



Highways and Transportation

Network Management

Guide for the Installation of Apparatus in the Highway

**Under a Section 50 Licence
New Roads and Street Works Act 1991**

Updated – 25th Nov 2014

1 INTRODUCTION

- 1.1 Anyone wishing to install any apparatus either above or below ground in the publicly maintained highway (the Applicant) must apply for permission from Leeds City Council (the Council) under Section 50 and Schedule 3 of the New Roads and Street Works Act 1991 (NRSWA). The term apparatus includes drains, cables, ducts, sewer pipes, water pipes, gas pipes, above ground installations etc.
- 1.2 A person granted a Street Works Licence (the Licensee) becomes an undertaker for the purposes of NRSWA and must comply with the relevant duties and responsibilities imposed by NRSWA 1991, the Traffic Management Act 2004 and the associated Secondary Legislation and Codes of Practice.
- 1.3 It is the function of the Council as Highway Authority to monitor undertakers' operations under NRSWA and ensure the rights of the highway user are protected.
- 1.4 Those Applicants not familiar with the requirements of NRSWA are strongly advised to appoint a contractor with the appropriate knowledge and accreditation to help complete the application and conduct the works on their behalf.
- 1.5 Significant financial penalties may arise to the Licensee 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.
- 1.6 Officers in Network Management will provide advice and assistance to Applicants. Contact details are provided on the application form at Appendix A.
- 1.7 While the Council will give assistance, the legal responsibility to comply with NRSWA belongs to the Licensee and non-compliance can lead to prosecution. A Licensee may employ a sub-contractor to install the apparatus but again the legal responsibility remains with the Licensee.
- 1.8 If the application concerns a connection to a public sewer, separate permission is also required to do this from Yorkshire Water Plc.

2 PLANNING THE INSTALLATION

- 2.1 You should first of all complete the **Street Works Licence Application form** (Appendix 1) and send it to the Council at the address shown on the form. You will also need to supply the appropriate **fee** and **2 copies of a plan** at scale 1:1250 or larger. This should clearly show the proposed location of the relevant apparatus.
- 2.2 The Council may require the Applicant to provide a bond to a pre-specified sum to secure performance of the reinstatement. The bond will be released on satisfactory completion of the guarantee period. You will be contacted should such a bond be required.
- 2.3 The Licensee must indemnify the Council against all and any claims made by a third party in connection with any aspects of the works. This liability extends to the end of the guarantee period for the reinstatement. The Licensee has an ongoing liability for the apparatus, should it fail and cause injury to another person or damage another person's property.

The Applicant must supply a copy of their current **Public Liability Insurance Certificate** with their application. This should provide a minimum level of cover of £10,000,000 for any one incident without limiting the number of claims arising out of any one incident.

- 2.4 One of the obligations placed on Licensees requires that the work be carried out by a street works accredited operative and supervisor. The accredited supervisor has the specialist knowledge required to work on the highway and should be able to advise the licensee on the planning of the works. Copies of the relevant **accreditation cards** must be supplied with the application.
- 2.5 To comply with NRSWA the Licensee must take reasonable steps to avoid damage to another person's apparatus which may be in the street. Appendix 2 gives details of all the statutory undertakers who should be contacted. The Applicant is also required to make a **declaration** on the application form that they have contacted the relevant statutory undertakers and complied with their requirements. The Applicant may also be required to supply to the Council, confirmation from the statutory undertakers that their requirements have been complied with.
- 2.6 Applicants should consult with the Council where details of the road reinstatement category will be provided. Advice will also be provided, if required, about reinstatement options, special requirements, restrictions on working hours, and any co-ordination with other planned works on highway.

To demonstrate that the works have been planned to be performed in a satisfactory manner the undertaker must prepare a **method statement**. A blank copy of the method statement is included at Appendix 3.

- 2.7 **Applicants must provide a minimum of 20 working days' notice** from receipt of the application until the proposed start date of the works. This is to allow the Council time to send the statutory notice to the relevant authorities and to check and process the application. In certain circumstances longer notice periods will be required. The Applicant must complete the **Advance Notice Form** (Appendix 4) to specify this proposed start date and other relevant details. In certain circumstances, a much longer period of notice will be required. You will be informed of this once we receive your application, or you may contact us before making your application to discuss it. If the

work does not start on the agreed dates, the Applicant must forward a new Advance Notice Form.

