

**Part
2**

Section 50, New Roads & Street Works Act 1991
Street Works Licence Application for
Placing Apparatus in the Highway
Network Management, Planning, Transport and Regulation



FORM SWL2

To: _____ C.S.R.W.R. Ref. _____

N.B. Those applicants not familiar with the requirements of this legislation are strongly advised to appoint a contractor with the appropriate knowledge to help complete this application and to conduct the works on their behalf.

Non-compliance with any of the requirements of the New Roads & Street Works Act 1991 may result in severe financial penalties

SECTION 1 Owner of Apparatus

Surname _____ Forenames _____

Address _____

Postcode _____ Tel Work _____ Mobile _____

SECTION 2 Precise Location of Proposed Works

Detailed plan to be submitted with form

Please tick boxes where necessary

Property Reference _____ Road/Street _____

District/Parish/Ward _____ City/Town/Village _____

Postcode _____ National Grid Ref: _____

Category of Works

Emergency Special Minor with Minor w/out Standard Major
Urgent Urgent Excavation Excavation Works Project

Type of Works _____

Estimated length _____ Average depth: Up to over Works with
of works of excavation 1.5m 1.5m no excavation

Proposed Start Date _____ Estimated Duration _____ hours _____ days _____ months

Planned Finish Date _____

Hours of Working:- daylight 24 hours night-time am only pm only

Work within:- Verge Footway Carriageway All

Proposed flow control:- Stop/Go Temp. Traffic Road Priority Not to
Boards Signals Closure Flow be used

SECTION 3 Details of person conducting the Works

Name _____

Address _____

Postcode _____ Tel. No. _____

SECTION 4 Insurance

Public Liability Insurance of a minimum £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 by owner of apparatus

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 consent.

I also acknowledge the statutory need for me to pay the prescribed inspection fees which will be imposed by the Street Authority, including any defect inspection fees and the cost of any necessary remedial works conducted by the Street Authority during the guarantee period.

I also acknowledge that the consent 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 consent relates.
or
- b) The execution by any person of any works authorised by the consent.

I also acknowledge that I have read and understand the Notes for Guidance contained in Part 1 (SWL1).

Signed _____ Date _____

SECTION 6 Conditions

1. The Street Authority for the Highway mentioned in Section 2 of Form SWL2 (hereinafter called 'the Highway') hereby grant 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 2 of 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 Section 2 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 the apparatus and his Successors in Title and where he proposes to part with his interest in the apparatus, he shall before doing so give 6 weeks notice to the Street Authority stating to whom the benefit of the licence is to be transferred.
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 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 7.
4. The Licensee shall pay the Street Authority in connection with the grant of this licence:
 - a) the sum of £100 in respect of administration expenses (non returnable);
 - b) the sum of £150 which the Street Authority will accept as a 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;
 - c) the sum of £150 for the chargeable inspection fees, per unit of inspection;
 - d) works in excess of 200 metres length will be subject to additional Inspection Fees.
5. 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.
6. 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 than 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.

7. 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 licence will be required for such works.
8. 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.
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 Section 2 of Form SWL2 hereto.

SECTION 7 Authorisation

Additional Conditions/reinstatement Requirements

Signed _____ Date _____
On behalf of the Street Authority

IMPORTANT

All communications relating to this Licence should be addressed to:

Network Management
Planning, Transport and Regulation
Bournemouth Borough Council
Town Hall Annexe
St Stephens Road
Bournemouth BH2 6EA