**Licence to work within Highway limits**

**Highways Act 1980**

**New Roads and Street Works Act 1991**

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| **Section 1 - Applicant Details (the Licensee)**  **Please ensure that all sections are completed in full, failure to do so may result in a delay in issuing your licence.** | | |
| **Name:** | | |
| **Address:** | | |
| **Home Tel:** | **Mobile:** | |
| **Email:** | | |
| **Site Details** | | |
| **Property Name/Number:** | | |
| **Road Name:** | | |
| **Locality/Town:** | | **Post Code:** |

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| **Work Details** | | |
| **Deposit Materials** | **Deposit Site Facilities** | **Deposit Container** |
| **Aerial Platform** | **Traffic Management Only** | **Tree works** |
| **Other, please give a description:** | | |

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| **Works Description** |
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| **Will the works effect or be attached to any street furniture owned by Cornwall Council? Yes  No** |
| **If Yes, please give a description:** |

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| **Works Location Area**  **Please ensure a plan of the works location is included with the application pack** | | | |
| **Location** | **Length** | **Width** | **Depth** |
| **Footway** |  |  |  |
| **Carriageway** |  |  |  |
| **Verge** |  |  |  |
| **Cycleway** |  |  |  |
| **Footpath**  **(Public Right of Way)** |  |  |  |

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| **Proposed Dates** | | | |
| **Proposed Start Date** | | **Proposed End Date** | |
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| **Immediate Works**  To be notified within 2hrs of works starting | **Minor Works**  **1 to 3 days in duration**  4 weeks notice required | **Standard Works**  **4 to 10 days in duration**  4 weeks notice required | **Major Works**  **11 days and over or works requiring a TTRO**  3 months notice required |

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| **Traffic Management** | | | | | |
| **No Carriageway Incursion** | **Some Carriageway Incursion** | | **Give & Take Boards** | | **Priority Boards** |
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| **Stop & Go Boards** | **Two-Way Traffic Lights** | | **Multi-Way Traffic Lights** | | **Convoy Working** |
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| **Lane Closure** | **Contraflow** | | **Road Closure**  **Additional Paperwork Required** | | **Other** |
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| **If Other, please give more details:** | | | | | |
| **Traffic Management Timings -** Some Roads are subject to timing restrictions owing to their Traffic Sensitivity, to find out if the road you are working on has any restrictions please use One.Network. | | | | | |
| **Normal Working Hours**  **0730 to 1800 hours** | | **Commuter Route**  **0930 to 1600 hours only** | | **School Route**  **0930 to 1430 hours only** | |
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| **Sensitive Route**  **1900 to 0700 hours only** | | **Seasonal Route**  **1900 to 0700 hours only** | | **24 hours** | |
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| **Weekdays Only** | | | **Weekends Included** | | |
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| **If you wish to use different timings than the above, please provide more details here:** | | | | | |
| **Pedestrians – If you need to close the Footway** | | | | | |
| **Will a pedestrian walkway will be provided? Yes  No** | | | | | |
| **Will an alternative route be provided? Yes  No** | | | | | |

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| **Traffic Management Company**  **Traffic Management must be set up and maintained by suitably qualified personnel, if you are not carrying out the Traffic Management yourselves please provide details of your Traffic Management company** |
| **Name of Company:** |
| **Address:** |
| **Telephone Number:** |
| **24-hour contact number (this will be displayed in the public domain):** |

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| **Payment Method** |
| **Please confirm who the invoice is to be raised to:**  **Applicant  Contractor**  **Please provide a Purchase Order Number if required:** |

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| **Declaration by the Applicant** |
| I confirm that the foregoing details are correct, and acknowledge that the works referred to above must be  conducted in accordance with the requirements of the New Roads & Street Works Act 1991 (“NRSWA”),  associated legislation and codes of practice, together with any other conditions imposed by the Street Authority  in the relevant Licence.  I also acknowledge that I have read and understood the Notes for Guidance and Standard Conditions as attached in Section 2. (NB. Further specific conditions may be imposed at the time of granting the licence).  I confirm that any amendments to the details of the works (including dates of commencement and completion) will be notified to the Street Authority as soon as they are known.  **Signed (Applicant): Print Name (Applicant):**    **Date:** |

