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| LONDON BOROUGH OF SUTTONNEW ROADS AND STREET WORKS ACT 1991 SECTION 50 – STREETWORKS LICENCE |  |

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**Please use the following checklist to help ensure all relevant documentation is submitted with your application. More details on these requirements are given in the guidance notes that follow:**

* Completed application form.
* Completed statement of works (this will also serves as your NOTICE of proposed works required under NRSWA). If you or your contractors wish to submit a notice in the format required under the Act you are still at liberty to do so (Part 3, Page 1).
* Scale plan of proposed location.
* Cheque £800 licence fee, **plus bond**) as detailed in the Pricing Schedule (Part 1, Page 5).
* Copy of Public Liability Insurance certificate up to the value of £5m.
* Consent to connect letter if application refers to a sewer connection.
* Copy of supervisor’s and operative’s NRSWA qualifications under the Streetworks Qualifications Register (please ensure BOTH sides of the card are copied).
* Have you contacted the LBS Network Co-ordinator (Part 1, Page 2, Section 1l) to agree your Traffic Management Proposal?
* If temporary traffic lights are required, the supplied form to be filled out.

**After works are complete you have a statutory obligation to supply the following:**

* Completed ‘Registration of Works’ notice (Part 3, Page 2).
* Completed drawing on OS map.

SECTION 50 STREETWORKS LICENCE: Guidance notes and conditions

**1. Before Works Start**

In order for the London Borough of Sutton to issue a licence under Section 50 of the New Roads and Street Works Act 1991 (NRSWA) we require the following information to be supplied and conditions met (A tick sheet is provided on page 1 of this pack):

1. To comply with the statutory duty, all applications must be submitted at least *one month* in advance of commencement of the proposed works. A shorter period may be agreed by the London Borough of Sutton in conjunction with other Undertakers likely to be affected. NB: Separate licences are required for each location where works are proposed.
2. It is the Licensee's responsibility to contact all other public undertakers, whose plant may be affected by their works, informing them of the proposed works and to obtain the location of their existing underground equipment etc in the vicinity of your works. A list of utility companies is enclosed with this pack.
3. Proof of Public Liability Insurance, which must indemnify the London Borough of Sutton against any claim in respect of injury, damage or loss arising from the works, and provide a minimum £5 million cover, must be supplied. Insurance must be maintained from commencement of the works on the highway up to completion and acceptance by the London Borough of Sutton of the permanent reinstatement.
4. Proof of on-site Supervisor’s qualifications under NRSWA must be provided. A photocopy of Street Works Qualifications Register card is required (please ensure BOTH sides of card are copied). Please note ALL operatives working on the highway should also be suitably qualified.
5. Copy of a scale plan at 1/500 or greater, of the proposed location and depth of the relevant apparatus.
6. Statement of Works, detailing expected start date\*, expected duration, excavation methods, approximate dimensions and depths, and reinstatement specifications. (Proforma included with this pack: see Part 3). Details useful for working in the highway are available under the NRSWA Codes of Practice (see section 4j). For the purposes of this licence these works will be considered “STANDARD” unless otherwise agreed.
7. Advance payment for the licence fee and bond (refundable after two years). See pricing schedule (see Part 1, Page 5).
8. Out of hours and/or emergency telephone number.
9. The attached application form completed and signed by the owners or managers of the property\*.
10. Applicants should note that conditions (such as duration and times of working) may be imposed by the London Borough of Sutton:-
	1. in the interests of safety.
	2. to minimise the inconvenience to persons using the street, having regard to people with a disability in particular.
	3. for works in Protected streets, Traffic Sensitive streets and/or sites involving Special Engineering Difficulties to protect the structure of the street and the integrity of the apparatus in it.
11. Prior to the submission of an application, the Licensee should present and agree their proposed method of traffic management by contacting the LBS Network Manager Martin French on 020 8770 6046 or email **martin.french@sutton.gov.uk**. Please note that works taking place near a ‘red route’ may require additional agreement with Transport of London (see list of traffic sensitive streets for more information on which streets are red routes).

