

SECTION 50 NEW ROADS & STREET WORKS ACT

1991

STREET WORKS LICENCE

APPLICATION PACK

Swansea Council,
Highways & Transportation,
Street Works,
Players Industrial Estate,
Clydach,
Swansea,
SA6 5BJ

Contacts

Street Works Manager – Dean Howard – 01792 841675

Street Works Technician – Clive Perman – 01792 841677

clive.perman@swansea.gov.uk

CONTENTS

Guidance Notes to assist with completion of the application pack.

- Part 1** Traffic Management Act 2004
- Part 2** Notes for Guidance for Applicants
- Part 3** Street Works Licence Application
- Part 4** Standard Conditions
- Part 5** Advance Notice of Works
- Part 6** Registration of Works
- Part 7** Statutory Undertakers Plant Enquires

Forms to be completed and submitted.

- (Form SWL1)** Street Works Licence Application Form
(To include photocopies of both sides of Supervisor & Operatives SWQR cards, insurance certificate and connection approval for installation of new sewer apparatus)
- (Form SWL2)** Advance Notice of Works
- (Form SWL3)** Registration of Works
(Photocopy of quarry tickets for any material used in the reinstatement)
- (SWL4)** Statutory Undertakers Plant Enquires

SECTION 50 -STREET WORKS LICENCE APPLICATION PACK

NEW ROADS AND STREET WORKS ACT 1991

PART 1

TRAFFIC MANAGEMENT ACT 2004

The Traffic Management Act was introduced in 2004 to tackle congestion and disruption on the road network. The Act places a duty on local traffic authorities to ensure the expeditious movement of traffic on their road network and those networks of surrounding authorities. The Act gives authorities additional tools to better manage parking policies, moving traffic enforcement and the coordination of **all activities on the network, including street works.**

This Act will take effect as of the 1st April 2008 and will change the noticing periods required for street works.

More in-depth information can be found at the Department for Transport Website <http://www.dft.gov.uk/pgr/roads/tpm/tmaportal/>

PART 2

NOTES FOR GUIDANCE FOR APPLICANTS

Any person (other than a Statutory Undertaker) who wishes to place apparatus in the street, retain and thereafter inspect, maintain, adjust, repair, alter it must be in possession of a Street Works Licence. This licence will be granted to the owner of the apparatus.

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. The works must be carried out by an accredited operative and overseen by an accredited supervisor.

Works must commence within **THREE MONTHS** from the date of the licence being granted. A permanent reinstatement must be completed within **SIX MONTHS** of the completion date of any interim reinstatement. If works are unable to commence within three months it is at the discretion of the Street Authority whether the licence will be withdrawn (and all monies refunded, less an administration fee) or if a new licence will be granted based on the original application with new work dates.

Applications must be **received** at least **ONE MONTH** in advance of the commencement of the proposed works, signed by the owner of the existing or proposed apparatus. This is to allow Swansea Council (the Street Authority) to discharge its duty. However, if the works fall within the Major works category **THREE MONTHS** notice is required. **N.B these are minimum notice periods and the Street Authority may require more time to process the application in certain circumstances. If a Road Closure is required both applications must be received at least THREE MONTHS in advance of the commencement of the proposed works.**

Before granting a Street Works Licence to place new apparatus the Street Authority must give not less than 10 working days notice to statutory authorities and other interested parties.

Part 3

STREET WORKS LICENCE APPLICATION / STANDARD CONDITIONS

The following must be received or the granting of the licence may be delayed.

- a) **Completed Form (SWL1)** (Street Works Licence Application);
- b) **Licence Fee £566** up to *200 metres, payment in advance (cheques made payable to City and County of Swansea.)
- c) **Licence Fee £1132** up to *200 metres, payment in advance to serve 6 or more dwellings houses and residential development, flats/maisonettes (cheques made payable to City and County of Swansea.)

*Each 200 metre length thereafter will incur an additional £150.

