

NEW ROADS AND STREET WORKS ACT, 1991 SECTION 50 - STREET WORKS LICENCES

NOTES FOR GUIDANCE FOR APPLICANTS WISHING TO BREAK OPEN A STREET TO PLACE AND THEREAFTER MAINTAIN APPARATUS THEREIN

1. The New Roads and Street Works Act makes it a criminal offence to excavate or place private apparatus in the street without a Street Works Licence. In order for the Street Authority to comply with its statutory duty you must apply for a Street Works Licence at least **6 weeks** in advance, or where a road closure is required, **3 months** in advance of the commencement of the proposed works. The person granted a Street Works Licence becomes an Undertaker for the purposes of the New Roads and Street Works Act 1991, and thereafter attracts the relevant duties and responsibilities imposed by the Act and its associated Codes of Practice.
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, alter or renew the apparatus, change its position or remove it from the highway. The term apparatus includes drains, cables, ducts, pipes, poles, kiosks etc. both, under, across, along or upon the highway.
2. Those applicants not familiar with the requirements of the Act and associated 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.
3. Your appointed contractor will indemnify the Street Authority against any claims arising from, or any operation connected with, the work. You must provide the Street Authority with proof of Public Liability Insurance. This must provide a minimum of £5m cover and be maintained from commencement of the works in the street up to the completion of temporary and/or permanent reinstatement.
4. In accordance with Section 67 of the Act, and the Street Works (Qualifications and Operatives) Regulations 1992, it is a requirement that any works being carried out which involves the breaking up or opening up of a street, or tunnelling or boring under a street, shall be supervised by a person holding the prescribed qualification as a Supervisor. It is also a requirement that there is on site at all times, when any such works are in progress, at least one person having a prescribed qualification as a Trained Operative. A register of accredited contractors, or further information, is available on request.
5. Applicants wishing to lay new apparatus in the highway shall use **Form SW2**, which must be completed in the name of the owner of the apparatus. This must be submitted to the Street Authority giving a minimum of **6 weeks'** notice (**3 months** where a temporary road closure will be required), along with a 1:500 plan showing the exact location of the apparatus within the street. The application must be signed by the Owner of the apparatus.
6. Applicants wishing to carry out any works on existing apparatus shall use **Form SW2** and submit their application at least **4 weeks** in advance of the commencement of the proposed works, where the works are expected to last for up to 3 days; or **6 weeks** where the works are expected to last 4 days or more. These notification periods do not apply in Urgent or Emergency situations.
7. It is the applicant's responsibility to ensure that the contractor carrying out the works has plans showing the approximate locations of any of Statutory Utility apparatus likely to be affected by the proposed works, and to liaise with those undertakers to ensure that any such apparatus is not damaged or disturbed. A list of the relevant Statutory Undertakers is provided with the application documents. Prior to issuing a new licence, the Street Authority must give at least 10 working days notice to the relevant Statutory Undertakers to inform them of its intent to issue a licence. At the same time a request for Utility plans will be carried out by the Highway Authority and those received will be attached with the licence.

8. The Licensee shall ensure that all works comply with the regulations as defined in the New Roads and Street Works Act 1991, including all specifications and codes of practice, with particular reference to:-
- a) the New Roads and Street Works Act ‘Specification for the Reinstatement of Openings in Highways’, Code of Practice
 - b) the Traffic Safety Measures for Road Works, Chapter 8, Traffic Signs Manual issued by the Department of Transport
 - c) the Traffic Management Act

The contractor carrying out the works must ensure that all safety measures are taken, e.g. provision of barriers, lamps, traffic signs, temporary traffic signals and removal of spoil.