- 2.8 Authority to commence the works will be given by the Council in writing once all the relevant information has been supplied to an acceptable standard. A checklist has been provided at Appendix 5 to assist Applicants in this.

3 COMPLETING THE WORKS

- 3.1 The works are to commence on the date specified on the Advance Notice Form submitted with the application. Within one working day of commencing work the Licensee must also submit to the Council the form '**Notice of Actual Start**' (Appendix 6). The Council will inspect the site while work is in progress.
- 3.2 The Licensee is encouraged to ensure that the works are carried out to the timescale specified on the Advance Notice and Notice of Actual Start forms. Failure to do so could result in charges being applied by the Council under Section 74 of NRSWA. The current maximum charge is £10,000 per day that the works over run.
- 3.3 Licensees are encouraged to carry out a permanent reinstatement of the highway immediately on completion of the works. Care must be taken to follow the requirements of the NRSWA Code of Practice, Specification for The Reinstatement of Highways particularly those relating to layer thicknesses and compaction. **Please refer to pages 119 – 122 of the Code of Practice, and input the relevant details on Appendix 3, Application for Street Works Licence Method Statement.**
- 3.4 The Licensee must advise the Council that the reinstatement has been completed, indicating whether to interim or permanent standard, by completing the **Reinstatement Form** (Appendix 7). This must be done within 24 hours of the completion date of the works. In the cases of interim reinstatement a further form must be sent once the permanent reinstatement is completed.
- 3.5 Failure to send any of the above mentioned forms could result in the issue of a Fixed Penalty Notice in accordance with the current NRSWA Regulations.
- 3.6 The licensee is responsible for the trench reinstatement for a period of two years from submission of the Reinstatement Form for the permanent reinstatement (3 years if the trench is deeper than 1.5m).
- 3.7 The Council will inspect the trench on completion of the permanent reinstatement and again before the end of the guarantee period. Any defects identified during these inspections must be remedied by the Licensee and defect inspection fees will be charged.
- 3.8 The Council may choose to take a core from the trench to ensure the correct depth of material has been used. If the core shows insufficient material the Licensee will be required to carry out remedial works and will be charged the cost of taking the core and the defect inspection fees.
- 3.9 If the trench has to be repaired the guarantee period starts again. The Licensee therefore saves considerable nuisance and expense by doing a good job the first time round.

4 MAINTAINING THE APPARATUS

- 4.1 Licensees are responsible for maintenance of the apparatus for as long as it stays in their possession.
- 4.2 If the work is being carried out to existing apparatus for which there is no current street works licence the owner must apply for a licence.
- 4.3 If maintenance work or any other activity is required which involves working on the highway the Licensee must notify the Council using the Advance Notice Form. The Council will give guidance on the procedures to be followed.
- 4.4 The Licensee must notify the Council in writing prior to transferring the ownership of the apparatus or the properties which it serves. They must also notify the person(s) to whom title of the apparatus or properties transfers, advising them of their obligations.

5 COSTS

5.1 Licence Fees

On submission of the relevant information the prospective Licensee is required to pay a licence fee of **£840.00** (zero VAT). This payment covers the administration and legal costs in preparing the licence. A separate annual charge for renewal of the licence will also be payable on each anniversary of the commencement of the licence all in accordance with Schedule 3 of NRSWA.

5.2 Bond

When specifically required the licensee will provide the Council with a bond to secure performance of the reinstatement. The bond will be released on satisfactory completion of the guarantee period.

5.3 Defect Inspection Fees

Following reinstatement of the works, if the Council identifies any defect the Licensee is required to pay a fee of **£150.00** (zero VAT). This covers inspections the Council carries out to make to ensure remedial works are satisfactorily completed.

5.4 Investigatory Works

Where a complaint from a member of the public requires a visit to the site and is found to result from a defect in a Licensee's works, the Licensee is required to pay a fee of **£68.00** (zero VAT), additional to any defect inspection fee.