Breakdown as follows:-

The licensee shall pay the Authority on application the applicable administrative fee in respect of Legal and other expenses incurred by the Authority in connection with the granting of the licence, £130 capitalised fee in lieu of annual charge and the sum of £50.00 or such sum as is the nationally agreed sum, for each inspection carried out by the Authority. £150 per inspection unit of up to every 200m (£50 per inspection, three required per unit).

- c) **A scale plan** (of Ordinance Survey standard) at 1:1250 or greater of the proposed location and depth of the relevant apparatus marked by a red broken line and a grid reference for the excavation site;
- d) **Proof of Permission to Connect to Network** (For new apparatus).
- e) If works are greater than 200m in length additional fees will apply. These will be agreed with the applicant and Street Works Manager.

The following must be submitted in the first instance (copies will be kept on file for future application, whilst still valid)

- a) **Proof of Public Liability Insurance** This must provide a minimum of **£10m** cover;
- b) **Proof of Street Works Accreditation** (Copy of both sides of Supervisor & Operatives SWQR cards). An accredited supervisor must supervise the work, and at least one accredited operative must be on site at all times when the works are in progress. **N.B this cannot be the same person.**

Please contact the Street Works Manager at Swansea Council, Street Works, Players Industrial Estate, Clydach, Swansea, for assistance if Traffic Lights or a Road Closure is required. Telephone number is 01792 841677/841675

The definition of apparatus includes drains, cables, ducts, sewer pipes, water and gas pipes etc. Both under, over, across, along or upon a street.

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 secure that the apparatus is properly maintained at all times.

The person granted a Street Works Licence becomes an Undertaker for the purposes of the New Roads and Street Works Act 1991, and therefore has the duties and responsibilities imposed by the Act and associated Secondary Legislation and Codes of Practice.

Section 74 of the 1991 Act means the Licence holder may be liable to charges raised under this section for unreasonably prolonged occupation of the highway, or if the correct notices are not served in respect of this section.

Please note this licence can only be granted to an applicant that will be the owner and be responsible the apparatus. It can not apply in situations where a third party will own and maintain the installed apparatus.

Part 4

STANDARD CONDITIONS

Conditions of Street Works Licence Relating to the Placing, Retaining and Maintenance of Apparatus in the Street

(S50 & Schedule 3 of the New Roads & Street Works Act 1991)

1. The Licensee shall not carry out any excavation or other works in the highway, except in accordance with a plan, to be submitted with this application, and approved by the Highway Authority. The works shall be carried out by the Licensee or an agent approved by, and monitored Highway Authority. The Street Works (Qualifications of Supervisors and Operatives) Regulations 1992 sets out the criteria of qualifications for persons excavating in the highway required by Section 67 of the New Roads and Street Works Act, 1991. For the purposes of carrying out the works, the Licensee or agent shall comply with the relevant Codes of Practice issued under the New Roads & Street Works Act 1991. Specifically the supervisor and operative will be trained and accredited to the requirements of the Codes of Practice. Proof of such accreditation must be provided with this application.
2. The Licensee shall indemnify Swansea Council as the Highway Authority in respect of any Third Party actions claim demands, expenses or proceedings in respect of injury, damage or loss which may arise from his works on the highway. The Licensee shall effect insurance indemnifying the Licensee and the Council, for the duration of the works and until the Council resumes responsibility for maintenance of the highway in accordance with Condition 14. Such insurance shall afford indemnity of not less than £10 million in respect of each and every occurrence or series of occurrences caused by or attributable to any event giving rise to a claim. A copy of the insurance certificate and policy shall be included with this application.

