withdrawn by the Street Authority under Schedule 3 of the New Roads and Street Works Act 1991 or surrendered to the Street Authority by the Licensee.
6. The Street Authority may determine this licence at any time:-
  - (a) on the expiration of such period as may be specified in the Notice being a period of not less than seven working days beginning with the date of service of the Notice on the Licensee if any condition of this licence is contravened by the Licensee or if the Street Authority becomes aware of the fact that the Licensee intends to cease using or has abandoned the apparatus or intends to do so, or
  - (b) the Licensee has parted with or intends to part with his interest in the apparatus in a case where assignment of the licence is prohibited, or
  - (c) the Street Authority considers the withdrawal of the licence is necessary for the purpose of the exercise of their function as Street Authority.  
**NB** Under sub paragraph (c) not less than 3 months' notice will be given by the Street Authority.
7. Where a licence expires or is withdrawn or surrendered the Street Authority:-
  - (a) may remove the apparatus to which the licence relates or alter it in such manner as they think fit and reinstate the street, and may recover from the former Licensee the expenses incurred by them in doing so
  - (b) if satisfied that the former Licensee can, within such reasonable time as they may specify, remove the apparatus or alter it in such a manner as they may require and reinstate the street, they may authorise him to do so at his own expense. A further licence will be required for such works.
8. Any licence issued under this procedure by the Street Authority must not be construed as conferring any right for the applicant to make any connection to a sewer, drain, pipe, cable or other apparatus.
9. The Licence does not confer any right on the Licensee, as against the owners of land on which the highway is situated, to use the land. The Licensee must make his own arrangements with such owners in cases where their consent is needed.
10. In this Licence the terms:- 'Licensee' shall include the Successor in Title - Personal Representative – Receiver – Liquidator or Trustee of the Licensee.  
  
'Highway' shall include and apply to each and every Highway, when more than one Highway is specified in the Section 2 of Form SWL2 hereto.
11. The Licensee shall furnish the Street Authority with an as constructed drawing at a 1:500 min. scale of the works after completion including detail of line and level section.
12. The Licensee is responsible for recording any unknown plant that he/she may find when executing the said works and for furnishing this information to the Street Authority.
13. The category for Road Reinstatement for which this Licence applies will be listed in Section 9 when authorisation is granted. Specification can be found in the Code of Practice 'Specification for the Reinstatement of Highways'.

*Please return application to: Risk Management, Tameside MBC, Tame Street Depot, Tame Street, Stalybridge SK15 1ST*

