

CITY OF WOLVERHAMPTON COUNCIL

HIGHWAY ASSETS

STREET WORKS LICENCE FOR EXCAVATIONS IN THE HIGHWAY

SECTION 50 - NEW ROADS AND STREET WORKS ACT 1991

GUIDANCE, APPLICATION & CONDITIONS

PLEASE RETAIN GUIDANCE & CONDITIONS AND RETURN APPLICATION FORM UPON COMPLETION TOGETHER WITH PUBLIC LIABILITY INSURANCE DOCUMENTS, PROOF OF SUPERVISORY AND OPERATIVE ACCREDITATION & CHEQUE FOR NECESSARY FEES MADE OUT TO: - CITY OF WOLVERHAMPTON COUNCIL

TO: - Highway Assets Team
City of Wolverhampton Council
Qualcast Road Highways Depot
Qualcast Road
Wolverhampton
WV1 2QP

Paul Walton
Tel: 01902 551807
Email: paul.walton@wolverhampton.gov.uk

October 2018 (Not valid after October 31st 2019)

CITY OF WOLVERHAMPTON COUNCIL

LIST OF CONTENTS

Pages

1	Contents
2	Notes: Important points including list of Accredited Contractors
3	List of Contractors Known to the Council
4-5	Section 50 Street Works Licence Notes for guidance (to be retained by applicant)
6	IMPORTANT NOTICE
7	Street Works Licence Application Form (Form SWLI)
8-10	Conditions (to be retained by applicant)
13-14	N.R.& S.W.A. apparatus information of Statutory Undertakers

Note:

- (a) For temporary traffic signals one week's notice is required
- (b) For road closure six weeks' notice is required

APPLICANTS SHOULD READ AND NOTE THE FOLLOWING:

THE NOTES FOR GUIDANCE AND ANY SPECIAL CONDITIONS CONTAINED WITHIN THIS DOCUMENT.

FAILURE TO COMPLY WITH THESE SPECIAL CONDITIONS AND THOSE ATTACHED TO THE LICENCE AT THE TIME OF ISSUE MAY RESULT IN PROSECUTION.

IMPORTANT NOTES FOR APPLICANTS

This document contains CONDITIONS AND NOTES FOR GUIDANCE together with an APPLICATION FORM for EXCAVATING IN THE HIGHWAY.

Should you wish to make a sewer connection in the public highway, in addition to a Section 50 Licence you should contact Severn Trent Water Company directly, to obtain their permission.

Failure to PROVIDE THE FOLLOWING INFORMATION may result in delay to issuing a Section 50 Licence - **TO AVOID SUCH DELAY IN PROCESSING YOUR APPLICATION PLEASE ENSURE:**

- 1** - You have completed the **Application form** in full and correctly
- 2** - You have provided a copy of your **Public Liability Insurance details for £5,000,000** (showing expiry date)
- 3** - You have provided **2 x DETAILED LOCATION Plans (scale 1/1250)**
- 4** - Proof of **both Supervisor and Operative ACCREDITATION must** be attached to the Application Form.
- 5** - You have provided a **Cheque made out to CITY OF WOLVERHAMPTON COUNCIL for the CORRECT Fee.**

Please **“READ”** the CONDITIONS and Guidance NOTES and **“RETAIN”** for your future reference.

Following the issuing of a Licence NOTICE OF COMMENCEMENT must be given as described in **Condition 1.4**

Upon COMPLETION OF WORK it must be registered as described in **Condition 1.17 (b)**

PLEASE NOTE THE WORK MUST BE:

- * SUPERVISED by an ACCREDITED SUPERVISOR
- * At least ONE ACCREDITED OPERATIVE MUST BE ON SITE AT ALL TIMES.

(The Street Works (Qualification of Supervisors and Operatives) Regulations 1992)

A list of Contractors known to the Council is attached - THIS IS NOT A GUARANTEE OF COMPETENCE OR APPROVAL.

Contractor List

Hilton Main Construction Ltd (01922) 716 176

Alan Degg (Contract Manager) Chris Holdren (Project Manager)
Sneyd Cottage
Sneyd Lane
Bloxwich
WS3 2LT

PB Maintenance Solutions Ltd 07854 627 782

Peter Beckett
15 Birchcroft, Coven
Wolverhampton
WV9 5DZ

Please note that this is a list of contractors who are known to the Council as having suitable experience and accreditation for this type of work.