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| **Section 3 - Cornwall Council Authorisation** | | |
| **Date Received** | **Licence Number** | **Receipt Number** |
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| **Special Conditions** | | |
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| **The Council in exercise of the above powers grants this Licence to the applicant named**  **Signed by on behalf of the Traffic Manager:**  **Date:** |

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| **Section 2 - Terms and Conditions** | |
| **Definition of Terms** | |
| Apparatus | As defined in Section 105(1) of NRSWA "apparatus includes any structure for the lodging therein of apparatus or for gaining access to apparatus". |
| Carriageway | As defined in section 329 of HA 1980, "carriageway means a way constituting or comprised in a Highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles". |
| Council | means The Cornwall Council |
| Fee | means the relevant legal, inspection and any other such fees and expenses to which the Council is entitled to under the Act and more particularly described in the guidance notes |
| Footway | As defined in section 329 of the HA 1980, "footway means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only". |
| Highway | means the highway mentioned in the application form |
| Immediate activities | As stated in Section 9.5, immediate activities are either emergency works as defined in section 52 of NRSWA or urgent works as defined in The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007. |
| Licensee | means the applicant named in Section 1 and shall include any successors in title and any other person who is for the time being entitled by virtue of this Licence to do anything permitted by it to be done. |
| Major Activities | As stated in Section 9.2, major activities are activities which have been identified in a promoter’s annual operating programme, or if not identified in that programme, are normally planned or known about at least six months in advance of the date proposed for the activity; or activities, other than immediate activities, where (i) the authority has indicated to the promoter, or (ii) the promoter considers, that an order under section 14 of the Road Traffic Regulation Act 1984 (temporary prohibition or restriction on roads) is required; or activities, other than immediate activities, which have a planned duration of 11 days or more”. |
| Minor activities | As stated in Section 9.4, minor activities are those activities other than immediate and major activities where the planned duration is 3 days or less. |
| Plan | means the plan annexed to this Licence |
| Remedial Work | Remedial works are those required to put right defects identified in accordance with the provisions of the Code of Practice for Inspections and regulations. |
| Standard Activities | Standard activities are those activities, other than immediate and major activities, that have a planned duration of between 4 and 10 days inclusive. |
| Statutory Undertaker | As defined in Section 48(4) of NRSWA, “undertaker in relation to street works means the person by whom the relevant statutory right is exercisable (in the capacity in which it is exercisable by him) or the licensee under the relevant street works licence, as the case may be”. |
| Street Authority | As defined in Section 49(1) of NRSWA, “the Street Authority in relation to a street means, subject to the following provisions:  a) If the street is a maintainable highway, the Highway Authority, and  b) If the street is not a maintainable Highway, the street managers”. |
| Works | means the works authorised by this Licence |