9. The Licensee and his contractor must permit the Street Authority to monitor his, or his contractor’s, performance throughout all stages of the street works. Inspections will be carried out (a) during the progress of the works, (b) within 6 months following interim or permanent reinstatement, (c) within 3 months preceding the end of the guarantee period (this period will begin from the date of the registered permanent reinstatement and will be for 2 years for excavations up to 1.5m deep, and 3 years for deeper excavations). During the guarantee period, the licensee shall be responsible for any maintenance works required in ensuring that a reinstatement conforms to the prescribed performance standards.
10. Following receipt of an application directions may be given regarding any traffic control measures deemed necessary, such as the need for temporary traffic signals or, where necessary, a temporary road closure. Temporary traffic signals require at least **10 clear working days’** notice. Where the proposed works will necessitate the temporary closure of a highway a minimum of **3 months** notice in advance of the works must be given. The owner of the apparatus will be expected to bare all reasonable costs incurred by the Street Authority in preparing and implementing any road closure order. The Street Authority may require the applicant to restrict the hours of working.
11. Financial penalties may be imposed by the Street Authority against 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.
12. The licensee's attention is drawn to Section 74 of the New Roads and Street Works Act (Charges for Prolonged Occupation of the Highway). A Street Authority may require an undertaker to pay the prescribed charges where the duration of any street works exceeds the prescribed completion date. The prescribed charges shall be as set out in The Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) (Amendment) Regulations 2012, and shall be chargeable for each day (or part of a day) during which the street works continue beyond the prescribed completion date, unless otherwise authorised by the Street Authority.
13. A Street Works Licence will only be granted to the owner(s) of the apparatus or his Successor(s) in Title. Owners should note that it is their statutory duty to ensure that the apparatus is properly maintained at all times. The issue of a licence does not dispense the Licensee from obtaining any other consent, licence or permission that may be required. The Licensee must make his own arrangements with such owners in cases where their consent is needed.
14. Before a Street Works Licence can be issued the applicant must make payment of **£544.50** to cover the statutory inspection fees and administration charges;
- Cheques to be made payable to **Balfour Beatty Living Places**.
15. Where the apparatus in respect of which an application for a Street Works Licence has been made is to be placed or retained on a line crossing the street, and not along the line of the street, a person aggrieved by the following may appeal to the Secretary of State:

- (a) The refusal of the Street Authority to grant a licence
- (b) The refusal of the Street Authority to grant a licence except on terms prohibiting its assignment
- (c) Any terms or conditions of the licence granted to him

16. Where the private apparatus is to connect to, discharge to, or extract from any other privately owned apparatus or public system, the applicant must make a separate application to the owner/s or manager/s of that system to obtain the requisite consent or authorisation to make such a connection, discharge, or extraction; i.e. where the apparatus is to;

- Connect to a private drain or sewer - the owner of that private drain or sewer
- Connect to the public sewer - the public sewer authority
- Connect to a Council highway drain - Herefordshire Council, Engineering Services
- Connect to a mains water supply - the water authority
- Connect to mains gas supply - the gas supplier
- Discharge or extract to/from a water course - the Environment Agency

17. A Street Works Licence is granted to the owner/s of the apparatus and his successors in title. Where the licensee proposes to part with the interest in the apparatus, any existing licence must be transferred in the name of the new owner/s. Written notice shall be given to the Street Authority stating that ownership is to be transferred and to whom, whereupon **Form SW7** (Application for Transfer of Licence Ownership) shall be issued for completion and return by the new owner/s.

18. In case of difficulty or for further information, please contact:-

Balfour Beatty Living Places
Unit 3, Thorn Business Park
Rotherwas
Hereford HR2 6JT

NRSWA Co-ordinator
Email: hereford.streetworks@bblivingplaces.com

NEW ROADS & STREET WORKS ACT, 1991
Application for a Street Works Licence
Section 50 and Schedule 3

Section 1 – Owner of the apparatus (ie <u>Owner of the Land/Property serving the apparatus</u>)	
Name :	
Address :	
Postcode:	
Contact Name :	Tel No :

Section 2 – Location of the proposed works
Property Name / No:
Address :
Postcode:
Grid Reference of Apparatus
The application must be accompanied by a 1:500 scale plan showing the line of the apparatus within the highway, including the point of connection to any other existing pipe, cable, drain, or discharge point.

