

PART 1

(FORM SWL 1)

NOTES FOR GUIDANCE

1. The person granted a Street Works Licence becomes an Undertaker for the purposes of the New Roads & Street Works Act 1991, and therefore attracts the relevant duties and responsibilities imposed by the Act and associated Secondary Legislation and Codes of Practice.
2. Financial penalties will be imposed by the Street Authority against 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 a Statutory Body) who wishes to place, retain and thereafter inspect, maintain, adjust, repair, alter or renew apparatus in the highway, or change in position or remove it from the highway.
4. The term apparatus includes drains, cables, ducts, sewer pipes, water and gas pipes etc.
5. Form SWL2 must be completed for authorisation to place new apparatus in the highway. The form must be signed by the owner of the apparatus, which will normally be the property owner or developer (ie the instigator of the work) and must be submitted to the Street Authority together with:
 - a) Payment of **£500** which includes the following -
 - (i) Administration fee
 - (ii) Inspection fee
 - (iii) Capitalised fee in lieu of annual charge
 - b) Form SWL6 – Statutory Undertakers Declaration / Requirements
You are required to notify each public utility company of your intended work and to request information regarding apparatus in the affected area. They will usually provide drawings or mark the position on site.
 - c) Proof of Public Liability Insurance. This must provide a minimum of £10 million indemnity and must be maintained from commencement of work on the highway, up to completion and acceptance by the Street Authority of the permanent reinstatement.
 - d) Form SWL4 – Accredited Site Supervisor & Operative. This should be completed by the contractor and should be accompanied by the relevant certificates or national registration cards.
 - e) **All** cancellations will be subject to an administration charge of **£72.20**
 - f) **ALL** works commencing with the Authorities agreement before the two weeks required notice will be subject to an extra **£36.10** charge.
6. Form SWL3 must be completed for consent to work on existing apparatus in the highway. The form must be signed by the owner of the apparatus, and must be submitted to the Street Authority together with:
 - a) Payment of **£300** which includes the following -
 - (i) Administration fee
 - (ii) Inspection fee
 - b) Form SWL 6 – Statutory Undertakers Declaration/Requirements.

See paragraph 5 (b) for additional information.

Continued.....

- c) Proof of Public Liability Insurance
See paragraph 5 © for additional information.
- d) Form SWL4 – Accredited Site Supervisor & Operative.
- e) **All** cancellations will be subject to an administration charge of **£72.20**
- f) **All** works commencing with the Authorities agreement before the two weeks required notice will be subject to an extra **£36.10** charge.

See paragraph 5 (d) for additional information.

- 7. A Street Works Licence or Consent to Work on Existing Apparatus in the Highway, will only be granted to the owner(s) of apparatus or their Successor in Title. Owners should note their statutory duty to ensure that the apparatus is properly maintained at all times.
- 8. In order for the Isle of Wight Council (Street Authority) to comply with its statutory duty, all applications must be submitted at least two weeks in advance of the proposed date for commencement of work.
- 9. Applicants should note that Special Conditions may be imposed by the Street Authority:
 - a) To minimise the inconvenience to persons using the street, having regard to people with a disability in particular.
 - b) For Traffic Sensitive Streets, Streets with Special Engineering Difficulties and Protected Streets.
- NB The applicant must strictly adhere to these conditions.
- 10. The licensee must permit the Street Authority to monitor their performance throughout all stages of the street works. These are: signing, guarding and excavation; signing, guarding and reinstatement; immediately after permanent reinstatement; between 6 and 9 months after permanent reinstatement; during the one month preceding the end of the guarantee period(this period will begin from the date the Street Authority is notified of the accepted permanent reinstatement).
- 11. The licensee must inform the Street Authority of the completion of the reinstatement by the end of the following working day, stating whether it is interim or permanent. If an interim reinstatement is carried out, this must be made permanent within six months.
- 12. Form SWL5 – Registration of works
This form must be submitted to the Street Authority within seven days of completion of the works and clearance of the site.
- 13. Where the apparatus in respect of which an application for a Street Works licence is made to the Street Authority, is to be placed or retained on a line crossing the street, and not along the line of the street, a person aggrieved by; The refusal of the Authority to grant a licence; Their refusal to grant a licence, except on terms prohibiting its assignment; Any terms or conditions of the licence granted to them, may appeal to the Secretary of State.
- 14. Reinstatement details and details of Signing and Guarding will be provided at the time of the application.

15. Guarantee periods:

Excavations < 1.5m in depth = 2 years

Excavations > 1.5m in depth = 3 years

16. Once the Street Works Licence has been issued, it will remain valid for a period of 30 days. After this period the licence will be revoked and the fee paid will be refunded minus an administration fee of **£72.20**