

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 **Cardiff 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 license, no part of the highway may be closed, **AT ANY TIME**, without the consent of the Highway Authority.
6. The issue of a license 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 license. (Works shall not commence until this license is approved and issued). The license 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 license 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 license 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 license has been granted.
16. Additional conditions may be applied to the license by the Street Works Manager or his representative as deemed necessary.

NOTE

The Highway' includes the carriageway, footway and any verge.

If the applicant objects to these conditions or a refusal by the Highway Authority to approve a license, then an appeal may be made to the Secretary of State.

A criminal offence is committed if Section 51(1) of the NRSWA 1991 is breached.

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).

Please attach a copy of the quarry tickets for any material used in the reinstatement.

Part 7

STATUTORY UNDERTAKERS PLANT ENQUIRIES

In order to comply with Section 69 of the New Roads and Street Works Act 1991, Form **(SWL6)** must be circulated to all Statutory Undertakers 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 **Cardiff**. The applicant should contact any other utilities or relevant authorities they are aware have apparatus in the street.

Part 8**CONTROLLED WASTE TRANSFER NOTICE**

The Duty of Care: Controlled Waste Transfer Note Form (SWL5) must be completed where any waste from the excavation has to be disposed of. The Licence Holder must retain a copy of the completed form with a **copy given to the persons accepting the waste.**

Part 9**SECTION 74**

If the works take longer to complete than the duration given in the notice, they may be subject to the following charges per day overrun:

Charges per day of overrun beyond notified / agreed durations

Road Category	
Type 0	Trunk Roads and Motorways
Type 1	A Roads
Type 2	B Roads
Type 3	CIII
Type 4	Unclassified Roads

	Road Type 0/1	Road Type 2	Road Type 3 / 4 (TS)	Road Type 3 / 4 (Non TS)	Prescribed Period
Immediate – Emergency / Urgent	£500	£500	£250	£100	By notice details or other agreed period.
Minor	£500	£500	£250	£100	up to 3 days
Major and Standard Works	£2500	£2000	£750	£250	Standard is 4-10 days Major 11+

Note:

- *1 as defined under S1.3 Road Categories in the Specification for the Reinstatement of Openings in Highways (Second Edition 2006).
- *2 any overrun on Remedial Works will be charged at the rate appropriate to the works category of the new works.
- *3 Section 74 charges are currently under review and will be subject to change in the near future.

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).



CARDIFF COUNCIL

CITY SERVICES, ROOM 301 STREETWORKS DEPARTMENT
COUNTY HALL, HEMINGWAY ROAD, CARDIFF, CF10 4UW
Tel/Ffôn : 02920 785200 Fax/Ffacs : 02920 785216

**NEW ROADS AND STREET WORKS ACT 1991
ADVANCE NOTICE OF WORKS NOTICE**

**Form
SWL2**

To CARDIFF COUNCIL CITY SERVICES ROOM 301 STREETWORKS DEPARTMENT COUNTY HALL HEMINGWAY ROAD CARDIFF, CF10 4UW	From Fax
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Expected Start Date				Expected Completion Date			
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Is Special Engineering Difficulty involved?	Yes/No	If Yes	Has the relevant Authority Approved the Works (e.g. any 106 agreement that may be applicable for Welsh Water sewer connections)	Yes/No
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LOCATION

Description or House Name or Number

Street Name

Local Area Name

Town

Postcode		OS Grid Ref	
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DESCRIPTION OF WORKS (including Construction Methods, Estimated length and width of works, Traffic Management etc.)

**NEW ROADS AND STREET WORKS ACT 1991
REGISTRATION OF WORKS**

*Form
SWL 3*

Reference (Office Use Only)

SWL _____

To **CARDIFF COUNCIL
CITY SERVICES
ROOM 301 STREETWORKS DEPARTMENT
COUNTY HALL
HEMINGWAY ROAD
CARDIFF, CF10 4UW**

From

Fax

Actual Start Date

Actual Completion Date

LOCATION

Description or
House Name or Number

Street Name

Local Area Name

Town

Postcode

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

OS Grid
Ref

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

DESCRIPTION OF WORKS

**REINSTATEMENT
Location**

Closing Dimensions

**Works Complete
Dates**

Item	Length (m)	Width (m)	Carriageway / Footway or Verge *	Excavation depth over 1.5m	Interim			Permanent			
					D	M	Y	D	M	Y	
1											
2											
3											
4											
5											
6											

*If the reinstatement is in more than one part of the highway, please give the dimensions for each part

Sketch of location – Including measurements to fixed objects (use separate sheet if necessary)

PLEASE PROVIDE A COPY OF THE QUARRY TICKETS FOR ANY MATERIAL USED IN THE REINSTATEMENT

**Wales & West Utilities Ltd
Wales & West House
1st Floor, Spooner Close
Celtic Springs, Coedkernew
Newport
NP10 8FZ**

NEW ROADS AND STREET WORKS ACT 1991

SECTION 50 -STREET WORKS LICENCE

I have applied to **Cardiff Council** for a Street Works Licence to place/maintain apparatus at **please see attached location plan:**

Address.....
.....