Section 3 – Details of the work being carried out			
Is the work being carried out on : (Y/N)	New Apparatus ?	Existing Apparatus ?	
Description of the proposed works including size/diameter of apparatus :			
Purpose :			
Are the works being carried out by : (Y/N)	Open Cut (ie excavated trench) ?		
	Trenchless Technology (ie moling, boring, pipe cracking etc ?		
Depth of apparatus (in meters)			
Estimated Start Date for the works	Duration :		
Where the apparatus is to be connected to, discharged to, or extracted from any other private or public owned apparatus or system, have the requisite consents been given by the owners to connect to, discharge to, or extract from such apparatus or system?			
Please tick one:	Yes	No	Awaiting Approval
			Not Applicable

Section 4 - Fees
Payment of the Licence fees of £544.50 must accompany this application. Cheques should be made payable to: Balfour Beatty Living Places.

Section 5 – Details of contractor conducting the works

Contractor's Name

Address :

Contact Name :

Tel No :

Email Address :

The names and details of personnel to be employed on the site to act as Accredited Operatives and Supervisors under the Street Works (Qualifications and Operatives) Regulations 1992 must be entered below:-

Name	Registration Number	Expiry Date	Operator / Supervisor

Proof of Supervisory and Operative Accreditation may be requested. Failure to provide an Accredited Operative on site during works at all times may result in the works being stopped until such time that the proper accredited personnel can be made available.

Section 6 – Insurance Details

Public Liability insurance to a minimum of £5m must be provided by the contractor and be valid for the duration of the works up to the completion of the permanent reinstatement. (Proof must be submitted with this form).

Name &
Address of
Insurance
Company

Policy Number

Expiry Date :

Section 7 – Declaration by owner(s) of the apparatus

I/We confirm that the foregoing details are correct and acknowledge that the works referred to 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 within the relevant Licence.

I/We acknowledge the requirement for me/us to pay the relevant licence fees and any statutory defect inspection fees applicable at the time of occurrence. I/We also acknowledge that I/we shall pay the costs of any necessary investigatory or remedial works conducted by the Street Authority under the powers invested in them by the New Roads and Street Works Act.

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 arising out of:

- (a) the placing or presence in the street of the 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, where the private apparatus is to be connected to or discharged to any other privately or publicly owned system, I/we must apply separately to the owner of that apparatus for the requisite permission to connect or discharge our private apparatus.

I/We acknowledge that I/we have read and understood the Notes for Guidance contained in Form SW1.

Signed

Date :

APPLICATION FOR A TEMPORARY ROAD CLOSURE

Email completed form to: hereford.streetworks@bblivingplaces.com or post to
NRSWA Team, Balfour Beatty Living Places, Unit 3, Thorn Business Park, Rotherwas, Hereford, HR2 6JT

ALL APPLICATIONS ARE REQUIRED TO BE RECEIVED A MINIMUM OF 8 WEEKS BEFORE YOUR START DATE

ROAD CLOSURE DETAILS						
Road Name:					Road No: e.g. A4123	
Location of works:	Easting :		Northing :		USRN:	
Details of where road will be closed from / to:						
Date of commencement :				Date of Completion:		
Reason for road closure:						
Description of diversion route: <i>(note – you must also attach a plan showing your diversion route, your application will be rejected without this)</i>						
Will continued access be available at all times for:	Emergency Vehicles :	Y/N	Buses :	Y/N	Refuse collection vehicles:	Y/N
Will the closure be removable at the end of each day? :	Y/N	If yes, enter the approximate working hours				

Company for whom the TTRO is required:	
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NRSWA NOTICE NUMBER (Also referred to as Job No)	If the works are for a Utility Company you must provide this information.

If the application is for Private works then the NSRWA Notice shall be created by Balfour Beatty on your behalf.

APPLICANT DETAILS			
Name of applicant:			Tel No :
Name & address of applicant's organisation:			
			Post Code

PAYMENT DETAILS	
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Please ensure you complete all of the below fields.