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| **1.0 The Licensee’s Obligations**  1.1 The Licensee agreed with the Council:  1.1.1 that it will conduct all Works in accordance with the Act, and its associated secondary legislation and codes of practices  1.1.2 that it will satisfy itself as to the location of other undertaker's apparatus in the vicinity of the Works before it commences the Works  1.1.3 to comply with all relevant statutory Regulations and also with the requirements advice and codes of practice issued from time to time by the Council or any government department or other public or competent authority  1.1.4 to indemnify and keep indemnified the Council against any claim in respect of injury damage or loss arising out of:   1. the execution by any person of any of the Works authorised by the Licence; and the former licensee shall indemnify the Council against any claim in respect of injury, damage or loss arising out of the execution by Council or the Licensee of any works under clauses 3.4 and or 3.5 other than a claim for damage or loss which is attributable to misconduct or negligence on the part of the Council or a person for whom the Council are responsible or a third party, that is, a person for whom neither of the parties or former licensee are responsible   1.1.5 on or before the date of this Licence to pay to the Council the Fee in connection with the grant of this Licence  1.1.6 To comply with the special conditions (if any) specified in Section 3  1.1.7 Not to assign the Licence without obtaining the prior written consent of the Council.  1.1.8 A plan showing the precise location and layout of the proposed works area.  1.2.0 Please ensure that all aspects of this Application form are completed fully before submitting it to Street Works.  Failure to provide any of the requested information will result in your application being refused and returned to you.  **2.0 General**  2.1 This Licence constitutes a Street Works Licence under the provisions of Section 171 of the Highways Act 1980  2.2 The Licensee shall constitute an undertaker for the purposes of the Act  2.3 Notices and notifications to the Council should be emailed to streetworks@cornwall.gov.uk  2.4 The obligations set out in clause 2 of this Licence being conditions considered appropriate by the Council:  2.4.1 in the interests of safety;  2.4.2 to minimise the inconvenience to persons using the Highway (having regard in particular to the needs of the people with a disability) or;  2.4.3 to protect the structure of the Highway and the integrity of apparatus in it.  2.4.4 The Licensee shall ensure that all materials/rubbish/container/site facilities or works are adequately guarded and lit at all times, and shall provide and maintain all necessary signs to guide and direct traffic (including pedestrian), and in complying with this clause shall have particular regard to the needs of disabled persons.  2.4.5 Any damage caused to the Highway MUST be made good by the Accredited Contractor and notified to this office.  2.5 This Licence does not confer any right on the Licensee as against the owners of the land on which the Highway is situated to use that land and the Licensee must make his own arrangements with such owners in cases where their consent is needed and shall also obtain any other consent licence or permission which may be required  2.6 In the event the Works exceeds such period given for the notice and are not completed within a reasonable period the Council may impose charges  2.7 The Contracts (Rights of Third Parties) Act 1999 is hereby excluded and shall not apply hereto  **3.0 Termination**  3.1 The Licence hereby granted shall remain in force until:-  3.1.1 it is surrendered to the Council by the Licensee or  3.1.2 the Highway is permanently stopped up in which event this Licence shall terminate immediately or  3.1.3 it is withdrawn by the Council by notice served on the Licensee:   1. if the Licensee fails to comply with any provision of the Act or any conditions of this Licence 2. if the Council consider the withdrawal of the Licence is necessary for the purpose of the exercise of their functions as street authority   3.2 The withdrawal of this Licence shall take effect at the end of such period beginning with the date of service as may be specified in the said notice in accordance with the provisions of Clause 3.2.1  3.2.1 The period shall not be less than seven working days in the case of a withdrawal under clauses 3.1.3(a) or 3.1.3(b)  3.3 In the event of the termination of this Licence for any reason the Licensee shall at the written request of the Council forthwith arrange at the expense of the Licensee for the removal of the alterations from the Highway in such manner as the Council think fit and for the Highway to be reinstated  3.4 If the Licensee shall fail to carry out the requested works or alter it and reinstate the Highway within a reasonable period of time then the Council may arrange for such works to be carried out and shall recover on demand from the Licensee all expenses incurred by the Council in so doing.  **4.0 Interpretation**  4.1 The expression “the Council” shall include its successor in title and assigns and any person(s) or body corporate deriving title through or under them  4.2 A ‘person’ includes a natural person, corporate or unincorporated body (whether or not having a separate legal personality)  4.3 Words importing the masculine gender shall include all other genders and vice versa  4.4 Words importing the singular shall include the plural and vice versa  4.5 Where any party consists of two or more persons companies or corporations the Licence expressed to be made by that party and the conditions and provisions contained in this Licence shall be deemed to have been made jointly and severally by the person named as that party  4.6 Save where a contrary intention is expressed a reference therein to a clause or Schedule shall be deemed to be a reference to a clause or Schedule of this Licence and reference to a sub-clause paragraph or Part shall be deemed to be a reference to a sub clause or paragraph or Part of the clause or Schedule in which such reference appears  4.7 All references to an Act of Parliament shall include any modification, extension or re-enactment of that Act for the time being in force and shall include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given under that Act or deriving validity from it  4.8 The clause and paragraph headings herein are for ease of reference only and shall not affect the interpretation of the Licence  4.9 Any phrase introduced by the terms “including”, “include”, “in particular” or any similar expression shall be construed as illustrative and shall not limit the sense of the words proceeding those terms.  4.10 Any obligation in this Licence on a person not to do something includes an obligation not to agree or allow that  thing to be done |

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| **N2**  **(Proposed Start or Change of Dates)** | **New Roads & Street Works Act 1991**  **(Section 55)**  **Traffic Management Act 2004**  **Notification & Responses** |  |

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| **To:** | **Streetworks@cornwall.gov.uk** |
| **From:**  **(Contractor)** |  |
| **Telephone Number:** |  |
| **Email Address:** |  |