However City of Wolverhampton Council does not endorse or recommend any contractor and you are free to use a contractor of your own choice, provided they have a Min of £5million Public Liability Insurance and Street Works Accreditation, for working on the public highway.

***THIS LIST IS NOT A GUARANTEE OF
COMPETENCE OR APPROVAL AND IS NOT A
DEFINITIVE LIST OF SUCH CONTRACTORS***

GUIDANCE TO APPLICANTS FOR A LICENCE FOR EXCAVATING IN THE HIGHWAY

Please note: These notes are for guidance only, You must satisfy yourself that you are complying with all relevant legislation and ensure that all reasonably practical precautions are taken to ensure the safety both of members of the public and your employees or agents.

The Person granted a Street Works Licence (The Licensee) becomes an Undertaker for the purposes of the New Roads & Street Works Act 1991 and therefore attracts the relevant duties and responsibilities imposed by the Act and associated secondary legislation and Codes of Practice.

(Applicant should note that this responsibility cannot be delegated to any other person or organisation).

1. At least **21 working days** from the date of receipt of a completed application form is required to deal with the application. Any enquiry should be directed to Highways Assets (Tel: 01902 555680).
 2. Works not commenced within **56 days** of issue of the Licence shall be subject to re-application.
 3. **It is your responsibility to give separate notice to:**
 - (a) All statutory undertakers whose apparatus may be affected by works and to comply with any requirements they may have. (A list of Statutory Undertakers is attached for your information).
 - (b) Obtain a Permit to Work from Travel Midland Metro if intending to work in proximity to Metro overhead cables. The contact telephone number is 0121 502 2006.
 - (c) Work must not commence until the appropriate Street Works Licence has been issued, together with any additional special conditions, which may be applied at the time.
 4. Applicants should note that special conditions may be applied by the Council :
 - a) In the interests of safety.
 - b) To minimise the inconvenience to persons using the street having particular regard to people with disabilities.
 - c) To protect the structure of the street and the integrity of the apparatus in it.
 - d) In respect of streets with special engineering difficulties or traffic sensitive streets.
 5. The Applicant shall give notification of commencement of the works and registration on its completion. The notification shall be as follows :

a) Excavations of less than 30metres in length and less than 3 days duration	2 working day
b) Greater than above	7 working days
- The works shall be registered with the Council within 7 days of completion (Form SWL/R) together with an ‘as laid drawing’. **Appropriate Forms will be attached to the Licence when granted.**
6. The licensee shall guarantee the reinstatement of the street for a period of two years for openings 1.5 metres or less in depth and three years for openings greater than 1.5 metres in depth.
 7. Where it is impossible to maintain a clear and unobstructed footway width of 1.5 metres, an alternative footway with protective handrail should be fixed and maintained alongside the works to the satisfaction of the Head of City Transport or their representative.
 8. A specimen copy of the conditions attached to a Street Works Licence to excavate in the highway is enclosed for your reference. Please read these carefully to ensure that you will be able to meet the conditions in the event of a licence being granted.
 9. Other Permits or Licences, which Head of City Transport is responsible for, are:
 - (a) Placing of any skip, plant or materials on the highway.
 - (b) Temporary Structure Licence which is required for the erection of scaffolding, cradle, fence, hoarding etc. or the use of crane, hydraulic platform or cabin on the highway.

No Marking

- (c) Any special traffic arrangements associated with the placing of the structure. All traffic arrangements for the undertaking of works must be agreed in advance with the Councils Traffic Management section (Tel: 01902 555791).
- (d) Temporary traffic signals (**at least 7 days written notice is required**) contact Traffic Management (Tel: 01902 555791). [See page 8]
- (d) Temporary Road closure orders - contact Traffic Management (Tel: 01902 555791) or email traffic@wolverhampton.gov.uk to determine whether a Temporary Road Closure is required. **A minimum of 6 weeks notice (in writing) is required before a closure can be implemented.**

Additional consents may be required in respect of associated works, for example: -

Planning and Building Regulation approvals for works and / or Demolition.