Where the Council chooses to core a reinstatement, the licensee is required to pay the cost of the core, only if the core identifies an inadequate reinstatement. This is additional to the defect inspection fee.

5.5 Emergency Work

If the Licensee is unable to respond to the need to carry out emergency work to make their site safe, the Council has the right to carry out this work and recharge the costs incurred.

5.6 Remedial Works

If the Licensee fails to carry out remedial works within 17 working days of being notified of a defect, the Council has the right to carry out further chargeable defect inspections and if necessary undertake the remedial work and recharge the costs involved. This does not remove the Licensee's responsibility for the reinstatement guarantee.

Appendix 1

NEW ROADS AND STREET WORKS ACT 1991

SECTION 50



**STREET WORKS LICENCE APPLICATION FOR PLACING OR RETAINING APPARATUS
IN THE HIGHWAY**

SECTION 1 - OWNER OF APPARATUS

Surname: Forenames:

Or full registered name of company:

Address:

Postcode:

Tel: Mobile:

Email address:

SECTION 2 - PRECISE DETAILS OF PROPOSED WORKS

Address:

Type of Apparatus: (e.g. duct, pipe, cable)

Estimated length of apparatus (in metres):

SECTION 3 - DETAILS OF PERSON OR COMPANY CONDUCTING THE WORKS

Name:

Address:

Tel No:

The work will be supervised by the following accredited supervisor:-

Name:

Registration number:

Note: Copies of accreditation for supervisor and operatives must also be supplied

SECTION 4 - INSURANCE

I hereby agree to indemnify the Council against all and any claims made by a third party in connection with any aspects of the works. I understand that this liability extends to the end of the guarantee period for the reinstatement and includes an ongoing liability for the apparatus, should it fail and cause injury to another person or damage another person's property.

I enclose a copy of the public liability insurance certificate

SECTION 5 - DECLARATION BY OWNER OF APPARATUS

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 and Street Works Act 1991 and associated legislation and codes of practice, together with any conditions imposed in the relevant licence.

I also acknowledge the statutory need for me to pay the prescribed inspection fees which will be imposed, including any defect inspection fees and the cost of any necessary remedial works conducted by Leeds City Council during the guarantee period, along with the required administration / capitalised annual charge fees.

I also acknowledge that I have read and understood the Notes for Guidance.

I have contacted the relevant statutory undertakers in Appendix 2 and have obtained details of other apparatus which may be affected by my works.

I attach a cheque for **£XXX.00** being the total of the required licence fee together with the inspection fee for routine inspections to be carried out by the Council. Payment is also possible by telephone banking.

Signed Dated

Print Name Position

(Street Works Licence Applicant)

Please return to:

Network Support Team
Highways and Transportation
Selectapost 6
Ring Road
Middleton
Leeds
LS10 4AX

Telephone number for enquiries: 0113 2477526
Fax number: 0113 2477018
Email: raswa.forms@leeds.gov.uk

Appendix 2

STATUTORY UNDERTAKERS REQUIREMENTS

To comply with Section 69 of NRSWA 1991 Act where works are likely to affect another person's apparatus in the street, licensees must take all reasonable practicable steps:-

- a) to give the person to whom the apparatus belongs reasonable facilities for monitoring the execution of the works, and
- b) to comply with any requirements made which are reasonably necessary for the protection of apparatus or securing access to it.

All statutory undertakers must therefore be contacted before the commencement of any work in the highway.

NRSWA 1991 – Schedule of Undertakers

This schedule is continually reviewed as new undertakers commence installations within Leeds, company contact details alter and companies change name due to mergers etc.

The Schedule was last updated on: January 2015

The schedule is in two parts.

Part 1 lists all undertakers who have installed networks across the whole of Leeds. All these undertakers should be consulted under normal circumstances.

Part 2 lists undertakers who need only be consulted if an assessment of a specific site identifies they may be affected. They either

- have apparatus in only a specified part of the city or
- have apparatus, all of which can be identified through a site survey (e.g. servicing telephone kiosks etc)

Part 1: Undertakers who have installed networks across the whole of Leeds.

