STREET WORKS LICENCE PROCEDURE

SECTION 50 - NEW ROADS AND STREETWORKS ACT 1991

This procedure contains the following:-

Part 1 Street Works Licence Application/Conditions/Authorisation (Form SWL2)

Part 2 Notes for Guidance for Applicants (Form SWL1)

Part 3 Registration of Works (Form R1)

Reinstatement Specification for Flexible Carriageways
To: Suffolk County Council

Street Works Licence Application for Placing

Apparatus in the Highway, Section 50, New Roads and Street Works Act 1991

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

SECTION 1 | Owner of Apparatus
Surname: ___________________________ Forenames: ___________________________

Or Full Registered Name of Company: ___________________________

Address: ____________________________________________________________

Postcode: ________________ Tel: __________________ Work: ________________ Home: ________________

Email Address: ______________________________________________________

SECTION 2 | Precise Location of Proposed Work (Cross boxes where necessary). (Detailed plan to be submitted with form).

House Name/No: ___________________________ Road/Street: ___________________________

City/Town/Village: ___________________________ Postcode: ___________________________

Description of works to be carried out:

Estimated Length of Works: ___________________________ m

Average depth of excavation: 

Up to 1.5m: ☐

Over 1.5m: ☐

Works with no excavation: ☐

Proposed Start Date: ___________________________ Planned Finish Date: ___________________________

Work Lies Within:

Verge [ ] Footway [ ] Carriageway [ ] All [ ] Open cut [ ] Thrust bore [ ]

Proposed Traffic Control:

Stop/Go Boards or TO15 [ ]

2 way or multi-way Temp Traffic Signals (specify below) [ ]

Road Closure [ ]

Priority Flow [ ]

Other (specify below) [ ]

Details: __________________________________________________________

SECTION 3 | Details of Person/Company Conducting Works

Name: ___________________________

Address: __________________________________________________________

Email: ___________________________ Fax No: ___________________________ Tel No: ___________________________

Supervisor’s Name: ___________________________ Card Reg. No: ___________________________ Expiry Date: ___________________________

Operative’s Name: ___________________________ Card Reg. No: ___________________________ Expiry Date: ___________________________
SECTION 4  INSURANCE. Public Liability Insurance of a minimum of £5 million must be provided up to completion of the permanent reinstatement. (Proof to be submitted with this form).

Company
Name:  
Address:  
Tel No:  
Policy No:  
Expiry Date:  

SECTION 5  Declaration:

I 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 & 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 also acknowledge the statutory need for me to pay the prescribed fees which will be imposed by the Street Authority, including inspection fees, defect inspection fees, Fixed Penalty Notices and Section 74 Overstay Charges incurred and the cost of any necessary remedial works conducted by the Street Authority during the guarantee period.  
I also acknowledge that the licence is granted on the condition that I will indemnify the Street Authority against any claim in respect of injury, damage or loss arising out of:
(a) the placing or presence in the street of apparatus to which the licence relates, or  
(b) the execution by any person of any works authorised by the licence.  
I also acknowledge that I have read and understand the Notes for Guidance contained in Part 1 (Form SWL 1)

Owner of property:
Signed:  
Date:  
Contractor:
Signed:  
Date:  

SECTION 6  CONDITIONS

1. The Street Authority for the Highway mentioned in Section Two of Form SWL2 (hereinafter called “the Highway”) hereby granted 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 Two for 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 the Section Two 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 apparatus and his Successors in Title and where he proposes to part with his interests 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 or transfer the licence stating to whom the benefit of the licence is to be transferred, and also give written Notice to the Street Authority of the date of 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 of 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 8.

(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 £455 in respect of administration expenses, 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 and chargeable inspection fees, per unit of inspection.
   (b) Works in excess of 200 metres length will be subject to additional Inspection Fees of £200 per 200 metres up to 600 metres and £500 per 200 metres over 600 metres.

5. 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.

6. 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.

THE LICENCE

7. 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 that 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.

8. 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 a 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 notice will be required for such works.

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.