Notes:

\* It is important that your start and end dates are given and adhered to; see page 4&5 of these guidance notes regarding charges for overrunning works under Section 74 of NRSWA.

**2. During Excavation and reinstatement**

Only upon receipt of your street works licence can works commence on site.

1. The licence you receive gives you permission to excavate and place apparatus in the public highway but also makes you subject to the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. All works carried out should conform to all current associated codes of practice and legislation.
2. If you (the Licensee) or your contractors are unsure about any aspects of your job (signing/guarding, reinstatement specification or makeup of the street etc.) please contact London Borough of Sutton; Street Works team to discuss such issues.
3. Financial penalties may be levied for works that are not completed within the designated timescale. If you are unable to begin works on site on the given start date you must ensure you inform London Borough of Sutton immediately so that suitable arrangements and agreements can be put in place.
4. Works on the highway should not be undertaken outside normal working hours (7:30 – 18:00) without express permission of the London Borough of Sutton. Note that certain street designations (such as traffic sensitivity) may require additional directions as to timings of works.
5. It is your responsibility to sign, light and guard your work safely. Excavations should be signed and guarded in accordance with “Chapter 8” (Section 65) of the Road Traffic Signs Manual. You have a requirement under the Act to maintain a safe and clearly indicated route for pedestrians (including those with a disability).
6. Your qualified operative is required to be on site at all times during the works which should be overseen by a qualified Supervisor.
7. The final reinstatement must take in any additional area that the London Borough of Sutton shall consider to have undergone subsequential damage due to the works undertaken.
8. The reinstatement carries the Licensee guarantee for TWO years (THREE years if the trench is greater than 1.5m deep) from the date the London Borough of Sutton is notified of the permanent reinstatement.
9. The works will be subject to at least three statutory inspections (paid for as part of the licence fee) by the London Borough of Sutton. These are:
	1. Category A: signing, guarding, excavation and reinstatement.
	2. Category B: immediately after permanent reinstatement.
	3. Category C: during the one month preceding the end of the guarantee period.
10. Should the site safety, method of excavation or reinstatement be found to be defective during these, or any other routine inspection, you shall be liable for making remedial repairs, or to cover the cost of repairs undertaken by the London Borough of Sutton on your behalf. You will also be liable for ALL subsequent defect inspection costs as detailed in the Codes of Practice for Inspections, and any further investigatory costs (these will be deducted from the bond).
11. Information boards must be placed on site giving Contractor’s name and emergency/contact details.
12. For information on all aspects of working in the public highway, please refer to the New Roads and Street Works Act 1991 and its associated Codes of Practice (see section 4j) and the Traffic Management Act 2004.

**3. After completion of works**

After completion of works, you have a statutory obligation to provide:

1. Confirmation of completion of permanent reinstatement should be given by the end of the next working day.
2. The attached NRSWA ‘Registration of Works’ Notice (Part 3, Page 2) completed and submitted within seven working days, together with the items listed below.
3. An ‘as built’ drawing on OS map scale 1:500 or better showing precise location of all apparatus and limits of excavations having taken place.
4. Accuracy of recording apparatus on site should be no worse than ± 300mm. This accuracy must be represented on the map, together with a statement of co-ordinates as derived from either map or GPS.
5. The Licensee must also inform the London Borough of Sutton of any known future alterations to the underground apparatus, or any change of ownership, so that the record may be suitably amended.
6. The works undertaken shall still be subject to any routine or third-party informed inspection by the London Borough of Sutton under NRSWA. Should the apparatus or reinstatement be found defective under the Act, you shall be liable for ALL subsequent defect inspection costs as detailed in the Code of Practice for Inspections, and any further investigatory costs made by the London Borough of Sutton (These will be deducted from the bond).

