

WARWICKSHIRE COUNTY COUNCIL COMMUNITIES DIRECTORATE

NEW ROADS AND STREET WORKS ACT 1991 SECTION 50 (SCHEDULE 3) – Guidance Notes

1. The application will take **21 working days** to process; a minimum notice period of three months is required for major works. See Appendix A below for Works Categories.
2. No application can be processed if it is not accompanied by a plan.
3. The application will not be processed until all sections of the form have been completed, and payment is received. A full description of the works location including grid references are essential.
4. Applicants must inform the Statutory Undertakers, who may be affected, of the proposals and request plans indicating the location of any apparatus they may have in the vicinity of the proposed works. Details of how to do this will also be forwarded with the acknowledgement of the application. No work should be carried out until this has been done. Failure to comply can result in Statutory Undertaker's apparatus being damaged – this can be expensive and dangerous.
5. No work should commence until the licence has been signed by the Network Management Manager and returned for the retention of the applicant. Any work done prior to this will constitute an illegal opening of the highway. (This may not apply in the case of an emergency opening).
6. Following receipt of the Licence No. work should begin, notifying the Network Management Team, in accordance with The Traffic Management (Warwickshire County Council) Permit Scheme Order 2014 No.3310. If the start date has changed from the one on the original Licence Application form (SWL4) you must inform the Network Management Team immediately so that road space can be booked for the new dates.
7. For all types of work, a Start Notice – Form D (SWL11) shall be submitted on the day you start the works. Once the works are completed you will need to send in the Stop Notice – Form E (SWL11) immediately and within ten days the details of the reinstatement, the completed Registration of Works form (SWL12) must be returned to the Network Management Team. Failure to provide the correct notice may result in the issue of a fixed penalty notice.
8. Following completion of the works an 'AS LAID' drawing of the apparatus must be forwarded to the Network Management Team.
10. The Licensee shall pay the Street Authority in Connection with the Grant of the Licence:
 - a) **The Sum of £680 for new works**
 - b) **The Sum of £390 for working on Existing Apparatus/Repairs**
1. Please make cheques payable to **WARWICKSHIRE COUNTY COUNCIL** and write your address and '**Section 50 Application**' on reverse of the cheque.
2. All contractors must be accredited in accordance with HAUC and all permanent reinstatements must be undertaken by same and guaranteed as required by HAUC, i.e. all supervisors must be accredited and **each site must have an accredited supervisor and at least one accredited operative**. Copies of accreditation must be enclosed with the application as detailed in the NRSWA Accreditation (SWL3).
3. Signing, Lighting and Guarding shall be as specified in the Code of Practice for Safety at Street Works and Road Works. Particular consideration must be taken to meet the needs of people with disabilities. If temporary traffic control (either lights or stop/go boards) is required then you will need to apply to streetworks@warwickshire.gov.uk . For lane or road closures an application form can be obtained from julieashley@warwickshire.gov.uk.
4. Reinstatements must be completed in accordance with the specification for the Reinstatement of Openings in Highways. Information on road types can be obtained from the Network Management Team by emailing streetworks@warwickshire.gov.uk.
5. Works that are not completed by the agreed end date on your notice will be subject to NRSWA Section 74 charges unless prior agreement for an extension has been reached with the Network Management Team.
6. Your attention is drawn to the following documents; The Traffic Management Permit Scheme Order No.3310, Operational Guidance Document F1.0, HAUC Conditions & Traffic Signals Protocol.

5.2 Activity Categories

5.2.1.1 WaSP applies to the following works categories, as defined in *The Street Works (Registers, Notices, Directions and Designations) (England) regulations 2007*. Application periods are set out in table 1, section 7.1.

5.2.2 Major Activities

5.2.2.1 Major activities are those that:

- have been identified in an activity promoters' annual operating programme or are normally planned or known about at least six months in advance of the proposed start date for the activity; or,
- require a temporary traffic regulation order (not a temporary traffic notice) under the Road Traffic Regulation Act 1984 for any other registerable activities other than immediate activities; or,
- have a duration of 11 days or more, other than immediate activities.

5.2.3 Standard Activities

5.2.3.1 Standard activities are those activities, other than immediate or major activities, that have a planned duration of between four and ten days inclusive.

5.2.4 Minor Activities

5.2.4.1 Minor activities are those activities, other than immediate or major activities, where the planned duration is three days or less.

5.2.5 Immediate Activities

5.2.5.1 Immediate Activities are either emergency works or urgent works:

5.2.5.2 Emergency works, which are defined in Section 52 of NRSWA, are works required to end, or prevent, circumstances, either existing or imminent, that might cause damage to people or property. This applies to both street works and works for road purposes which fall within the definition of activities. The term also includes activities not falling within that definition but which cannot be severed from those that do – such as activities away from the emergency site that are necessary to shut off or divert a supply. Remedial works to dangerous defective reinstatements are classed as emergency works (but there will be a need to cross reference these to the permit given for the parent activity)

5.2.5.3 Urgent activities are defined in the regulations as activities:

- (not being emergency works) whose execution at the time they are executed is required (or which the person responsible for the works believes on reasonable grounds to be required):
 - (i) to prevent or put an end to an unplanned interruption of any supply or service provided by the activity promoter;
 - (ii) to avoid substantial loss to the activity promoter in relation to an existing service; or,
 - (iii) to reconnect supplies or services where the activity promoter would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and,
- includes works that cannot reasonably be severed from such works.