3. The Licensee shall regulate the works so as to minimise obstruction to vehicular and pedestrian traffic and shall guard the works in accordance with Chapter 8 of the Traffic Signs Manual 2006 published by TSO and the Safety at Street Works and Road Works Code of Practice 2001 which gives specific guidelines on the safe signing, lighting and guarding of temporary works on the Highway, as required by Section 65 of the New Roads and Street Works Act, 1991. The works area shall be maintained and kept clean and tidy throughout the duration of the works.
4. The Licensee shall not interfere with any drain, culvert, gully, bridge, wall or other structure without the specific consent of the Highway Authority.
5. Except in accordance with this licence, no part of the highway may be closed, **AT ANY TIME**, without the consent of the Highway Authority.
6. The issue of a licence to make a temporary excavation in the highway does not authorise the Licensee to interfere with apparatus already existing in the street. At all times access must be maintained to any apparatus within the highway.
7. The Highway Authority shall serve notices to the Statutory Undertakers in accordance with the requirements of the New Roads and Street Works Act 1991 on behalf of the applicant. Except in the case of an emergency, such notices must be made at least twenty-five working days prior to the start of the works. The applicant shall be responsible for carrying out any works required by a Statutory Undertaker in their response to a notice, or subsequently to protect apparatus. Prior to the commencement of any works the applicant shall determine the precise location of any Statutory Undertakers plant (SWL4). The applicant shall allow for the notification process when programming his works.
8. If there are no objections to the works (including those from Statutory Undertakers), the Highway Authority will issue a licence. (Works shall not commence until this licence is approved and issued). The licence will be valid for three months from the date of issue.
9. Any works necessary by the Highway Authority as a result of the failure of the Licensee to comply with the conditions of the licence shall be chargeable to the applicant. The applicant shall also be liable for any further inspections that may be necessary in the same manner as provided under Section 72 (2) of the New Roads & Street Works Act 1991.
10. In the event of the works being cancelled after the application form has been submitted an administration fee will be charged to the applicant to cover administrative costs.
11. Reinstatement of the works shall be in accordance with the relevant NRSWA Code of Practice (Specification for the Reinstatement of Openings in Highways 2nd Edition 2006). Any excavation shall be at least temporarily reinstated with bitumen macadam before removing any signing and barriers. No trench reinstatement is to be re-opened to highway users without at least a temporary bituminous layer being in place, which is flush with the level of the adjacent highway. Limestone is not permitted in the wearing course. Any temporary reinstatement shall be agreed with the Highway Authority.

12. Once the works are complete the area shall be left in a clean and tidy condition to the satisfaction of the Highway Authority.
13. Within five working days of completion of the works the Licensee shall give written notice to the Highway Authority. This shall be done by way of the '**Registration of Works**' (SWL3) provided in the licence pack.
14. The date and time when the Highway Authority will resume responsibility for maintenance of the highway works, distinct from the apparatus, will normally be two years (three years for excavations greater than 1.5 meters) from the actual date of the completion of the works. Until the Highway Authority assume responsibility for maintenance of the works the Licensee shall be responsible for any claims arising from the work or any necessary maintenance works and associated costs. The Highway Authority shall determine any necessary works.
15. No works are to be undertaken in the highway before a licence has been granted.
16. Additional conditions may be applied to the licence by the Street Works Manager or his representative as deemed necessary.

Part 5

ADVANCE NOTICE OF WORKS

Major Works.

These are works which require a Road Closure or have a planned duration of 10 working days or more. – Application must be submitted **THREE MONTHS** in advance of the works commencing date. The Licensee must give **TEN WORKING DAYS** notice of the intended starting date to the Street Authority using Form (SWL2).

Standard Works

These are works that have a planned duration of 10 working days or less. – Application must be submitted **ONE MONTH** in advance of the works commencing date. The Licensee must give **TEN WORKING DAYS** notice of the intended starting date to the Street Authority using Form (SWL2).

Minor Works

These are works that have a planned duration of 3 working days or less. – Application must be submitted **ONE MONTH** in advance of the works commencing date. The Licensee must give **THREE WORKING DAYS** notice of the intended starting date to the Street Authority using Form (SWL2).

Immediate Works

These are works that could cause serious damage to person or property and must be carried out as soon as possible.

The following must be received.

