



## **Excavate the highway (Streetworks) - Terms and conditions**

The Licencee is the applicant and their successors in title

Licence: the requirement to obtain a Street Works Licence applies to any person, persons or organisation acting under a statutory right, who has reasonable cause to perform works in or over the public highway. No works shall be conducted until a licence has been issued.

Highway: is any road, footpath, verge or other right of way (ROW) and includes any installed plant/apparatus associated therewith, maintained at public expense. As defined by the relevant Highways Act.

Highway authority: Buckinghamshire Council is the highway authority for the administrative county of Buckinghamshire.

Each site must be supervised and work conducted by persons adequately accredited and holding the appropriate Street Works qualification registration.

Each site will be signed, guarded and conducted to comply with New Roads and Street Works Act 1991 and the associated codes of practice.

Public Liability insurance giving minimum cover of £10million is required.

Cancellation: once the Private Street Works Licence has been issued, there will be no refund of the application fee.

Failure to comply with these requirements or any of the conditions imposed on the licence may result in prosecution Under section 95 and subsequent imposition of financial Penalties.

### **Notice periods**

For works with a duration of less than 10 days a minimum of 10 days notification is required from the date of Licence issue.

For works of more than 10 days and/or works requiring a temporary road closure a minimum of 3 months notification is required from the date of Licence issue.

The Traffic Management Act 2004 requires that the actual start and works stop details are notified to the Highway Authority on the day, or following working day. Permanent reinstatement details must be notified within 10 working days of completion. Failure to do so may result in the issue of a Fixed Penalty Notice of £120, reduced to £80 if paid within 28 days.

Section 74 of the New Road & Street Works Act 1991 allows the Highway Authority to charge for the unreasonably prolonged occupation of the highway. This means that should these works overrun without agreement, a charge may be levied as laid down in the Act.

Statutory inspections are made of works in accordance with the New Roads and Street Works Act. If a defect is found the cost of the inspection will be charged. The current charge is £47.50