

**SECTION 50 STREET WORKS LICENCE APPLICATION NEW ROADS
AND STREET WORKS ACT 1991**

Please ensure that the following items are included in your application:

- SWL1 (below) – completed in full and signed by the ‘owner’ of the apparatus.
- Scale plan of proposed works.
- Signed declaration that statutory undertakers have been contacted.
- Proof of contractor’s insurance.
- Copy of accredited operator’s and accredited supervisor’s cards.
- Proof of permission to connect or adoption agreement (if applicable).

Please note: A S50 licence will not be issued for works which are non-passive, ie. gas/electricity, that is not subsequently adopted by a Statutory Undertaker.

I declare that, as the ‘owner’ of the apparatus and the applicant, I have read the terms and conditions included on this application form and the ‘General guidance notes’ provided on our webpage and understand that this is an application, not a guarantee and that the application may be refused.

Signed: _____

Date: _____

Full name (in capitals): _____

Incomplete or incorrectly completed applications will be returned to the applicant and could result in the delay of your works.

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Application for Consent to Conduct Works

The application form must be signed by the owner of the apparatus. (NB 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 and Street Works Act 1991 may result in severe financial penalties.

Wiltshire Council may require a Bond as security on Section 50 licences that are over a certain risk value, we will use the information on this application to calculate the risk value and the amount of a Bond (if required.)

Please note that applications received without the submission of all the required information will not be processed. Your application may require a site meeting with our Technicians to determine the appropriate traffic control, subsequent to this there may be further licences/applications required.

No works are permitted to start without the duly authorised licences. Any unauthorised works on the public highway may be subject to consideration for prosecution.

Longitudinal Apparatus

Private apparatus may not be allowed to run longitudinally in the highway. The preferred option is for private apparatus to run through private land by means of Wayleave Agreements with the owners. If this is not possible and the development cannot be facilitated in any other way, then a private apparatus may run longitudinally in the highway where it is deemed necessary to meet a genuine public need and if supported by a surety.

Consent to work required for (tick boxes where necessary):

Placing new apparatus

Working on existing apparatus

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Form SWL 1

Section 1 - Owner of Apparatus – Licensee (as in Section 5)**Please note that this must be the applicant and not the contractor.**

The licensee will be subject to financial penalties for non-compliance with the relevant statutory duties and licence conditions. Licensees cannot delegate this liability to other persons or organisations.

Surname: _____ Forenames: _____

Address inc. postcode: _____

Telephone number (work): _____ Telephone number (home): _____

Email address: _____

Section 2 - Precise Location of Proposed Works***A detailed plan showing the route of apparatus must be submitted with application.***

Property name/number: _____ Street: _____

Town: _____ Postcode: _____

Grid references: _____

Description of works: _____

Method of Installation: _____

Surface Type(please tick): Bituminous Modular Concrete

Lengths (in metres): Carriageway Footway Verge

Length in Highway: _____ _____ _____

Depth of cover to apparatus: _____ _____ _____

Width of reinstatement: _____ _____ _____

Proposed start date: _____

Estimated duration (please specify): Hours _____ Days _____ Months _____

Proposed completion date: _____

Proposed hours of working: Daylight 24 Nights AM only
(Please tick) hoursProposed Traffic Management: Stop/Go Temp Road Priority None
Boards Traffic Closure

Section 3 - Details of contractor undertaking the works

Name: _____ Company name: _____

Address: _____

Telephone number: _____ Email address: _____

Contractor signature: _____ Date: _____

Name of accredited Operative: _____ SWQR No. _____

Name of accredited Supervisor: _____ SWQR No. _____

EMERGENCY CONTACT DETAILS:

Name: _____

Telephone number: _____

Section 4 - Insurance

Public Liability insurance of a minimum of £5 million is required. Expiry date must be later than the date of the proposed completion of works. A copy of the certificate is required.

Company name: _____

Company address: _____

Telephone number: _____

Policy number: _____

Policy expiry date: _____

Section 5 - Declaration by Owner of apparatus (as in section 1)

I confirm that the foregoing details are correct, and acknowledge that the works referred to above must be conducted in accordance with the requirements set out in the New Roads and 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, 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 the location of apparatus identified. NB It is recommended that the results of enquiries are no older than 3 months old.

