

Street Works Licences

Guidance Note for Applicants

1. The person who is granted a Street Works Licence becomes an Undertaker for the purposes of the New Road 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.
2. Financial penalties will 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.
3. The requirements to obtain a Street Works Licence applies to any person or organisation (other than a Statutory Body) 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.
5. An online application for SWL2 must be completed by the applicant for authorisation to place and retain new apparatus in the Highway, and this must be submitted to the Street Authority with:
 - (a) Two copies of a scale plan of the proposed location of the relevant apparatus marked by a red broken line.
 - (b) Proof of Public Liability Insurance. This must provide a minimum of £5m 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) Payment to be made online by card when requested. Cheques and bank transfers are not accepted.
6. An online application for SWL3 must be completed by the applicant for consent to work on existing apparatus in the highway, and this must be submitted to the Street Authority with:
 - (a) Proof of Public Liability Insurance. This must provide a minimum of £5m 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.
 - (b) Payment to be made online by card when requested. Cheques and bank transfers are not accepted.
 - (c) Completed Declaration Form (Statutory Undertaker's Declaration/Requirements)
7. A Street Works Licence, or consent to work on existing apparatus in the Highway, will be granted only 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.
8. In order for the Street Authority, BCP Council, to comply with its statutory duty, all applications must be submitted at least ONE MONTH in advance of commencement of the proposed works. The application form must be signed by the owner of the apparatus.

9. Applicants should note that special conditions may be imposed by the Street Authority:

(a) to minimise the inconvenience to persons using the street having particular regard to people with a disability;

(b) for Traffic Sensitive Streets, Streets with Special Engineering Difficulties and Protected Streets. N.B. The applicant must strictly adhere to these conditions

10. The Duty of Care: Controlled Waste Transfer questions must be completed where any waste from the excavation has to be disposed of. A copy of the completed form must be retained by the Licence Holder with a copy given to the person accepting the waste.

11. The Licensee must give SEVEN DAYS' advance notice of the intended starting date to the Street Authority, by completing the online form when requested.

12. The Licensee must permit the Street Authority to monitor his performance throughout all stages of street works. These are signing, guarding and excavation, backfilling and reinstatement, immediately after permanent reinstatement, between 6 and 9 months after permanent reinstatement, and 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).

13. The Licensee shall ensure that all reinstatements, whether interim or permanent, conform to the construction and performance standards prescribed in the Act. All interim reinstatements must be made permanent within 6 months.

14. The Licensee shall inform the Street Authority of the completion of the reinstatement, stating whether it is interim or permanent, by the end of the working day following its completion.

15. Separate notifications are required for interim and permanent stages of reinstatement.

16. The Licensee must complete the online form when requested to the Street Authority within 7 days of completion of the works and clearing the site on the highway.

17. The guarantee period prescribed in the Act shall begin on completion of the permanent reinstatement or such later date that the Street Authority is notified of its completion. The guarantee shall run for a period of 2 years in the case of excavations less than 1.5 metres deep and for 3 years for excavations of 1.5 metres depth or greater.

18. Highway surfaces shall be reinstated by suitably proficient specialist surfacing contractors. The Licensee must state the company nominated to carry out the permanent reinstatement of the surface on the Advance Notice of Works.

19. The Licensee shall ensure that his contractor employs supervisors and operatives suitably Accredited in accordance with the requirements of the New Roads and Street Works Act 1991.

20. The Licensee must provide a detailed drawing to Scale 1/1250 showing the actual location of the apparatus measured against fixed objects/structures and indicating the actual depth of the apparatus.

21. Prior to issue of the licence, you need to complete the questions about the statutory Undertakers to identify whether their apparatus will be affected by the proposed works.

22. 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.

23. All communications relating to matters of Street Works Licences should be addressed to:

Network Management Planning,

Transport and Regulation

BCP Council Town Hall Annexe,

St Stephens Road

BOURNEMOUTH

BH2 6EA

Tel: 01202 451681

email: highways@bournemouth.gov.uk