

HIGHWAYS ACT 1980 SECTION 171

General conditions:

Applicants, via their contractor, shall indemnify Swindon Borough Council against all losses or claims arising out of the execution of the works and shall insure against any damage, loss or injury which may occur to any property or to any person by, or arising out of, the execution of the works.

There may be additional costs if the Defect Inspection system has to be implemented as detailed in The New Roads and Street Works Act 1991.

Notes for guidance:

1. Definition of street: Any part of the verge, footway or carriageway within the borough boundary that is maintained at the public expense.
2. It is an offence Under Section 171 of the Highways Act 1980 to deposit materials on the street and make excavations in the street without obtaining consent from the Council.
3. The name and address of the landowner requiring the service is to be provided. This may be a private individual, a limited company or a partnership, if a partnership, the names and addresses of those persons in whom the land is vested are to be given. If a company, the registered office is to be given. If the land is vested in joint names then details of both persons are required.
4. Supervisors of street works shall be qualified to the standard prescribed in the Street Works (Qualifications of Supervisors and Operatives) regulations 1992 and from 5th August 1997 all operatives shall be so qualified.
5. The licensee shall ensure that he, or any contractor employed by him, shall be aware of the obligations placed on him by the various Codes of Practice and Regulations prescribed under the New Roads and Street Works Act 1991. In particular the licensee shall comply with the Specification for the Reinstatement of Openings in Highways.
6. The licensee shall also comply with the Code of Practice "Safety at Road Works and Street Works" and give details of proposed traffic management measures. If it is considered that a road closure may be required then early advice from the Council should be sought. A period of 12 weeks should normally be allowed for road closure applications and there will be additional costs to the licence.
7. The licence shall remain in force for the time agreed in the licence until such times Swindon Borough Council agree by means of a final inspection of the area. Inspection fees apply at a charge of £75 per visit by a Street Works Technician.

8. The licence does not dispense the licensee from obtaining any other consent, licence or provision which may be required on the street.
9. The licence or consent is not transferable to any other party.
10. If the applicant is a contractor employed by the owner of the property for the consent, then the licence should be assigned to that property owner **prior** to the commencement of works.
11. A minimum period of ten days should be allowed for the application to be processed.
12. It is the responsibility of the licensee to ensure that safe digging practice is met and that all reasonable measures are taken to locate and avoid any buried apparatus. The applicant must contact all relevant utility companies to obtain responses of what apparatus is in the vicinity of the proposed works prior to applying for the licence.