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 costs of any necessary remedial works conducted by the Street Authority during the guarantee period, along with the required administration/capitalised annual charge fees.

I 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 confirm that I have read and understand the Notes for Guidance and the Standard Conditions as attached (n.b further conditions may be imposed at the time of granting the licence.)

I acknowledge as the licensee I will be subject to financial penalties for non-compliance with the relevant statutory duties and licence conditions. (Licensees cannot delegate this liability to other persons or organisations.)

Signed: _____

Date: _____

Print name: _____

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Conditions

- 1) The Street Authority for the Highway mentioned in Section Two of the online application form (SWL1) (hereinafter called "the Highway") hereby grant to the party named in Section One of the online application form (SWL1) (hereinafter called "the Licensee") with the intent that the same shall benefit and run with the property described in Section Two here to Licence under Section 50 of the New Roads and Street Works Act 1991 to place and leave in the Highways in the position shown by a red broken line on the plan attached hereto the apparatus (hereafter referred to as "the Apparatus") short particulars of which are set out in Section Two of the online application form(SWL 1) 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 and provisions contained in Schedule 3 of the said Act and the Licensee hereby accepts the Licence upon and subject to the said terms and 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 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 Regulations and Codes of Practice.
 - b) Indemnify the Street Authority against any claim in respect of injury, damage or loss arising out of-
 - the placing or presence in the street of apparatus to which the licence relates, or
 - the execution by any person of any works authorised by the licence;
 - give at least 6 weeks written Notice to the Street Authority of his intention to cease using or abandon the apparatus.
 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 granting of the licence the current fees as detailed on online guidance notes.
 - a) A sum in respect of administration expenses (non- returnable)
 - b) A sum 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) A sum 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 several 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.

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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 of it and reinstate the street and may recover from the former Licensee the expenses incurred by them in doing so and;
 - 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 application 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 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) It is the duty of the Licensee when executing street works involving: -
 - a) Breaking up the street, or any sewer, drain or tunnel under it, or
 - b) Tunnelling or boring under the street, to secure the execution of the works is supervised by a person having the prescribed qualification as a supervisor.

 - 11) Under Section 74 NRSWA, charges may be levied for work overruns according to the Category of the street. Please contact us if you require advice prior to works commencement, or 24 hours before your stated end date if you find delays unavoidable during the works.

 - 12) In this Licence the terms: -

 - 13) "Licensee" shall include the Successor in Title - Personal Representative - Receiver - Liquidator or Trustee of the Licensee.

 - 14) "Highway" shall include and apply to each and every Highway, when more than one Highway is specified in Section 2 of the above.
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Section 6 - Authorisation (office use only)

Additional Conditions

To adhere to all conditions set out in the pre-site form

No works contained in this licence will be allowed to take place within the Public Highway until the following additional conditions are met:

This Licence is hereby granted to the applicant named in Section 1 of Form SWL 1

Signed: _____ Date: _____

Name: _____

On behalf of the Street Authority

Traffic and Network Management
County Hall
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Declaration of searches of Statutory Undertakers

I, the applicant (the owner of the apparatus), have carried out a search using <https://lsbud.co.uk/> or commissioned a Utility Search Report from a specialist company at the following location:

Property name or number: _____ Street: _____
Town: _____ Parish: _____

And that I will take all reasonably necessary precautions to avoid damage or interference with their apparatus.

Signed: _____ Print name: _____
Position in company (if relevant): _____ Date: _____

Duty of Care: Waste Transfer Note

Section A – Description of waste

A1 Description of the waste being transferred:

List of Waste Regulations code(s):

A2 How is the waste contained?

Loose Sacks Skip Drum

Other

A3 How much waste? For example, number of sacks, weight:

Section B – Current holder of the waste – Transferor

By signing in Section D below I confirm that I have fulfilled my duty to apply the waste hierarchy as required by Regulation 12 of the Waste (England and Wales) Regulations 2011.

B1 Full Name:

Company name and address:

Postcode _____ SIC code (2007) _____

B2 Name of your unitary authority or council:

B3 Are you:

The producer of the waste?

The importer of the waste?

The local authority?

The holder of an environmental permit?

Permit number: _____

Issued by: _____

Registered waste exemption?

