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**NEW ROADS AND STREET WORKS ACT 1991**

## **Application under SECTION 50 – Street Works Licence**

To the *London Borough of Sutton*, being the street authority under the above Act:

| Owner of Apparatus | | | |
| --- | --- | --- | --- |
| NAME |  | | |
| COMPANY |  | | |
| ADDRESS |  | | |
|  |  | | |
| TELEPHONE |  | FAX |  |

Hereby apply for a licence to be granted under section 50 of the New Roads and Street Works Act 1991 to place or retain apparatus in the street known as:

| ADDRESS |  |
| --- | --- |
|  |  |
| TYPE OF WORKS |  |

*(The term apparatus includes drains, cables, ducts, sewer pipes, water and gas pipes etc).*

A cheque for **£** accompanies this application, made up of **£759.07 licence fee per opening** (LBS cost centre S102 1373) and a refundable bond (LBS cost centre X460 1900 0941) as per the Pricing Schedule that accompanies the Licence Application Pack. All cheques made payable to London Borough of Sutton.

Payments by Bank Transfer must be paid to**:**

**London Borough of Sutton Income**

Account number: **13740960**

Sort code: **30-80-12**

as 2 separate amounts, one for bond sum quoting reference: X460 1900 0941, and one for £495 licence fee quoting reference: S102 1373

**DECLARATION BY OWNER OF APPARATUS:**

I confirm that the above details are correct and acknowledge that the works referred to must be conducted in accordance with the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, and associated legislation and codes of practice, together with any other conditions imposed by the London Borough of Sutton, in the relevant licence.

#### I also acknowledge the statutory need for me to pay the prescribed inspection fees which will be imposed by the London Borough of Sutton including any defect inspection fees and the cost of any necessary remedial works conducted by the London Borough of Sutton during the guarantee period.

I also acknowledge that the licence is granted on the condition that I will indemnify the London Borough of Sutton against any claim in respect of injury, damage or loss arising out of:-

1. The placing or presence in the street of apparatus to which the licence relates, or
2. The execution by any person of any works authorised by the licence.

I also acknowledge that I have read and understand the Notes for Guidance contained in Part 1, and the conditions in Part 2.

**Note:** A street works licence does NOT dispense the licensee from obtaining any other consent, licence or permission which may be required; and it does not authorise the installation of apparatus for the use of which the licence of the Secretary of State is required, unless and until that licence has been granted.

Schedule 3 to the Act provides that the authority may by notice in writing withdraw a street works licence if they consider it necessary to do so for the purpose of the exercise of their functions as a street authority.

| DATED |  | SIGNED |  |
| --- | --- | --- | --- |

## **CONDITIONS**

1. The London Borough of Sutton being the Street Authority hereby grant to the party named on the application form in Part 2 (hereinafter called “the Licensee”) with the intent that the same shall benefit and run with the property described hereto Licence under Section 50 of the New Roads and Street Works Act 1991 to place and leave in the Highway in the positions set out on the plans provided the apparatus (hereinafter called “the Apparatus”) and to maintain repair and reinstate and break open and have access to the Highway for those purposes upon the terms and subject to the conditions hereinafter specified and subject also to the relevant conditions and provisions contained in Schedule 3 of the said Act and Licensee hereby accepts the Licence upon and subject to the said terms conditions and provisions.
2. This licence is granted to the owner of apparatus and his Successors in Title and where he proposes to part with his interest in the apparatus, he shall before doing so give at least 6 weeks written notice to the London Borough of Sutton of the intention to abandon the apparatus or transfer the licence stating to whom the benefit of the licence is to be transferred, and also give written Notice to the London Borough of Sutton of the date of the transfer.
3. The Licensee shall:-
4. Conduct all the relevant works in accordance with the requirements of the New Roads and Street Works Act 1991 and Traffic Management Act 2004, and their associated Secondary Legislation and Codes of Practice, together with any other conditions imposed by the London Borough of Sutton, in the relevant licence.
5. Indemnify the London Borough of Sutton against any claim in respect of injury, damage or loss arising out of :
   * 1. the placing or presence in the street or apparatus to which the licence relates, or

ii) the execution by any person of any works authorised by the licence:

and the former licensee shall indemnify the London Borough of Sutton against any claim in respect of injury, damage or loss arising out of the execution by the London Borough of Sutton or the licensee of any works under paragraph 7.

1. Give at least 6 weeks written Notice to the London Borough of Sutton of his intention to cease using or abandon the apparatus.
2. The Licensee shall pay the London Borough of Sutton in connection with the grant of the licence the sum of £759.07 comprising:-
3. The sum of £609.07 in respect of administration expenses and as a capitalised payment in lieu of the annual fee for administering the licence recoverable under Schedule 3 Section 2b of the New Roads and Street Works Act 1991. (non returnable)
4. The sum of £150 for the chargeable inspection fees, per unit of inspection (200m or part thereof).
5. Any licence issued under this procedure by the London Borough of Sutton must not be construed as conferring any right for the applicant to make any connection to a sewer, drain, pipe, cable or other apparatus.
6. The licence hereby granted shall remain in force until withdrawn by the London Borough of Sutton under Schedule 3 of the New Roads and Street Works Act 1991 or surrendered to the London Borough of Sutton by the licensee.
7. The London Borough of Sutton may determine this licence at any time:-
8. on the expiration of such period as may be specified in the Notice being a period of not less than seven working days beginning with the date of service of the Notice on the Licensee if any condition of this licence is contravened by the Licensee or if the London Borough of Sutton becomes aware of the fact that the Licensee intends to cease using or has abandoned the apparatus or intends to do so, or
9. the Licensee has parted with or intends to part with his interest in the apparatus in a case where assignment of the licence is prohibited, or
10. the London Borough of Sutton considers the withdrawal of the licence is necessary for the purpose of the exercise of their function as Street Authority.

NB: Under subparagraph (c) not less than 3 months notice will be given by the London Borough of Sutton.

1. Where a licence expires or is withdrawn or surrendered the London Borough of Sutton:-
2. may remove the apparatus to which the licence relates or alter it in such a manner as they think fit and reinstate, the street and may recover from the former Licensee the expenses incurred by them in doing so.

b) if satisfied that the former Licensee can, within such reasonable time as they may specify, remove the apparatus or alter it in such a manner as they may require and reinstate the street, they may authorise him to do so at his own expense. A further licence will be required for such works.