**4. Other issues to be aware of**

The above is intended as a guide only and should be read in conjunction with the New Roads & Street Works Act 1991. All sections referred to relate to this Act.

1. The person granted a Street Works Licence becomes an Undertaker for the purposes of the New Roads and Street Works Act 1991, and therefore attracts the relevant duties and responsibilities imposed by the Act, associated secondary legislation and Codes of Practice. (N.B. **Those 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 and conduct the works on their behalf)**.
2. Financial penalties may arise to the licence holder for non-compliance with the relevant statutory duties or licence conditions. Applicants should note that this liability cannot be delegated to any other person or organisation.
3. The requirement to obtain a Street Works Licence applies to any person or organisation (other than anyone acting under a statutory right) who wishes to place, retain and thereafter inspect, maintain, adjust, repair, alter or renew apparatus, change its position or remove it from the highway. Failure to obtain a street works licence will leave a company liable to prosecution.
4. The term apparatus includes drains, cables, ducts, sewer pipes, water and gas pipes etc.
5. On no account should you or your contractor break into apparatus or inspection chambers without the express permission of the owner. IN PARTICULAR, you must contact Thames Water Utilities to make a connection into the public sewer system (Tel: 0845 9200800).
6. **Under Section 74, charges may be levied for overrunning works according to the ‘reinstatement category’ of the street (see Part 5). Please contact the London Borough of Sutton if you require advice prior to works commencement, or *immediately* if you encounter unavoidable delays during your works**.
7. All apparatus should be laid wherever possible to conform with NJUG publications (obtainable from National Joint Utilities Group, 28 Broadway, Westminster, London, SW1H 9JX).
8. Please also note your obligations to maintain apparatus in the street under Section 81.
9. Valuable guidance for safe digging practices is given in HSG47 “Avoiding danger from underground services” (HSE Books 2000 ISBN 0 7176 1774 0)
10. The Licensee must permit the London Borough of Sutton to monitor his, or his contractor’s, performance throughout all stages of works on the public highway.
11. The following Codes of Practice for Street Works should be consulted:
	1. ‘Blue’ book (for The Co-ordination Of Street Works And Related Matters)
	2. ‘Yellow’ book (Specification For Reinstatement Of Openings In The Highway)
	3. ‘Pink’ book (for Inspections)
	4. ‘Purple’ book (for Recording Of Underground Apparatus In Street).
	5. ‘Red’ book (Safety At Street Works and Road Works)

**5. Pricing schedule**

The total fee payable is made up of the licence fee (made up of application and inspection fees), plus a bond (refundable at end of guarantee period).

1. For opening of greater than 30m2, please contact us first to discuss.
2. For openings of up to 30m2:

Up 1.5m in depth

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| Application Fee | £650.00 |
| Inspection Fees (3 x £50) | £ 150.00 |
| **LICENCE FEE total** | **£ 800.00** |
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Works in excess of one inspection unit (200 metres length) will be subject to additional Inspection Fees of £150.00 per 200 metres or part thereof.

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| **BOND VALUES** | <5m2  | 5-10m2 | 10-30m2 |
| <1.5m Depth | £1000 | £1500 | £2000 |
| >1.5m Depth | £1500 | £2500 | £3500 |

The bond is fully refundable to the applicant upon **satisfactory completion** of final Category C inspection (23 months after permanent reinstatement or 35 months if this is a deep excavation).

Please note that any costs incurred by the London Borough of Sutton in undertaking defect inspections or remedial works on your behalf will be deducted from the bond. For a detailed explanation of the defect inspection regime please consult the Code of Practice for Inspections section 4.2.

Please also note that under Section 74, **charges may be levied for work overruns according to the category of the street. Currently these charges range from £100-£8000 PER DAY (dependent on the ‘reinstatement category’ of the street).** Please consult the Code of Practice for the Co-ordination of Street Works section 8.4.