SECTION 7 AUTHORISATION

Additional Comments:

Signed:  Date:
On Behalf of the Street Authority

IMPORTANT ALL COMMUNICATIONS RELATING TO THIS LICENCE SHOULD BE ADDRESSED TO:

SUFFOLK COUNTY COUNCIL
NETWORK ASSURANCE
PHOENIX HOUSE
3 GODDARD ROAD
1. The person granted a Street Works Licence, becomes an Undertaker for the purposes of the New Roads and Street Works Act 1991 and therefore attracts the relevant duties and responsibilities imposed by the Act and associated Secondary Legislation and Codes of Practice. 

(NB: Those applicants not familiar with the requirements of this legislation are strongly advised to appoint a Contractor with the appropriate knowledge and accreditation to help complete the application and conduct the works on their behalf).

2. Financial penalties may arise to the licence holder for non-compliance with the relevant statutory duties or licence conditions. Applicants should note that this liability cannot be delegated to any other person or organisation.

3. The requirement to obtain a Street Works Licence applies to any person or organisation (other than anyone acting under a statutory right) who wishes to place, retain and thereafter inspect, maintain, adjust, repair, alter or renew apparatus, or change its position or remove it from the Highway.

4. The term apparatus includes drains, cables, ducts, sewer pipes, water and gas pipes etc. both under, over, across, along or upon it.

NEW AND EXISTING APPARATUS

5. Form SWL2 must be completed by the applicant for authorisation to place and retain apparatus in the highway, and this must be submitted to the Street Authority with:-

   a) A plan showing the proposed location and depth of the relevant apparatus marked clearly to show the extent of the work.

   b) Proof of Public Liability Insurance. This must provide a minimum £5 million cover and be maintained from commencement of the works on the highway, up to completion and acceptance by the Street Authority of the permanent reinstatement.

   c) Copy of the front and back of the Supervisors and Operatives Streetworks Qualification cards

   d) Payment in advance of £455.00 comprising:-

      i) £155.00 Administration Fee

      ii) £150.00 Capitalised Fee in lieu of annual charge
iii) £150.00 Inspection Fee for each 200m length

(iv) Additional fees apply to excavations over 200 metres
- 200 – 600 metres @ £200.00 per 200 metre length
- Over 600 metres @ £500.00 per 200 metre length

6. A Street Works Licence to place apparatus or consent to work on existing apparatus in the highway, will only be granted to the owner(s) of apparatus or his Successor in Title. Owners should note their statutory duty to ensure that the apparatus is properly maintained at all times.

7. In order for the Street Authority to comply with its statutory duty, all applications must be submitted at least ONE MONTH in advance of commencement of the proposed works. A shorter period may be agreed by the Street Authority in conjunction with the other Undertakers likely to be affected. The application form must be signed by the owner of the existing or proposed apparatus.

8. Applicants should note that:-

   Special conditions may be imposed by the Street Authority:-

   a) In the interest of safety.

   b) To minimise the inconvenience to persons using the street, having regard to people with disability in particular.

   c) For Traffic Sensitive Streets, Streets with Special Engineering Difficulties and Protected Streets and to protect the structure of the street and the integrity of the apparatus in it.

9. The Licensee must permit the Street Authority to monitor his or his contractors performance throughout all stages of the street works.

   These are:

   a) signing, guarding and excavation,

   b) signing, guarding and reinstatement,

   c) immediately after permanent reinstatement,

   d) between 6 and 9 months after permanent reinstatement and,

   e) during the one month preceding the end of the guarantee period. (This period will begin from the date the Street Authority is notified of the permanent reinstatement and will be for 2 years for excavations up to 1.5m deep and 3 years for deeper).

10. The Licensee must inform the Street Authority of the completion of the reinstatement by the end of the following working day, stating whether it is interim or permanent. If an interim reinstatement is carried out this must be made permanent within 6 months. When undertaking a permanent reinstatement please notify the Street Authority prior to any works undertaken.
11. The Licensee must complete and submit Form R1 to the Street Authority within 7 days of completion of the works and clearing the site. Failure to inform the Street Authority of the completion of works or return Form R1 within the specified time, may result in fixed penalty fees, S74 charges and delay in processing further applications.