It is your responsibility to check at the outset whether any other consents are required, and if so to make the necessary applications and obtain the necessary licences or permits prior to commencing any works.

Enquiries regarding any of the above consents should be made to the address below.

Applications cannot be processed without the appropriate documentation.

Licences will not be issued until the following has been provided :

- a) The required fee – cheques to be made out to City of Wolverhampton Council.
- b) Proof of supervisor and operative accreditation.
- c) Proof of £5 million Public Liability Insurance.
- d) Two location plans (1/1250).

Please FULLY complete the ‘Application Form’ together with the following items:

A : Fees - Cheques to be made payable to – City of Wolverhampton Council

B : Proof of Public Liability Insurance for a minimum of £5 million.

C : Proof of accreditation for Supervisor and Operatives.

D : Two DETAILED LOCATION plans of the works (1/1250)

and post or deliver to:

Highway Assets Team, City of Wolverhampton Council
Qualcast Road Highways Depot
Qualcast Road
Wolverhampton
WV1 2QP

Note: A person who fails to obtain a licence for excavating in the highway, or who fails without reasonable excuse to comply with the conditions of any such licence, may be guilty of an offence and liable to a fine of upto (level 3) £1,000.

IMPORTANT NOTICE

FAILURE TO RETURN THIS APPLICATION

WITH ALL SECTIONS

FULLY COMPLETED

INCLUDING A COPY OF THE

PUBLIC LIABILITY INSURANCE

FOR A MINIMUM OF

FIVE MILLION POUNDS.

WILL RESULT IN THE

RETURN

OF THE APPLICATION FOR

CORRECT

COMPLETION

CITY OF WOLVERHAMPTON COUNCIL

STREET WORKS LICENCE APPLICATION FORM

SECTION 50 APPLICATION NEW ROADS AND STREET WORKS ACT 1991

APPLICANT	
NAME	
ADDRESS OF COMPANY/APPLICANT	
TEL:	FAX:

OWNER OF APPARATUS	
NAME –	
ADDRESS OF OWNER	
TEL:	FAX:

ADDRESS OF SITE

NAME OF CONTRACTOR CARRYING OUT WORK TEL: FAX:	NORMAL/OFFICE HOURS CONTACT NAME TEL:
	OUT OF HOURS/EMERGENCY CONTACT NAME TEL:

DESCRIPTION OF INTENDED WORKS -	TYPE AND SIZE OF APPARATUS
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EXPECTED PERIOD OF WORKS		PUBLIC LIABILITY INSURANCE	
COMMENCEMENT	COMPLETION	EXPIRY DATE	

APPLICATION MUST BE MADE AT LEAST 21 DAYS BEFORE WORK COMMENCES

WILL THE DEPTH OF EXCAVATION BE GREATER THAN 1.5 METRES?	TICK:-	<input type="checkbox"/> YES	<input type="checkbox"/> NO
IS THE WORKS IN THE BILSTON AREA?	TICK:-	<input type="checkbox"/> YES	<input type="checkbox"/> NO
WHAT SURFACE TYPE WILL BE EXCAVATED?	TICK:-	CARRIAGEWAY <input type="checkbox"/>	FOOTWAY <input type="checkbox"/> VERGE <input type="checkbox"/>

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 and Street Works Act 1991 and associated legislation and Codes of Practice, together with any other conditions imposed by the Council at the time of application and issue of the licence.

I also acknowledge and I have read and understood the Notes for Guidance.

SIGNED	PRINT NAME	ON BEHALF OF	DATE
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PLEASE RETURN COMPLETED FORM, TOGETHER WITH THE FOLLOWING ITEMS, TO THIS ADDRESS

LICENCE FEE £500 CHEQUE No.