Details, including registration number:

A registered waste carrier, broker or dealer?

Registration number: _____

Details (are you a carrier, broker or dealer?)

Section C – Person collecting the waste – Transferee

C1 Full Name

Company name and address:

Postcode _____

C2 Are you:

The local authority?

C3 Are you:

The holder of an environmental permit?

Permit number: _____

Issued by: _____

Registered waste exemption?

Details, including registration number:

A registered waste carrier, broker or dealer?

Registration number: _____

Details (are you a carrier, broker or dealer?)

Section D – The transfer

D1 Address of transfer or collection point:

Postcode _____

Date of transfer
(DD/MM/YY)

D2 Broker or dealer who arranged this transfer (if applicable)

Postcode _____

Registration number: _____

Time(s): _____

Transferor's signature: _____ Transferee's signature: _____

Name: _____ Name: _____

Representing: _____ Representing: _____

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Data Subjects' Information - Highways Asset Management

To be provided to the data subject at the time of obtaining personal data from them.

1. Data Controller

Wiltshire Council is registered as a data controller with the Information Commissioner's Office. Full details of the registration are available at [ICO register of data controllers](#).

2. Data Controller Contact Details

We can be contacted by phone, in person or in writing.

3. Data Protection Officer

Our DPO may be contacted as above or online at dataprotection@wiltshire.gov.uk.

4. Purpose of processing

The Highways Asset Management Service will process your personal information for the following purposes:

- Maintaining our own accounts and records.
- Promoting the services we provide.
- Managing our property.
- Carrying out surveys.
- Licensing and regulatory activities.
- Local fraud initiatives.
- Crime prevention and prosecution of offenders including the use of CCTV.
- Corporate administration and all activities we are required to carry out as a data controller and public authority.
- Undertaking research.
- The provision of all commercial services including the administration and enforcement of parking regulations and restrictions.
- Internal financial support and corporate functions.
- Managing archived records for historical and research reasons.
- Data matching under local and national fraud initiatives.

5. Legal Basis for processing

Our processing shall be lawful because at least one of the following will apply:

- a) Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- b) Processing is necessary for compliance with a legal obligation to which the Council is subject;
- c) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council;

If your special category data is processed, in addition to one of the above, processing will be necessary because at least one of the following shall also apply:

- a) The data subject has given explicit consent to the processing of those personal data for one of more specified purposes;
- b) For the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

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- c) Processing is necessary for reasons of substantial public interest;

6. Recipients or categories of recipients

Where necessary and lawful, or when required by legal obligation, we may share information with:

- Customers
- Family, associates or representatives
- of the person whose personal data we are processing.
- Debt collection and tracing agencies
- Service providers
- Local and central government
- Ombudsmen and regulatory authorities
- Press and the media
- Professional advisers and consultants
- Courts and tribunals
- Political organisations
- Professional advisers
- Professional bodies
- Survey and research organisations
- Police forces
- Data processors
- Other police forces, non-home office police forces
- Regulatory bodies
- Partner agencies, approved organisations and individuals working with the police
- Law enforcement and prosecuting authorities
- Legal representatives, defence solicitors
- Police complaints authority

7. Retention Period

Wiltshire Council will process your personal data for the above purposes for no longer than necessary. Full details of our retention schedule may be found at <http://www.wiltshire.gov.uk/freedom-of-information>.

8. Your rights

Your rights are set out in Articles 13 to 22 of the [General Data Protection Regulation 2016](#) and include:

- The right to access your personal information, to request rectification or erasure of certain personal information and to object to processing in certain circumstances.
- The right to withdraw any consent you may have given to process your personal information.
- The right to complain to the Information Commissioner if you feel we are processing your personal information unlawfully.
- The right to restrict processing activity in certain circumstances.
- The right to object to certain types of processing activity.

9. Contracts

The information you are giving us is not a statutory or contractual requirement; or a requirement necessary to enter into a contract. You are not obliged to provide this information.

10. Automated Decision Making

Wiltshire Council does not use automated decision making in respect to your personal information for this service.

For all communications regarding this Licence, please contact:

Traffic and Network Management Team
Wiltshire Council
Bythesea Road Trowbridge Wiltshire
BA14 8JD
Tel: 01225 713497
Email: S50application@wiltshire.gov.uk