- a. **A scale plan** (of Ordinance Survey standard) at 1:1250 of the proposed location and depth of the relevant apparatus marked by a red broken line and a grid reference for the excavation site;
- b. **Proof of Public Liability Insurance** This must provide a minimum of **£10m** cover;
- c. **Proof of Street Works Accreditation** (Copy of both sides of Supervisor & Operatives SWQR cards). An accredited supervisor must supervise the work, and at least one accredited operative must be on site at all times when the works are in progress. **N.B this cannot be the same person.**
- d. **Applications for traffic management, if relevant.**
- e. **Any other reasonable information the street authority may request.**

In the case of **Immediate Works** the rest of the application must then be processed **RETROSPECTIVELY.**

Remedial Works

These are works to put a site from interim to permanent or to correct a defect. More advanced notice will be required when carrying out remedial works

- Minor works (Less than three days in duration) will require **TEN DAYS** notice.
- Major works will require **THREE MONTHS** notice.

Applicants should note that special conditions may be imposed by the Street Authority and must be strictly adhered to: -

- a) in the interest of safety;
- b) to minimise the inconvenience to persons using the street, having regard to people with a 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.

The Licensee must permit the Street Authority to monitor his or his contractor's performance through all stages of the street works.

These stages are: -

- a) When the works are being carried out;
- b) During the period of six months starting with the day on which interim or permanent reinstatement is completed;
- c) During the period of three months immediately preceding the end of the guarantee period (This period will be for 2 years from the date of permanent reinstatement for excavations up to 1.5m deep and 3 years for deeper).

Part 6

REGISTRATION OF WORKS

The Licensee must complete and submit Form **(SWL3)** giving details of any reinstatement to the Street Works Authority within **TEN WORKING DAYS** of the completion of the works and clearing the site. A **detailed drawing to Scale 1/1250** showing the actual depth of the apparatus, and its locations measured against fixed objects/structures should also be submitted (**Interim reinstatements must be made permanent within 6 months** and during that time must perform to the same standards as a permanent reinstatement).

Part 7

STATUTORY UNDERTAKERS PLANT ENQUIRIES

In order to comply with Section 69 of the New Roads and Street Works Act 1991, all Statutory Undertakers must be contacted to identify whether the proposed works will affect their apparatus. **The applicant will undertake this circulation.** Copies of SWL4 forms included are for the main utility companies who have apparatus located across Swansea Council. The applicant should contact any other utilities or relevant authorities they are aware have apparatus in the street.

Swansea Council is the data controller for the personal information you provide on this form. We are collecting this information as part of our obligation under New road and street works Act 1991 s50. Your information will be used to help us fulfil our legal obligation and will not be used for any other purpose. We will not share your data with third parties unless we are required or permitted to do so by law.

Data protection law describes the legal basis for our processing your data as necessary for compliance with a legal obligation. For further information about how Swansea Council uses your personal data, including your rights as a data subject, please see our corporate privacy notice on our website (www.swansea.gov.uk/privacynotice).

SWL 1 <i>(Office Use Only)</i>	SWANSEA COUNCIL APPLICATION FOR A STREET WORKS LICENCE	Form SWL1
--	---	----------------------------

Section 1. Owner of Apparatus

Name: _____

Address: _____

Postcode: _____ Work Tel _____ Home Tel _____

E-mail address: _____ Mobile _____

Section 2. Precise Location of Proposed Work (Detailed plan to be submitted with form. **A scale plan** of Ordnance Survey standard) at 1:1250)

Property Name/Number: _____ Road / Street: _____

City/Town/Village _____: Post Code: _____

Grid References: _____

Valid: 1st April 2021 – 31st March 2022
GL Code: 01 261 26044 800092 81325 260004

(Tick boxes where necessary)

Placing New Apparatus /Working on Existing Apparatus/Retrospective

Category Major Immediate Minor Works Standard Works

Proposed Hours of Working Day Time Night Time Restricted

Average Depth of excavation Up to 1.5m Over 1.5m No Excavation

Proposed Traffic Control Road Closure* Temp. Traffic Signals* Stop/Go Boards
Priority Flow None

Please see guidance notes. These will need to be applied for separately

Work lies within: Verge Footway Carriageway All

Expected start date		Expected completion date	
---------------------	--	--------------------------	--

Description of works (including estimated length and width):

What material will be used as the Surround to Apparatus (sand, stone dust etc.)