Company:		Purchase Order No:	
Invoicing address:			

DECLARATION	
I declare that the section of road detailed above needs to be closed to facilitate works, which cannot be carried out whilst maintaining traffic flow. I understand that the cost for a closure is as detailed in the guidance notes issued to me. I declare that I have consulted and discussed this closure with those likely to be affected and agree to provide and maintain all signing, including traffic regulation order site notices and advanced notice boards, required for closure for the duration of the works. I understand that I am responsible for the 24 hours signing and guarding and maintenance of the site and diversion route in accordance with Chapter 8 and the Code of Practice for Safety at Street Works and Road Works. I have read and understood fully the guidance notes provided and will adhere to all responsibilities / duties enforced by this document.	
Signed:	Date:

Please ensure you understand the “Guidance notes” on page 7 associated with the TTRO process

ROAD CLOSURE GUIDANCE NOTES

1. Herefordshire Council requires a minimum of eight weeks advance notice in order to prepare a Temporary Traffic Regulation Order. This does not dispense with the requirement under the Traffic Management Act 2004 that a minimum of three months advance notice is required for the intended works. Applications must be received in sufficient time for them to be examined before an Order is processed and granted.
2. The applicant must append a plan showing the length of road to be closed, together with the recommended diversion routes.
3. The applicant should also supply a traffic management plan to identify the signage and other measures that will be taken to alert other road users of the closure and the diversion route.
4. Where applicable you must provide written approval to use any part of a neighbouring county or other highways authority's network.
5. Where works are planned to take place between the hours of 23:00 and 07:00 prior separate written permission must be sought from this office.
6. A minimum of two weeks before the commencement of the road closure applicants must erect, at the site of the proposed closure, Advance warning signs giving the public advance warning of the proposed closure. They should be (compliant with the TSRGD) of a suitable size to be read from a passing vehicle, give details of the date and times of the closure and a contact telephone number.
7. Applicants are also responsible for the erection, maintenance and removal of all necessary road closure and diversion signs (these should be removed as soon as possible after the works are completed) and should be aware that the road should remain open for pedestrians and access to frontages.
8. You must supply details of your communication plan (letter drops etc.) for local residents. Applicants must notify affected properties of the road closure, by letter, not less than two weeks before the start date. This must provide the applicants contact name, telephone number and the proposed start and end dates. A copy of the letter should be sent to the NRSWA Team with your application.
9. Where the closure will affect local businesses or residents you must also supply us details of your communication plan for these business, and ensure "Businesses Open As Usual" signs are displayed where appropriate. The location of these should be included in your traffic management plan.
10. Where a closure affects a bus route, or access for refuse collection you must liaise with the relevant council department so they can make alternative arrangements.
11. The Applicant must be covered by Public Liability Insurance which should be available for inspection; minimum cover to be £5 million. Such insurance must indemnify the Highway Authority from and against all actions, claims, losses and expenses whatsoever in respect of loss of life or personal injury or damage to property, howsoever caused, arising out of or in any way attributable to the road closure or the activity.
12. Administrative costs of £2,002.00 will be invoiced in due course to cover the preparation of the Order and advertising costs.

For Emergency /Urgent closures under a Temporary Notice the administration costs to be invoiced will be £1,325.00. Please note that if your order is cancelled fees may also be charged. Cost to be determined dependent on the extent to which the Order has been processed.

Payments can be made by cheque or Purchase order upon application.

All payments should be made out to: BALFOUR BEATTY LIVING PLACES LIMITED

VAT Registration No. 217 9672 35 Sort Code 16-04-00 Bank Account No. 31336726

Remittance should be sent to the NRSWA Team at hereford.streetworks@bblivingplaces.com

APPLICATION FOR TEMPORARY TRAFFIC SIGNALS

Email completed form to: hereford.streetworks@bblivingplaces.com or post to
NRSWA Team, Balfour Beatty Living Places, Unit 3, Thorn Business Park, Rotherwas, Hereford, HR2 6JT

APPLICATIONS MUST BE SUBMITTED AT LEAST 10 WORKING DAYS PRIOR TO START OF WORKS

A £114.95 fee is applied to Traffic Signal Applications for Private Works, payable on application.

All payments should be made out to: BALFOUR BEATTY LIVING PLACES LIMITED (and remittance sent to the NRSWA Team above)

Name & address of applicant:		If NOT for a utility company please put the name & address for whom the works are being carried out below.
Tel:		
Email:		
Works for Utility Company (Name of Company)		

Details of works being undertaken:	
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Date Signals will be placed on the network :		Date of Removal of Signals :	
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NRSWA NOTICE NUMBER	If the works are for a Utility Company you must provide this information.