12. Where the apparatus in respect of which an application for a Street Works Licence is made to the Street Authority is to be placed or retained on a line crossing the street, and not along the line of the street, a person aggrieved by:-

   a) The refusal of the Authority to grant him a licence.

   b) Their refusal to grant a licence except on terms prohibiting its assignment or

   c) Any terms or conditions of the licence granted to him,

      may appeal to the Secretary of State.
**NEW ROADS AND STREET WORKS ACT 1991**

**REGISTRATION OF WORKS**

| SUFFOLK COUNTY COUNCIL NETWORK ASSURANCE - CENTRAL | YOUR REFERENCE NO. |
| ECONOMY SKILLS & ENVIRONMENT SUFFOLK COUNTY COUNCIL PHOENIX HOUSE 3 GODDARD ROAD IPSWICH SUFFOLK IP1 5NP | SUFFOLK COUNTY COUNCIL’S REFERENCE NO. |

| FROM | INTERIM OR PERMANENT? |
| SUFFOLK COUNTY COUNCIL’S REFERENCE NO. | CLEAR OR CLOSED? |

| LOCATION | DESCRIPTION OR HOUSE NAME OR NUMBER |
| ROAD NAME | LOCAL AREA NAME |
| DISTRICT | |

| POSTCODE | NATIONAL GRID |
| | |

| DESCRIPTION OF WORKS | COMMENTS (TRAFFIC MANAGEMENT OR OTHER) |

| REINSTATEMENT | CLOSING DIMENSIONS | LOCATION | GUARANTEE START DATE |
| | | | |

| ITEM | LOCATION | LENGTH | WIDTH | C,F OR V | DEPTH | INTERIM | PERMANENT |
| | | | | | | | |

| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |

As laid Record:

Depth to top of apparatus \[\text{m}\]

Sketch of location - including measurements to fixed objects
SUFFOLK COUNTY COUNCIL
NEW ROADS AND STREET WORKS ACT 1991
SECTION 50 - STREET WORKS LICENCE

It is your responsibility to undertake enquiries with Statutory Undertakers in this area and determine the location of apparatus prior to work commencing.

LIST OF STATUTORY UNDERTAKERS

Anglian Water - anglianwater.co.uk - Tel: 03456066087

BT - www.bt.com Tel: 08445032334

Cadent (formerly National Grid Gas) - plantprotection@cadentgas.com or Tel: 0800688588

Essex & Suffolk Water - E-mail: plans@nwl.co.uk Tel: 0345 7820999

UKPN - Go to ukpowernetworks.co.uk or Tel: 08000294285

Virgin Media - www.virginmedia.com Tel: 0845 454 2222

Vodafone - www.vodafone.co.uk

Alternatively, you can contact digdat on www.digdat.co.uk
## INTERIM REINSTATEMENT SPECIFICATION FOR FLEXIBLE CARRIAGeways

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<tr>
<th>COURSE</th>
<th>PERMITTED MATERIAL</th>
<th>Dtp Clause &amp; B.S. No.</th>
<th>COURSE THICKNESS FOR ROAD TYPE</th>
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<th>TYPE 2</th>
<th>TYPE 3</th>
<th>TYPE 4</th>
<th>SURFACE COURSE</th>
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**NOTE:**

The above is Suffolk County Councils preferred option and contractors are reminded that any option in the “Specification for the Reinstatement of Openings in Highways” is acceptable. In all cases the person opening the highway is responsible for the performance of the reinstatement to the satisfactory completion of the guarantee period.

As per the Code of Practice for Reinstatements, SMR is a permitted sub-base material and must be supported with an approval certificate from the supplier. (Refer to “Specification for the Reinstatement of Openings in Highways”, 3rd Edition, April 2010, NRSWA 1991.)
# Preferred Permanent Reinstatement Specification for Flexible Carriageways

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**NOTE:**

The above is Suffolk County Councils preferred option and contractors are reminded that any option in the “Specification for the reinstatement of openings in highways” is acceptable. In all cases the person opening the highway is responsible for the performance of the reinstatement to the satisfactory completion of the guarantee period.

As per the Code of Practice for reinstatements, SMR is a permitted sub-base material and must be supported with an approval certificate from the supplier. (Refer to “Specification for the reinstatement of openings in highways”, 3rd Edition, April 2010, NRSWA 1991.)