

# Licence to Excavate the Public Highway

Before commencing any work an appropriate licence must be obtained from Torbay Council's Head of Engineering

Subject to the following conditions

## Excavations

In all cases where the excavations are intended to be made in any part of the public highway it will be necessary for you to carry out the following procedure.

- a) All excavations shall be protected in accordance with guidelines in Chapter 8 of the Traffic Systems Management. Shall be adequately signed, guarded and lit during the hours of darkness.
- b) Temporary reinstatement must be undertaken and maintained by you, in a safe condition throughout the period of the works.
- c) On completion of the work this licence, which must be endorsed by the licensee to that effect, the permanent reinstatement should be carried out prior to removing the traffic management.
- d) You will also be responsible where the excavations are likely to involve the Public Undertakers services (cables, wires, pipes, etc.) to give them three days' notice of your intentions. In the event of any damage caused to such services during the course of your work the owners should be informed immediately.

## Safety and signing

Your attention is drawn to the provisions of Sections 169 to 174 of the Highways Act 1980 which must be strictly complied with together with any other requirements of the Council. Traffic signs must be provided in accordance with Sections 65 and 124 of the New Roads and Street Works Act 1991 and comply with Chapter 8 of the Traffic Systems Management, without prejudice to the requirements of Sections 169, 172, 173 and 174.

- a) If an excavation restricts the passage of pedestrians on the footway provision must be made by means of a properly constructed temporary footway with handrail to serve as a footway for pedestrians outside the excavation and adequately lit at all times during the hours of darkness, that is between half an hour after sunset and half an hour before sunrise , or in fog ,or at such times as requested by the Engineer.
- b) The licensee will ensure that the excavation is maintained in a proper, workmanlike and safe manner, with particular regard to the protection of the public and will adhere to any reasonable instruction given by the Council for the purpose of protecting or giving access to any equipment belonging to or used or maintained by any Statutory Undertakers.
- c) The excavation for which the licence has been granted for the specified period must be kept and maintained in good order and condition to protect members of the public and the amenities of the neighbourhood. In addition the street and footway around the excavation must be kept clear of building materials, equipment and spillages so as not to be injurious to members of the public and/or their property.
- d) The name and telephone number of the contractor shall be displayed on a notice board firmly fixed to a barrier or adjacent structure.

## Insurance

The licensee must be covered by public liability insurance which must indemnify the highway authority from and against all actions, claims, losses and expenses whatsoever in respect of loss of life or personal injury or damage to property, howsoever caused, arising out of or in any way attributable to the works authorised by this licence.

## Removal of structures from highways

If for any reason a licence ceases to be valid and in particular if a licence is revoked on application or the period from which the licence was granted has expired, or the work is completed or the conditions on which the licence was issued are not complied with, the excavation will be reinstated immediately by the licensee. Any work required to make good any damage however caused may be undertaken by the Council at the expense of the licensee in accordance with the provisions of Section 143 Highways Act 1980. Similarly, damage resulting from excavation works on the highway or other work on land adjoining the street may be made good by the Highway Authority and any expense incurred by them may be recovered from the owner of the land in question or the person causing or responsible for the damage by virtue of Section 133, Highways Act 1980.

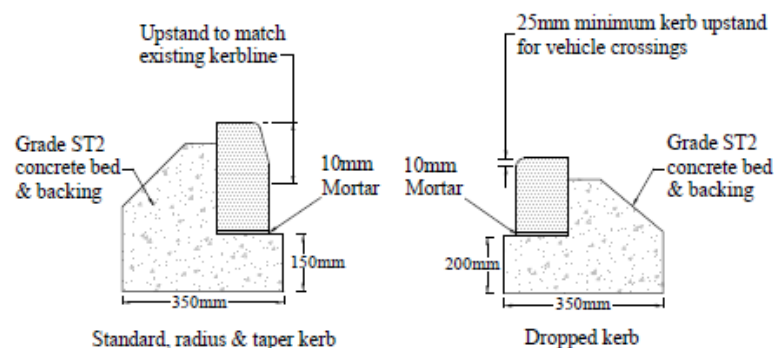
## General

The licensee must comply with any request/directions which have been or are or will be given to him by the Highway Authority and/or the Council and upon request produce the copy of the licence issued to him in respect of such work for which the licence was granted.