If the application is for private works then the NSRWA Notice shall be created by Balfour Beatty on your behalf.

LOCATION OF WORKS			
Road Name:		Road No: <i>e.g. A4123</i>	
Easting:		Northing:	
		USRN:	
Location: <i>(e.g. outside No.1)</i>			

TRAFFIC MANAGEMENT DETAILS

(Tick or x appropriate boxes)

Type of TM	Period of Operation	Means of Operation
Stop & Go Boards	24 Hour Use	Mains
Two Way Lights	9:30am to 3:30pm	Battery
3 or More way Lights (Specify)	Other (Specify)	Generator

A Traffic Management Plan or Sketch **must be provided** with this application.

Failure to do so may result in your application being returned

TM Plans attached:	Y/N
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Are any of the following required in association with your works: (Tick or x appropriate boxes)

Bus Stop Suspension		Permanent Lights Switch Off/On	
Speed Restriction		Parking Suspension	

Name and contact details of company who owns the traffic signals	
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Name and contact details of person responsible for maintenance:	
During working hours	
After working hours	

DECLARATION	
I have read and understood fully the guidance notes provided and will adhere to all responsibilities/duties enforced by this document.	
Signed:	Date:

TRAFFIC SIGNAL GUIDANCE NOTES

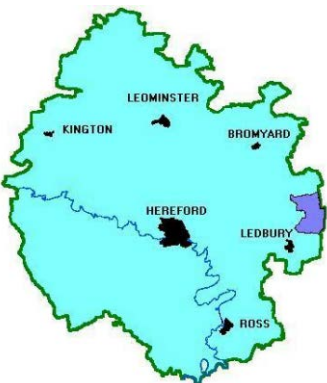

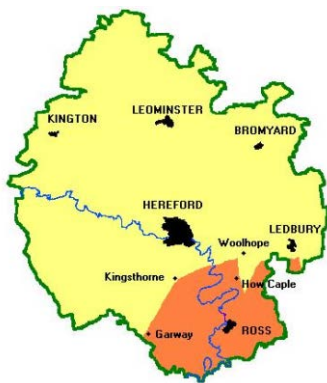
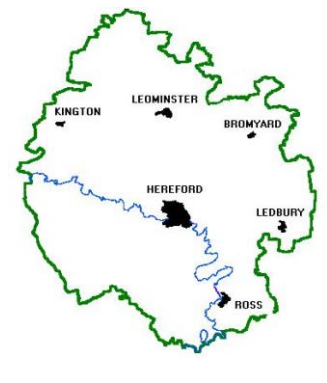

1. A drawing to a scale of not less than 1:500 must be provided, detailing the position of each traffic signal head, controller position and associated cable layout. The signal heads are to be identified to a point within two metres of that intended to be used on site, when scaled from this drawing.
2. The size, type and location of all temporary signs are to be detailed in accordance with advice given in Chapter 8 of the Traffic Signs Manual and Traffic Signs Regulations and General Directions 1994 (as amended).
3. Temporary traffic signals must operate in the vehicle-activated mode at all times unless written approval is obtained from the Local Authority. The controller should also be capable of working either in fixed time or all red modes. The controller unit must be secured by key or padlock during out of hours use.
4. Traffic signals must be set up and maintained by a qualified person.
5. If the site is unattended at any time and / or the temporary traffic signals will be in operation before 8.00am or after 8.00pm a suitable mains electrical supply must be used to power the signal equipment. Alternatively a supply switching to 'silent' battery operating must be capable of supplying continuous power for at least 12 hours.
6. Cable protectors must be fitted where traffic is travelling over cabling and these must be sited away from turning traffic or where braking/accelerating is likely to occur.
7. If there are any existing 'Give Way ' or 'Stop Signs (including duplicate or advanced signs)' and / or markings they must be temporarily covered over.
8. A 'beck and call' maintenance system for the temporary traffic signal equipment is required. The maintenance provision must be such that a suitably trained technician (also N.R.S.W.A. Accredited) will arrive on site within two hours of notification during the hours 07.30 to 17.30, Mondays to Fridays, and within three hours at all other times. The equipment must be returned to working condition within 30 minutes of arrival on site and the appropriate spare parts will, therefore, need to be carried in their vehicle.
9. "Stop and Go" boards must be available on site to control traffic in the event of temporary traffic signal failure. Operatives should be trained on how to use them and if necessary stop work until the lights are repaired.
10. Equipment must be of a type approved by the Secretary of State and in full working order including all switches and L.E.D's.
11. Should you require the switch off/on of nearby permanent lights you must arrange this through the Balfour Beatty street lighting team.
12. Should you require the suspension of a bus stop, you must arrange this through Herefordshire Councils Transport department.
13. Should your works also require a temporary traffic regulation order (e.g. parking or speed restriction) this will need to be applied for separately in line with minimum notice periods required.
14. For Private Works there is an administration fee of £114.95 made payable by cheque or Purchase order upon application.