Section 3. Details of person or company conducting the works

Name: _____

Address: _____

_____ Postcode: _____

Tel: _____ Fax: _____

E-mail address: _____ Mobile _____

Form SWL1 (cont)

Section 3 Continued:

Name of accredited Operative: _____ SWQR No. _____

Name of accredited Supervisor: _____ SWQR No. _____

Photo copies of Street Works accreditation required

EMERGENCY CONTACT DETAILS (24 hour contact number)

Name: _____

Tel: _____

Section 4. Insurance Public Liability Insurance of a minimum of £10 million must be provided up to the completion of the permanent reinstatement.

Photocopy of insurance certificate required

Company Name: _____

Address: _____

Tel No: _____ Policy No: _____ Date Expires: _____

Form SWL1 (cont)

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 Traffic Management Act 2004, associated legislation and codes of practice, together with any other conditions imposed by the Street Authority in the relevant Licence, which includes my duty to secure that the work is supervised by an accredited supervisor.

I confirm that all reasonably practicable steps have been taken to ensure that other owners of apparatus likely to be affected by these works have been contacted and where necessary location of apparatus identified. N.B It is recommended that the results of any enquiry are not older than 1 month.

I 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 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 and Standard Conditions as attached (NB further specific conditions may be imposed at the time of granting the licence).

Signed: _____ Date: _____

Printed (Name): _____

In the capacity of: _____

IMPORTANT

All communications relating to this licence should be addressed to:-

**FAO: Clive Perman
Swansea Council,
Highways & Transportation,
Streetworks,
Players Industrial Estate,
Clydach,
Swansea,
SA6 5BJ**

SWANSEA COUNCIL

STREETWORKS, PLAYERS INDUSTRIAL ESTATE,
CLYDACH, SWANSEA, SA6 5BJ
Tel/Ffon : 01792 841677 E-Mail: streetworks@swansea.gov.uk

NEW ROADS AND STREET WORKS ACT 1991

All applicants should check that they have enclosed the following documentation, in order that the approval process is not delayed.

(Please Tick)

Application Form (SWL1)	<input type="checkbox"/>
Advance Notice of Works Form (SWL2) (Part N)	<input type="checkbox"/>
Registration of Works (SWL3) (R1)	<input type="checkbox"/>
Statutory Undertakes Contacts(SWL4)	<input type="checkbox"/>
Proof of Insurance Cover	<input type="checkbox"/>
Plans of Proposed Installation	<input type="checkbox"/>
Fee	<input type="checkbox"/>
Other SU Apparatus Plans	<input type="checkbox"/>
Connection Approval (New Apparatus Only)	<input type="checkbox"/>

SWL 4

Valid: 1st April 2021 – 31st March 2022
GL Code: 01 261 26044 800092 81325 260004

SWANSEA COUNCIL

EXCHANGE OF INFORMATION – HEALTH AND SAFETY AT WORK

Western Power Distribution

Tel: 02920 535383

Mapping Response Team
Mardy Industrial Estate
Lamby Way Church Village
Rumney
Cardiff
CF3 2EQ

Dwr Cymru Welsh Water

Tel: 02920 740315

F.A.O. Gareth Pearce
DCWW NRSWA Enquiries
SAP Time Charging Team
Linea House
Fortran Drive
St Mellons
Cardiff
CF3 0LT

Swansea Council

Tel: 01792 636652

F.A.O. Sharon Murnieks Traffic Section

Directorate of Place
Highways and Transportation
Civic Centre
Oystermouth Road
Swansea
SA1 3SN
Sharron.murnieks@swansea.gov.uk

Swansea Council

Tel: 01792 636079

F.A.O. Ben George Transportation Dept

Directorate of Place
Highways and Transportation
Civic Centre
Penllergaer
Swansea
SA4 9GJ
Ben.george@swansea.gov.uk

