

APPLICATION TO EXECUTE WORK ON/ADJACENT TO A PUBLIC HIGHWAY

(Section 169, 171, 172, 174, 175, Highways Act 1980)

A fee is required towards administration costs for processing this licence.

OWNER			
ADDRESS			
TRADING AS			
REGISTERED OFFICE ADDRESS			
NAME OF CO. SECRETARY			
TEL NO. WITH 24 HOUR AVAILABILITY		EMAIL	
NAME OF CHAPTER 8 ACCREDITED OPERATIVE			

Road Traffic Regulations Act 1984, and the requirements of the New Road and Street Works Act 1991 to:

Deposit Materials ☐ Make Excavation ☐ Erect Hoarding/Scaffold ☐ Other (Renewal) ☐

On the public highway known as:

NAME OF ROAD TOWN:

LOCATION ON ROAD

MAJOR WORKS (tick)	3 months advanced notice ☐	START DATE		NUMBER OF DAYS		Max 28 days.
STANDARD WORKS (tick)	10 days advanced notice ☐	START DATE		NUMBER OF DAYS		Max 10 days.
EMERGENCY (tick)	☐	START DATE		NUMBER OF DAYS		Max 10 days.

DIMENSIONS OF PROPOSED STRUCTURE/OBSTRUCTION (in metres)

Length Width Height

ESTIMATED REMOVAL DATE

NOTE: Licence durations greater than 10 days for a maximum of 28 days must be applied for as Major Works with 3 months advance notice. Where a renewal is required for Major Works, 10 days' notice must be given. Any licence applied for with less than 10 days' notice can be for a maximum period of 10 days and will be subject to enhanced charges.

I/We agree to pay the licence fee towards administration costs in processing the licence. Once licence applications have been processed, fees will not be refunded even if the licence is cancelled. I/we will ensure that such items will be placed in accordance with the conditions of this licence, with Chapter 8 of the Traffic Signs Manual and will not cause an obstruction to any other traffic at the time of deposit.

Payment by credit / debit card or cheque only.

.....
SIGNATURE OF OWNER

.....
DATE

FOR OFFICIAL USE ONLY

LICENCE NO.

Charges:

Standard – over 10 days' notice given from receipt of application ☐ or extension ☐ Site Visit ☐

Enhanced – under 10 days' notice given from receipt of application ☐ or extension ☐ Site Visit ☐

Subject to the conditions contained on both sides of this form, I hereby authorise you to carry out the works as stated above. I require you to place on the highway such signs as may be necessary to comply with the conditions of this licence.

APPROVED / REFUSED SPECIAL CONDITIONS IMPOSED OR REASONS FOR REFUSAL:

No Cross Bars – Authorised licence displayed on site – Associated Traffic Management

Signed

Date

NB. The actual location may be varied by the Street Scene Inspector according to conditions known, or likely to exist during the period of this licence.

LICENCE TO EXECUTE WORK ON OR ADJACENT TO A PUBLIC HIGHWAY

Before commencing any work, an appropriate licence must be obtained from Torbay Council and is subject to the following conditions:-

EXCAVATIONS

1 - 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 Signs Manual. 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 must be endorsed by the licensee to the effect that the permanent reinstatement must be carried out prior to removing the traffic management.

(d)
You will also be required to obtain underground apparatus plans from the Statutory Undertakers prior to breaking the highway. In the event of any damage caused to such services during the course of your work the owners must be informed immediately.

SAFETY AND SIGNING (SCAFFOLDS & HOARDINGS)

2 - 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 Signs Manual, without prejudice to the requirements of Sections 169, 172, 173 and 174.

(a)
If hoarding or scaffold 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 hoarding or fence 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 as required by Chapter 8 of the Traffic Signs Manual. Where the proposed site of the scaffolding is less than 18 inches (450mm) from the edge of the footway or encroaches into the carriageway the applicant must undertake a risk assessment to establish if impact protection is required. Timber baulks must not be used as traffic delineators. Road danger lamps placed on scaffolding/hoarding will comply with National Annex to BS EN 12352:2006.

(b)
The licensee will ensure that the hoarding/fence and/or scaffolding is erected on the day of delivery, in a proper, workmanlike and safe manner conforming to BS EN 12811-1, 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. The erection, alteration and dismantling must meet the requirements of the Working Height Regulations 2005 and be carried out by a competent operative.

(c)
Any door forming part of the hoarding/fence must not be hung so as to open outwards across any part of the public footpath or highway.

(d)
The hoarding/fence and/or scaffolding for which the licence has been granted for the specified period must be structurally sound and 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 structure 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.

(e)
The name and telephone number of the contractor shall be displayed on a notice board firmly fixed to the structure. No other notice or anything in the nature of a notice, advertisement or fly posting shall be displayed in any form on or from such hoarding/fence, which must be painted white or in company's colours and or scaffolding or other structure without the approval of the Council unless written consent is granted for such a purpose subject to such terms as the Authority stipulates.

INSURANCE

3 - 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

4 - 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 hoarding/fence and/or scaffolding shall be taken down immediately by the licensee. Any work required to make good any damage however caused including the removal of the hoarding/fence and/or scaffolding in default 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

5 - The scaffolding shall be fan guarded and close boarded on the first lift for the protection of the public if instructed by the Street Scene Inspector/Torbay Council Official, all elevations of each scaffold will be enclosed with either fine mesh netting or sheeting.

6 - All vertical base scaffold poles must be fitted with base plates or suitably secured to the satisfaction of the Council. On no account must scaffold poles be erected and seated in barrels or tubs or similar type furniture. A minimum headroom height of 8ft. (2.45 metres) at the lowest point, for which all scaffold uprights must be painted white, must be provided for the safe passage of the public.

7 - 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

(i)
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.

(ii)
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.

(iii)
The licensee is reminded that it is his responsibility to ensure that the hoarding/fence, scaffolding or other such structure is satisfactorily sound, properly erected and maintained

(iv)
Failure to comply with the schedule of conditions without reasonable cause, or erecting a scaffold without a licence is an offence and subject to a maximum penalty (on Level 5) by virtue of Section 169(5) Highways Act 1980.

(v)
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.

(vi)
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.

(vii)
Licences are only renewable after a further inspection by the Street Scene Inspector.