All payments should be made out to: **BALFOUR BEATTY LIVING PLACES LIMITED**

VAT Registration No. 217 9672 35 Sort Code 16-04-00 Bank Account No. 31336726

Remittance should be sent to the NRSWA Team at hereford.streetworks@bblivingplaces.com

HEREFORDSHIRE STATUTORY UNDERTAKERS REQUESTS FOR APPARATUS LOCATION PLANS

<p style="text-align: center;">WATER</p> 	<p><u>Dwr Cymru Welsh Water</u> ■</p> <p>Asset Records Eastern Business Park Newport Road St. Mellons Cardiff CF3 5EA www.dwrcymru.com</p> <p><u>Severn Trent Water Ltd.</u> ■</p> <p>Records management Centre Waterworks Road Edgbaston Birmingham B16 9DD www.stwater.co.uk</p>	<p style="text-align: center;">SEWERS</p> 	<p><u>Dwr Cymru Welsh Water</u> ■</p> <p>Asset Records Eastern Business Park Newport Road St. Mellons Cardiff CF3 5EA www.dwrcymru.com</p> <p><u>Severn Trent Water Ltd.</u> ■</p> <p>Records management Centre Waterworks Road Edgbaston Birmingham B16 9DD www.stwater.co.uk</p>	
<p style="text-align: center;">GAS</p> 	<p><u>National Grid Gas</u> ■</p> <p>Plant Protection Block 1, Floor 2 Brick Kiln Street Hinckley Leicester LE10 0NA plantprotection@uk.ngrid.com</p> <p><u>Wales & West Utilities</u> ■</p> <p>1st Floor, Wales & West House Spoooner Close Celtic Springs Coedkernew, Newport NP10 8FZ plantprotectionenquiries@wwutilities.co.uk</p>	<p style="text-align: center;">ELECTRICITY</p> 		<p><u>Western Power Distribution</u></p> <p>West Midlands Plant Location Enquiries Toll End Road Tipton DY4 0HH wpdmidlandsbureau@westernpower.co.uk</p> <p><u>Western Power Distribution</u></p> <p>South West and Wales Lamby Way Industrial Estate Rummey Cardiff CF3 8EF (for parts of Huntingdon; Brilley; Clifford; and Cusop)</p>
<p style="text-align: center;">OTHER</p> 	<p style="text-align: center;">Mainline Pipelines</p> <p>c/o Fisher German Pipelines Office New Road Hardley Southampton SO45 3NW www.linesearch.org</p> <p><u>Openreach BT</u></p> <p>PP 404B Telecom House Trinity Street Hanley Stoke-on-Trent Staffordshire ST1 5ND www.bt.com/btplant</p>	<p><u>Cable & Wireless</u></p> <p>Atkins Telecoms PO Box 290 260 Aztec West Almondsbury Bristol BS32 4WE osm.enquiries@atkinsglobal.com</p> <p><u>Fibrespan</u></p> <p>Enterprise House Ocean Village Southampton SO14 3XB (Hereford City only)</p>	<p><u>Envoy</u></p> <p>Ocean Park House East Tyndall Street Cardiff CF24 5GT nrswa@envoyonline.co.uk</p>	