**NEW ROADS & STREET WORKS ACT 1991**

**SECTION 50**

**STREET WORKS LICENCE**

**APPLICATION FOR PLACING NEW APPARATUS**

**IN THE HIGHWAY**

**FORM SWL 2**

Shropshire Council

Please send this to the

107 Longden Road

Shrewsbury

SY3 9EL

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TO: SHROPSHIRE COUNCIL

**IMPORTANT NOTES**

Please note, that, for proposed works in association with new sewer connections, Shropshire Council will require confirmation of a Section 106 agreement between the applicant & the relevant Water Authority. **Without this confirmation no licence can be granted.**

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 requirement of the New Roads & Street Works Act 1991 may result in severe financial penalties.

**SECTION 1 Owner(s) of Apparatus**

Name: ................................................................. email: .................................................................

Address:

Postcode: ................................................................. Tel. Work: ................................................................. Home: .................................................................

**SECTION 2 of Proposed Works** (Tick boxes where necessary). (A detailed plan to be submitted with this form)

Property Reference: ................................................................. Road/Street: .................................................................

District/Parish/Ward: ................................................................. City/Town/Village: .................................................................

Postcode: ................................................................. National Grid Ref.: .................................................................

**Category of Work:**

<table>
<thead>
<tr>
<th>Emergency Urgent</th>
<th>Special Urgent</th>
<th>Minor with Excavation</th>
<th>Minor without Excavation</th>
<th>Standard Works</th>
<th>Major Works</th>
</tr>
</thead>
</table>

**Type of Work:** .................................................................

**Estimated Length of Work** ................................................................. **Average Depth of Excavation:**

<table>
<thead>
<tr>
<th>Up to 1.5m</th>
<th>Over 1.5m</th>
<th>Works with No Excavation</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Proposed start date:</th>
<th>Estimated Duration</th>
<th>Hours</th>
<th>Days</th>
<th>Months</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<table>
<thead>
<tr>
<th>Planned start date:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Hours of working:</th>
<th>Daylight</th>
<th>24 Hours</th>
<th>Night Time</th>
<th>AM Only</th>
<th>PM Only</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

<table>
<thead>
<tr>
<th>Work lies within:</th>
<th>Verge</th>
<th>Footway</th>
<th>Carriageway</th>
<th>All</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Proposed flow control:</th>
<th>Stop/Go Boards</th>
<th>Temp Traffic Signals</th>
<th>Road Closure</th>
<th>Priority Flow</th>
<th>Not to be used</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<table>
<thead>
<tr>
<th>Work in the vicinity of traffic or pedestrian street lights?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>If Yes will your work necessitate switching off these lights</td>
<td>Yes*</td>
<td>No</td>
</tr>
</tbody>
</table>

* If you have answered Yes please be aware that there will be a charge for switching on and off the lights and a purchase order will be required. You will be contacted on receipt of your application in order to make the necessary arrangements.
SECTION 3 Details of Person/Company Conducting the Works

Name:
Address:

Tel. No: .................................................................

SECTION 4a Details of Accredited Supervisor

Name:
Address:

Card No: ......................................................... Expiry Date: ......................................................

SECTION 4b Details of Accredited Operative/s

Name:
Address:

Card No: ......................................................... Expiry Date: ......................................................

SECTION 5 Insurance

Public Liability Insurance of a minimum of £5m 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 6 Declaration by Owner(s) of Apparatus

I/We 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 licence.

I/We also acknowledge the statutory need for me/us 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, along with the required administration and capitalised fees.

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 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 I/we have read and understand the Notes for Guidance contained in Part 1 (Form SWL1).

Signed: ____________________________________________ Date: ____________________________________________

Print Name: ____________________________________________
SECTION 6 Conditions

In order for Shropshire Council (Street Authority) to comply with its statutory duty, all applications must be submitted at least ONE MONTH or, where road closure is required, TWO MONTHS in advance of commencement of the proposed works. The application form must be signed by the owner of the Apparatus.

1. The Street Authority for the Highway mentioned in Section Two of Form SWL2 (hereinafter called “the Authority”) hereby grant to the party named in Section One of Form SWL2 (hereinafter called “the Licensee”) with the intent that the same shall benefit and run with the property described in Section Two 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 Two 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 apparatus and his Successors in Title and where he proposes to part with his interest in the apparatus, he shall before doing so give at least 6 weeks written notice to the Street Authority of the intention to abandon the apparatus and transfer the licence stating to whom the benefit of the licence is to be transferred, and also give written Notice to the Street Authority of the date of transfer.

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 1.
   (c) Give at least 6 weeks written Notice to the Street Authority of his intention to cease using or abandon the apparatus.
   (d) Enter into a covenant in the form of the annexed agreement with the Authority to assign his interest in the Apparatus to the successors in title to the property or properties who will have the benefit of the Apparatus, such assignment to include the requirement of the burden of maintenance of the said Apparatus. The covenant shall be a covenant for the purposes of the Local Government (Miscellaneous Provisions ) Act 1982, section 33.

4. The Licensee shall pay the Street Authority in connection with the grant of the licence:
   **Total for new apparatus £370.00**

5. 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.

6. 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.

**The Licence**

7. 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 more 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
8. 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 manner as they think fit and reinstate the street and may recover from the former Licensee the expenses incurred by them in so doing.

(b) if satisfied that the former Licensee can, within such reasonable time as they may specify, remove the apparatus and 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.

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 the Section 2 of Form SWL2 hereto.

Additional Conditions

1. The Licensee is to furnish the Street Authority (Shropshire Council) with an as constructed drawing at a 1:500 min. scale of the proposed works after completion of the said works and including details of a line and level section.

2. The Licensee is responsible for recording any UNKNOWN PLANT that he/she may find when executing the said works and for furnishing this information to the Street Authority (Shropshire Council).

3. The category for Road Reinstatement for which this License applies will be ROAD Category Specification can be found in the Code of Practice. "Specification for the Reinstatement of Opening in Highways."