**APPLICATION FOR PERMISSION FOR PLANTING**

**OR CULTIVATION ON THE HIGHWAY**

 **HIGHWAYS ACT 1980**

**Application Notes**

**1. General**

A licence is required where cultivation is intended on or over the highway. The term highway includes footpaths, cycleways, verges, and roads. It is an offence under the Highways Act 1980 to plant any vegetation on or over the highway without first obtaining a licence from Suffolk County Council (SCC) as the Highway Authority. Failure to obtain the required licence could result in legal action being taken by SCC.

**2. Application procedure**

Once the application form has been received by the Highways Licensing and Enforcement Team an acknowledgement will be sent to you, and we will endeavour to respond within 20 working days with our decision.

A copy of this Application Form will also be sent to our colleagues in the Natural Environment Team Ecology, Landscape, Woodlands and Suffolk Biodiversity Information Service). They will review your proposal and add comments or advice where appropriate. If you wish to contact the Natural Environment Team to discuss your proposal, please do so in any of the ways shown below:

Natural Environment Team,

Growth, Highways and Infrastructure Directorate,

Suffolk County Council

Endeavour House,

8, Russell Road,

Ipswich,

Suffolk

IP1 2BX

Tel: 01473 264783

Fax: 01473 216889

Mobile: 07834 676876

E-Mail: ecology@suffolk.gov.uk

Please remember that no work can commence on the highway until you have received written permission from us.

**3. Licence conditions**

You will need to satisfy the standard conditions before a licence is issued.

These conditions cover:

* The ability to indemnify SCC against third party liability
* Compliance with legislation on cultivation within or opening of the highway
* Ability for SCC to inspect works
* Keeping the area safe whilst undertaking works, to protect the public
* Making good of the highway on completion
* Such details as plant species (nothing of a poisonous nature by reason of fruit, flowers or leaves), height limitations and future maintenance arrangements of any cultivation
* Future implications of anything which may affect integrity of the highway, e.g. root damage

**A copy of the full standard licence conditions can be found on the Street Furniture page at www.suffolk.gov.uk**

**Application Form**

**Please complete the following to enable us to process your application**

**Applicant details**

|  |  |
| --- | --- |
| **Name** |  |
|  |  |
| **Address** |  |
|  |  |
|  |  |
|  |  |
| **For and on behalf of**(Parish, Town, District, Borough Council or Organisation) |  |
|  |  |
| **Telephone number** |  | **Email** |  |

**Proposed location of cultivation** (please supply photos or sketches)

|  |  |
| --- | --- |
| **Location of planting** (including postcode) |  |
|  |  |
|  |  |

**Please list the species and number of trees and shrubs you wish to plant and also their provenance (e.g. tree nursery or other source or supplier):**

|  |
| --- |
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|  |

**Please describe the existing habitat (including soil type) and give details of any biodiversity survey work undertaken:**

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| --- |
|  |

**Is this proposal close to a water course?:**

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**When do you wish to plant, how will you manage any irrigation and mulching needs?**

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|  |  |
| --- | --- |
| **Quantities** |  |
|  |  |
| **Planting details including depths of excavation** (if applicable) |  |  | mm |  | **H:** |  | mm |  | **L:** |  | mm |
|  |  |
| **Planned date of planting** |  |
| **Contractor details** **(if known)** |  |
|  |  |
|  |  |

**Declaration**

|  |  |
| --- | --- |
| **Name** (in block capitals) |  |
|  |  |
| **Position** (in Parish, Town, District, Borough Council or Organisation) |  |
|  |  |
| **Signature** |  | **Date** |  |

Please return completed form and any additional information you may feel necessary to support your application to highways.streetfurniture@suffolk.gov.uk

**Data Protection Act 1998**

The personal data you provide on this form will be used by Suffolk County Council to administer your Licence. We may occasionally share your personal data with other council departments and with other bodies including (housing benefits, the police, Inland Revenue) for the purposes of protecting public money, preventing and detecting crime and/or fraud and ensuring public safety. Such sharing will only occur on a case-by-case basis where a justifiable purpose in line with legislation has been demonstrated. The information may also be used for internal training.