**APPLICATION FOR PERMISSION TO OVERSAIL**

**THE PUBLIC HIGHWAY (Cranes)**

 **HIGHWAYS ACT 1980 Section 169 & 178**

**Application Notes**

**1. General**

In order to allow cranes to oversail the public highway during development works, you're required to gain an oversail licence issued under Section 169 and 178 of the Highways Act 1980

A licence is required to operate a crane on or over the highway. If the crane is also to be positioned on the highway a separate licence is required. The term highway includes footpaths, cycleways, verges, and roads. It is an offence under the Highways Act 1980 to place a crane 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.

This licence relates to oversailing the public highway only and does not infer consent in any way to oversail private property.

All hoardings, scaffolds, fencing, platforms, handrails, etc should be erected and maintained to the satisfaction of Highways Licensing and Enforcement Team, and where these items also occupy the Highway a separate licence should be applied for.

**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 10 working days with our decision.

A payment of **£300.00 per oversail** will be required before the licence is issued. Payment options will be provided on receipt of your application. The licence is valid for **4 weeks** and should you need the licence for longer than this period an extension fee is charged at **£150.00 every 4 weeks.**

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 such requirements as:

* The Highways Licensing and Enforcement Team issue licences in line with the National Street Gazetteer (NSG) and where your proposal involves separate street names, this may require **more than one licence**.
* The ability to indemnify SCC against third party liability.
* Compliance with legislation in operating a crane on or over 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.
* Before or immediately following the removal of the oversailing item the Licensee shall level and make safe any surface of the public highway, and shall indemnify and hold harmless the Council against all liability, claims and demands whatsoever in the event of any accident, occurrence, subsidence or sinking of the surface of the public highway, or the execution or non-execution of any work, or anything whatsoever arising thereat.
* If we have started work on processing the application, the fees will not be returned even if we do not approve the application.
* All applications must be made by the main operator, who will be held by Suffolk County Council to be responsible for all matters pertaining to the plant and its use on the highway.
* Any form of Traffic Management required must conform with the Safety at Street Works and Road Works Code of Practice (Red Book) and Chapter 8 of the Traffic Signs Manual, and must be installed by an Accredited Operative.
* It is a legal requirement under the New Roads and Street Works Act (1991) that any contractor carrying out work in the highway has accreditation and public liability insurance to carry out this work.

*Please note: If found oversailing without permission from the Highway Authority, legal proceedings may be taken against you.*

**Copies of the full standard licence conditions can be found on the Highways Licensing page at www.suffolk.gov.uk.**

**Application Form**

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

**Applicant details**

|  |  |
| --- | --- |
| **Name** |  |
|  |  |
| **Address** (including postcode) |  |
|  |  |
|  |  |
|  |  |
| **Company** |  |
|  |  |
| **Telephone number** |  | **Email** |  |

**Proposed location of Crane Use/Details of oversail**

|  |  |
| --- | --- |
| **Address** (including postcode) |  |
|  |  |
|  |  |
| **Path of Oversail:** |  |
|  |  |

**Contractors Details using Crane**

|  |  |
| --- | --- |
| **Name** |  |
|  |  |
| **Address** (including postcode) |  |
|  |  |
|  |  |
|  |  |
| **Company** |  |
|  |  |
| **Telephone number** |  | **Email** |  |

**Outline of works**

|  |  |  |
| --- | --- | --- |
| **Description of works**  |  |  |
|  |  |  |
| **Quantity** (One, two, three cranes?) |  |  |
|  |  |  |
| **Placed on Footway** | Yes |  | No |
| **Placed on Carriageway** | Yes |  | No |
| **Placed on Verge** | Yes |  | No |
|  |  |  |  |  |  |  |  |
| **Installation Date** |  | **Start Time** |  |
| **Removal Date** |  | **End Time** |  |

The Licensee will need also to provide the following documents as part of this application; the application will not proceed until all documentation has been received.

* Construction Design and Management Regulations (2015) Construction Phase Plan, to include Safe Systems of Work
* Risk Assessment
* Method Statement

**Public Liability Insurance**

The applicant must hold Public Liability Insurance to the value of at least £10 million and it must be valid for the duration of the licence. A copy of the insurance certificate must be held on record with Suffolk County Council. If you have not previously provided us a copy, please attach one to this application form.

Where the applicant is different from the contractor operating the crane, we therefore require evidence of their Public Liability Insurance.

***Please Note: The Council reserves the right to increase this amount if it is considered that the site location requires a higher degree of Cover.***

**Declaration**

|  |  |
| --- | --- |
| **Name** (in block capitals) |  |
|  |  |
| **Occupation** |  |
|  |  |
| **Signature** |  | **Date** |  |

Please return completed form and any additional information you may feel necessary to support your application to highways.licensing@suffolk.gov.uk. If you are unable to return the form via email, please send to any of the three addresses at the bottom of this form.

**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 District / Borough Councils, the Police, Inland Revenue) for 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.

**PAYMENT INSTRUCTIONS**

***A Licence reference number will be provided to you by the Highways Licensing and Enforcement Team on receipt of your application, which you will need to quote when making payment.***

**ONLINE -** Website: [www.suffolk.gov.uk](http://www.suffolk.gov.uk)

Select the “Pay” icon

Click the right-hand side blue arrow until box appears for “Pay for a Licence”.

Click the green “Pay for a licence” button

Enter the provided Licence / Licence Reference Number, i.e. NRSWA-LICENCE-000**11111 (Please ensure that “000” is entered before the given Licence / Licence Reference number. To make the number 8 digits long.)**

Enter your Organisation Name

Enter your contact Telephone Number

Select Application Cost from the drop-down box, “Licence/Penalty Charge”

Enter the amount that is being paid

Click “Proceed to Pay” (for single payments)

For multiple licences, click “Add Another”, followed by the “Proceed to Pay” button

**ELECTRONICALLY** – by the Bankers Automated Clearing Services (BACS). Payment should be made:

To: Suffolk County Council

Sort Code: 30-00-00

Account No: 00293148

If you are a **Lloyds Customer**, you may have difficulty using the above Sort Code and Account number. Therefore, please use the following:

To: Suffolk County Council

Sort Code: 30-00-02

Account No: 01305978

Payment **must** be accompanied by the Licence/Licence Reference Number covered by the payment and the amount being paid in relation to each number and be sent via email to highways.licensing@suffolk.gov.uk.

**BY POST**

Please make your cheque payable to **Suffolk County Council** and send it to:

Highways Licensing and Enforcement Team, Phoenix House, 3 Goddard Road, Ipswich, Suffolk, IP1 5NP

**Please note that paying by cheque will delay the process by 7 days, until authorisation of cheque clearance has been received.**

If you have any queries regarding the any of the above information, please get in contact via emailing highways.licensing@suffolk.gov.uk who will seek to solve your queries.