Form SWL 4 (cont)

Swansea Council

F.A.O. Bethan Gumms

Directorate of Place
Highways and Transportation
Players Industrial Estate
Clydach
Swansea
SA6 5BJ
Bethan.gumms@swansea.gov.uk

Tel: 01792 841660

Wales & West Utilities Ltd

Planning Dept Floor1
Wales & West House
Spooner Close
Celtic Springs
Coedkernew
Newport
NP10 8FZ
plantprotectionenquiries@wwutilities.co.uk

Tel: 02920 027 8912

Fax: 0845 072 0852

British Telecom PLC

PP3WW58
Telecom House
Trinity Street
Hanley
Stoke on Trent
ST1 5ND

Freephone 100 dial before you dig

Virgin Media (NTL)


National Plant Enquiries
Units 12 Mayfair Business Park
Broad Lane
Bradford
BD4 8PW
plant.enquiries.team@virginmedia.co.uk


Cable & Wireless Communications

W S Atkins Consultants Ltd
PO Box 290
500 Park Ave
Aztec West
Almondsbury
Bristol
BS32 4RZ
osm.enquiries@atkinsglobal.com

Tel: 01454 662881

Fax: 01454 663330

Part N SWL2	NEW ROADS AND STREET WORKS ACT 1991 NOTICE OF WORKS INCLUDING RESPONSES				 Cyngor Abertawe			
TO		PURPOSE NOTICE		FOLLOW UP NOTICE				
		Street Authority Response		Other Response				
		Reference No.		Part		of		
		Recipients Cross Ref. No.		Part		of		
FROM		Reference No.		Part		of		
		Originator's Cross Ref. No.		Part		of		
		Date of issue						
		Time of Issue (Emergency Only)						
Expected Start Date				Expected Completion Date				
Notice Period	Notice / Type of Works (TICK AS APPROPRIATE)							
MINOR (WITH EXCAVATION) 3 DAYS IN ADVANCE OF WORKS START		STANDARD:-10 DAYS IN ADVANCE OF WORKS START		MAJOR: - 3 MONTHS IN ADVANCE OF WORKS START				
EMERGENCY: - WITHIN 2 HOURS OF WORKS STARTING		MINOR NO EXCAVATION AS AGREED WITH H/A		REMEDIAL: - ONLY TO BE USED WITH OTHER NOTICE TYPE				
ACTUAL START DATE			ESTIMATED END DATE					
TRAFFIC SENSITIVE SITUATION			YES	NO	SPECIAL ENGINEERING DIFFICULTIES INVOLVED		YES	NO
<u>LOCATION DETAILS</u>								
House Name / No.: -								
Street Name: -								
Local Area Name: -								
District: -								
Post Code: -			<input type="text"/>			<input type="text"/>		
<u>DESCRIPTION OF WORKS</u>								
(Including Construction Methods and Traffic Management if Known)								
								Estimated Inspection Units

Part R1 SWL3	NEW ROADS AND STREET WORKS ACT 1991 REGISTRATION OF WORKS				 Cyngor Abertawe	
TO	HAS PART N BEEN SENT	YES	NO			
	PART R2 No. OF R2 CONTINUATION SHEETS					
	Reference No.	Part		of		
	Recipients Cross Ref. No.	Part		of		
FROM	Reference No.	Part		of		
	Originators Cross Ref. No.	Part		of		
	ARE ALL WORKS ON THIS NOTICE COMPLETED			YES	NO	
	If Yes No. Of Inspection Units					
No. OF BAR HOLES / CORE DRILLS PLUGGED AND DATE THEY WERE PLUGGED			DATE			
REINSTATEMENT DATE INTERIM			REINSTATEMENT DATE PERMENANT			
<u>LOCATION DETAILS</u>						
House Name / No.: -						
Street Name: -						
Local Area Name: -						
District: -						
Post Code: -		<input type="text"/>	SRN	<input type="text"/>		

Valid: 1st April 2021 – 31st March 2022
 GL Code: 01 261 26044 800092 81325 260004