Location (e.g. carriageway, footway or verge)..... and, in order to comply with S69 of the Act, would ask you to indicate below whether you have any apparatus at the location which may be affected by these works.

SignedDate.....

Address (if different from above).....
.....

STATUTORY UNDERTAKER’S RESPONSE

Apparatus Affected

YES	NO
-----	----

Special Requirements	
Company Stamp	Date

**Dŵr Cymru Welsh Water
Central Streetworks
Pentwyn Road
Nelson, Treharris
Mid Glamorgan
CF46 6LY**

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SignedDate.....

Address (if different from above).....
.....

STATUTORY UNDERTAKER'S RESPONSE

Apparatus Affected

YES	NO
-----	----

Special Requirements	
Company Stamp	Date

**Western Power Distribution
Streetworks Department
Ffynnon Menter
Phoenix Way
Llansamlet
Swansea
SA7 9HW**

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SignedDate.....

Address (if different from above).....
.....

STATUTORY UNDERTAKER’S RESPONSE

Apparatus Affected

YES	NO
-----	----

Special Requirements	
Company Stamp	Date

**BT
Pp3WW57 Telecom House
Trinity Street
Hanley
Stoke on Trent
Staffordshire
ST1 5ND**

NEW ROADS AND STREET WORKS ACT 1991

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SignedDate.....

Address (if different from above).....
.....

STATUTORY UNDERTAKER’S RESPONSE

Apparatus Affected

YES	NO
-----	----

Special Requirements	
Company Stamp	Date

**Virgin Media
Scimitar Park
Courtauld Road
Basildon
Essex
SS13 1ND**

NEW ROADS AND STREET WORKS ACT 1991

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.....

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SignedDate.....

Address (if different from above).....
.....

STATUTORY UNDERTAKER'S RESPONSE

Apparatus Affected

YES	NO
-----	----

Special Requirements

Company Stamp Date

HA Street Lighting Department,
Cardiff Council

Room 301 County Hall
Cardiff
CF10 4UW

NEW ROADS AND STREET WORKS ACT 1991

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Address.....
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Location (e.g. carriageway, footway or verge)..... and, in order to comply with S69 of the Act, would ask you to indicate below whether you have any apparatus at the location which may be affected by these works.

SignedDate.....

Address (if different from above).....
.....

STATUTORY UNDERTAKER'S RESPONSE

Apparatus Affected

YES	NO
-----	----

Special Requirements	
Company Stamp	Date

Section A – Description of Waste

1. Please describe the waste being transferred:.....

2. How is the waste contained?

Loose Sacks Skip Other

3. What is the quantity of waste? (Number of sacks, weight etc):

Section B – Current holder of the waste (Transferor)

1. Full name and address: (BLOCK CAPITALS):.....

2. Name and address of company (If applicable):.....

3. Which of the following are you? (Please tick one or more boxes)

Producer of the waste	<input type="checkbox"/>	Holder of waste disposal or waste management licence	<input type="checkbox"/>	Licence number:
				Issued By:.....
Importer of the waste	<input type="checkbox"/>	Exempt from requirement to have a waste disposal or waste management licence	<input type="checkbox"/>	Give reason.....
Waste collection authority	<input type="checkbox"/>	Registered waste carrier	<input type="checkbox"/>	Registration number:
				Issued by:

Section C – Person collecting the waste (Transferee)

1. Full Name (BLOCK CAPITALS):

2. Name and address of Company:

3. Which of the following are you? (Please one or more boxes)

		Authorised for transport purposes	<input type="checkbox"/>	Specify which of those purposes:
Waste collection authority	<input type="checkbox"/>	Holder of waste disposal or waste management licence	<input type="checkbox"/>	Licence number:
				Issued by:
		Registered waste carrier	<input type="checkbox"/>	Registration number:.....
				Issued by:
		Exempt from requirement to register	<input type="checkbox"/>	Give reason:

Section D

1. Address of place of transfer/collection point: Site Amenity Licence No:.....

2. Date of transfer: 3. Time(s) of transfer (for multiple consignments, give 'between' dates):Name and address of broker who arranged this waste transfer (if applicable):

4. **Transferor Signature:** **Transferee Signature**

Full name (BLOCK CAPITALS): Full name (BLOCK CAPITALS):

Representing Representing:

For further information please visit: [http:// www.defra.gov.uk/environment/waste/management/doc/index.htm](http://www.defra.gov.uk/environment/waste/management/doc/index.htm)