Highway Assets Team, City of Wolverhampton Council
 Qualcast Road Highways Depot
 Qualcast Road
 Wolverhampton WV1 2QP

PROOF OF **PUBLIC LIABILITY INSURANCE** **£5M**
 PROOF OF ACCREDITATION TWO SITE PLANS SCALE 1:1250

FOR OFFICIAL USE ONLY		REGISTRATION NUMBER
HIGHWAYS	APPROVAL	<input style="width: 100%;" type="text"/>
TRAFFIC	INSURANCE	LICENCE NUMBER
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>

- 1.12 The design and construction of the protective barriers must take into account the need to resist reasonably foreseeable wind and weather conditions.
- 1.13 No mud or other substance shall be deposited by the licensee, his servants or agents, on the area of highway adjacent to the site at any time.
- 1.14 No work shall be undertaken between the hours of 7.30 - 9.30 & 15.30 - 18.30 hours that would affect the free flow of traffic unless permission has been obtained from Head of City Transport or his representative
- 1.15 a) No work shall be carried out which will reduce the available width of the carriageway to less than 3.5 metres unless permission has been obtained from Traffic Management.
- b) The Licensee shall contact the Council's Urban Traffic Control Centre 01902 555791 before commencing work within 300metres of any traffic signal or pelican crossing installation.
- Cables /loops may exist in both footway and carriageway and may not be detected by normal detection methods.**
- c) It may be necessary to alter traffic signal timings for the duration of the proposed work. Licensee will be liable for the cost of repairs to cables.
- 1.16 a) All works must be executed expeditiously and the site cleared as soon as possible.
- b) Upon completion of the work, Form SWL/R must be completed and together with as laid drawings, shall be given to the Head of City Transport or his representative that he may cause the site to be Registered in accordance with NRSWA.
- c) Inspections will be carried out during the works and the guarantee period. Defect Notices will be issued in accordance with the Act.
- d) If any damage occurs to the property of the Council, the Council at the expense of the Licensee will effect repairs.
- 1.17 All Licensees must display a contact board in a prominent position on the site. The contact board should include the following details:
- (i) The title 'Contact Board';
- (ii) The name of the main contractor working on the site;
- (iii) Names and contact numbers of staff who can take immediate action out of normal working hours.
- 1.18 No advertising signs or notices shall be displayed on Site or adjacent highway.
- 1.19 The licensee shall give access to the Site at all reasonable time if so required by an officer of the Council, any Statutory Undertaker or any other body, (either with the consent of the Council or in exercise of its own statutory powers) to carry out works on, under or over the Site or adjoining highway.
- 1.20 The licensee shall guarantee the reinstatement of the street for a period of two years for openings 1.5 metres or less in depth and three years for openings greater than 1.5 in depth.
- 1.21 a) The Licensee shall be responsible for all damage, injury or loss of whatsoever kind and howsoever arising which may be caused to or suffered by any person or persons directly or indirectly by reason or in consequence of this Licence and shall keep the Council fully and effectually indemnified against all actions proceedings costs and expenses in respect of all such damage, injury or loss as aforesaid.
- b) To give effect to the indemnity given by the preceding sub-clause the Licensee shall take out a policy of insurance in terms to be approved by the Council in the sum of not less than **five million pounds** (£5,000,000) in respect of any claim or series of claims arising out of one event and shall, on demand, produce the receipt in respect of premiums paid or such other evidence as the Council may require that such insurance has been effected and shall, in addition, cause such policy to be endorsed noting the Council's interest therein. The Council shall at any time be entitled to call for the production of the said policy of insurance.
- 1.22 The Council may at any time cancel or suspend this licence in the event of the Licensee being in breach of any of the conditions herein contained.

- 1.23 The Council may cancel this licence and recover from the Licensee the amount of loss resulting from such cancellation if the Licensee shall have offered, or given or agreed to give, to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do, or having done or forborne to do, any action in relation to the obtaining or execution of this Licence, any other contract of the Council or for showing, or forbearing to show favour or disfavour to any person in relation to this Licence, or any other contract of the Council or, if the like acts shall have been done by a person employed by the Licensee, or acting on the Licensee's behalf (whether with or without the knowledge of the Licensee), or if in relation to the Licence or any other contract with the Council the Licensee or any person employed by the Licensee, or acting on the Licensees behalf, shall have committed an offence under the Prevention of Corruption Acts 1889-1916 or shall have given any fee or reward the receipt of which is an offence under Section 117(2) and 117(3) of the Local Government Act 1973.