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| **Site Details** |
| **Property Name/Number:** | | |
| **Road Name:** | | |
| **Locality/Town:** | | **Post Code:** |

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| **Works Details** | |
| **Works**  **Description:** |  | | | |
| **Licence**  **Number:** |  | | | |
| **Location of**  **Excavation:** | **Carriageway** | | **Footway** | **Verge** |
| **Method of**  **Excavation:** | **Mechanical** | | **Hand** | **Bore** |

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| **Proposed Start Date** | **Estimated End Date** |
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| **Traffic Management** | | | | |
| **Give & Take** | | **Priority Boards** | | **Stop/Go Boards** | | | **Two Way Traffic Lights** | **Multi Way Traffic Lights** |
| **Road Closure**  **(Additional Paperwork and Charges will be applicable)** | | **Other:(Please give a description)** | | | | | | |
| **Working Hours:** | **Normal Working Hours**  **07:30 to 18:00** | | **School Route**  **09:30 to 14:30** | | | **Commuter Route**  **09:30 to 16:00** | **Sensitive Route**  **19:00 to 07:00** | **Other (Please State):** |

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| **Comments:** | |
| **Contractors Signature:** | **Date:** |

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| **N3**  **(Actual Start & Revised Duration)** | **New Roads & Street Works Act 1991**  **(Section 74)**  **Traffic Management Act 2004**  **Notification & Responses** |  |

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| **To:** | **Streetworks@cornwall.gov.uk** |
| **From:**  **(Contractor)** |  |
| **Telephone Number:** |  |
| **Email Address:** |  |

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| **Site Details** |
| **Property Name/Number:** | | |
| **Road Name:** | | |
| **Locality/Town** | | **Post Code:** |

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| **Works Details** | |
| **Works Description:** |  | |
| **Licence Number:** |  | |

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| **Dates and Times** |
| **Actual Start Date**  **(Must be received within 2 hours of works starting)** | | **Estimated End Date** |
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| **Actual Start Time** | | **Actual End Time** |
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| **Revised Duration (Please see page 5 of the Guidance notes)** | |
| **Actual Start Date** | **Revised End Date** |

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| **Traffic Management** | | | | |
| **Give & Take** | | **Priority Boards** | | **Stop/Go Boards** | | | **Two Way Traffic Lights** | **Multi Way Traffic Lights** |
| **Road Closure**  **(Additional Paperwork and Charges will be applicable)** | | **Other: (Please give a description)** | | | | | | |
| **Working Hours:** | **Normal Working Hours**  **07:30 to 18:00** | | **School Route**  **09:30 to 14:30** | | | **Commuter Route**  **09:30 to 16:00** | **Sensitive Route**  **19:00 to 07:00** | **Other (Please State):** |

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| **Comments:** | |
| **Contractors Signature:** | **Date:** |

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| **R1**  **(Actual Stop & Registration)** | **New Roads & Street Works Act 1991**  **(Section 74)**  **Traffic Management Act 2004**  **Notification & Responses** |  |

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| **To:** | **Streetworks@cornwall.gov.uk** |
| **From:(Contractor)** |  |
| **Telephone Number:** |  |
| **Email Address:** |  |

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| **Site Details** |
| **Property Name/Number:** | | |
| **Road Name:** | | |
| **Locality/Town** | | **Post Code:** |

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| **Works Details** | |
| **Works Description:** |  | | | |
| **Licence Number:** |  | | | |
| **Method of Excavation:** | **Mechanical** | | **Hand** | **Bore** |

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| **Dates** |
| **Actual Start Date** | | **Actual End Date** |
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| **Actual Start Time** | | **Actual End Time** |
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| **Comments:** | | |

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| **Reinstatement Details** | | | |
| **Site** | **Location** | **Length (m)** | **Width (m)** | | **Carriageway (C)**  **Footway (F)**  **Verge (V)**  **Cycleway (CY)**  **Footpath (FP)** | | **Depth of Cover to Apparatus**  **(m)** | **Interim Completion Date** | **Permanent Completion Date** |
| **1** |  |  |  | |  | |  |  |  |
| **2** |  |  |  | |  | |  |  |  |
| **3** |  |  |  | |  | |  |  |  |
| **4** |  |  |  | |  | |  |  |  |
| **Contractors Signature:** | | | | | | **Date:** | | | |