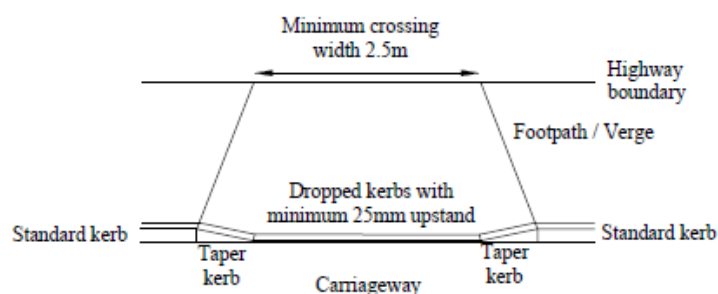
## Notes

- The licensee may appeal to the Magistrates Court within 21 (Twenty One) days of the date of receipt of the licence if he objects to any of the conditions on which the licence was granted.
- The licensee should bear in mind that a seasonal embargo, determined by the Highway Authority, regarding obstructions on the highway is enforced during the peak summer months.
- Torbay Council or any of their officers or servants are not in any way responsible for any injury or damage to persons or property arising from the works authorised by this licence. You will at all times comply with the Health and Safety at Work Act 1974, and subsequent regulations which shall be enforceable in addition to regulations made under the Construction Acts.
- Attention is drawn to the restriction on mixing mortar etc., on the highway by virtue of Section 170 Highways Act 1980 and on offence is subject to a maximum penalty on Level 4.
- Licences are issued for a maximum period of 28 (Twenty Eight) days and are only renewable after a further inspection by the District Highways Inspector.

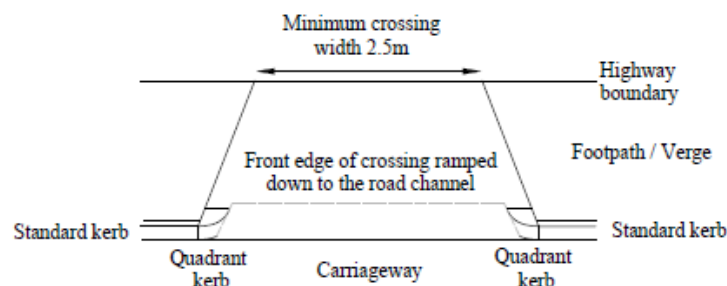
### Kerb & foundation detail



### Taper kerb style crossing detail



### Quadrant kerb style crossing detail



Maximum gradients permitted: Footways - 1 in 12, Vehicle crossings - 1 in 8

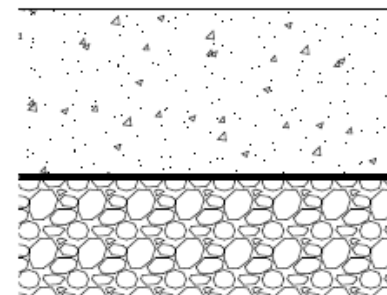
NOTE: The Contractor must consult & comply with all Statutory undertakers and Utility companies for the careful excavation & protection of utility apparatus (mains, pipes, cables etc) when constructing a crossing.

NOTE: The type of construction MUST be agreed with the Torbay Council Highways Department prior to works commencement.

### ALTERNATIVE CONSTRUCTION FOR CROSSINGS

Surface to match existing vehicle crossings in the area

#### Concrete



100mm Thick concrete class 30 / 20  
Aggregate to have a minimum PSV of 55.  
Surface must be brush finished

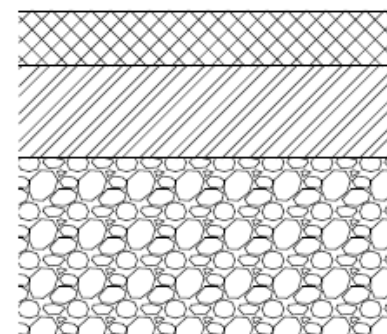
(Limestone aggregate is not permitted)

1000 Gauge polythene dpc

75mm Thick Type 1 granular  
Sub-base to SHW Clause 803

- Crossing to be finished with 100mm or 50mm bullnose edging trowel.
- Please request information on expansion joints from Highways Dept, if required.
- Make good in front of the new crossing with 150mm minimum width surface course.

#### Bituminous



30mm Thick medium graded or dense  
Bitumen Macadam surface course, 6mm  
aggregate, min PSV of 55.

70mm Thick medium graded or dense  
Bitumen Macadam surface course, 6mm  
aggregate, min PSV of 55.

125mm Thick Type 1 granular  
Sub-base to SHW Clause 803

Make good in front of the new crossing with 150mm minimum width surface course patch in the road channel.

NOTE: The Contractor must consult & comply with all Statutory undertakers and Utility companies for the careful excavation & protection of utility apparatus (mains, pipes, cables etc) when constructing a crossing.

NOTE: The type of construction MUST be agreed with the Torbay Council Highways Department prior to works commencement.