Yorkshire Water

Undertaker Code: QB01-QB99

Address Yormap, PO Box 682, Bradford, BD3 7YT
Telephone 01274 692334
Fax 01274 253502
Email safemove@yorkshirewater.com
Website www.safe-move.co.uk
Comments Enclose separate requests for water supply & sewerage

Northern Gas Networks

Undertaker Code: XX03

Address Plant Protection, 1st Floor, 1 Emperor Way, Doxford International Business Park, Sunderland, SR3 3XR
Telephone 0845 6340508 (Dial before you Dig option 6, 09:00-17:00 Monday to Friday)
Email plantprotection@northerngas.co.uk
Website www.northerngasnetworks.co.uk
Comments Plans available on CD, supplied on request

Northern Powergrid (YEDL / CE Electric)

Undertaker Code: QA34/44

Address Records Information Centre, New York Road, Shiremoor, Newcastle Upon Tyne, NE27 0LP
Telephone 0191 229 4294 / 4295
Fax 0191 229 4287
Email safediggingplans@northernpowergrid.com
Website www.Safedig.co.uk

Openreach

Undertaker Code: BC02/04

Address Notice Handling Centre, PP 404B, Telecom House, Trinity Street, Hanley, Stoke on Trent, ST1 5ND
Telephone Dial Before You Dig - 0800023 2023 opt 5 opt 1
Email nnhc@openreach.co.uk
Website www.dialbeforeyoudig.com
Maps by email (07:30-18:00 Monday to Friday)
Comments We will only accept mark up requests via e mail (include MARK UP in the title) using the attached form. [L:\RASWA\RASW-ADM\RASWA FORMS\Openreach Mark Up Request Form.xls](#)

Virgin Media

Undertaker Code: NK100

Address National Plant Enquiries, Unit 1A, Scimitar Park, Courtauld Road, Basildon, SS13 1ND
Telephone 0870 888 3116/0800 408 0088
Fax 01268 468557
Email plant.enquiries.team@virginmedia.co.uk
Comment Includes Telewest. Yorkshire Cable were a subsidiary of Telewest Broadband and have a cable in the south of the city

For Diversionary works/new developments, please contact
Virgin Media, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL

National Grid (Electricity)

Undertaker Code: HP01

Address National Grid Plant Protection Team, National Grid, Block 1, Floor 2, Brick Kiln Street, Hinckley, LE10 0NA

Telephone 0800 688588 (Mon – Fri 0800 to 1630)
Email plantprotection@nationalgrid.com
Website www.beforeyoudig.nationalgrid.com

Vodafone

Undertaker Code: QL10

Address Vodafone Plant Enquiries, c/o Atkins, The Hub, 500 Park Avenue, Aztec West, Almondsbury, BS32 4RZ

Telephone 01454 662881
Email osm.enquiries@atkinglobal.com
Website <http://www.candwplantenquiries.com>

Comments C&W became Vodafone on 1 April 2013. The Vodafone: Fixed network covers Cable & Wireless UK, Energis Communications Limited, Thus Group Holdings Plc, Mercury and Your Communications Limited

KCom

Undertaker Code: MY01

Address KCOM Group PLC, Network Engineering Centre, Vulcan Street, Hull, HU6 7PS

Telephone 01482 603479
Email nraswa@kcom.com
Website www.kcomplc.com

Comments Old Torch Network, Kingston Communications/Affiniti

BSkyB Telecommunications Ltd

Undertaker Code: ZG01

Address NRSWA Department, Network Infrastructure and Planning, 70 Buckingham Avenue, Slough, Berkshire, SL1 4PN

Telephone 0207 0323234/250
Fax 0207 0323252
Email nrswa@sns.bskyb.com/nrswa@bskyb.com
Website www.easynet.com

Comment Formerly Ipsaris and Fibreway Ltd

***Gamma Telecom**

Undertaker Code: YB01

Address Unit C, Focal Point, 2nd Avenue, Trafford Park, Manchester, M17 1FG

Telephone 0333 240 3451 or 24hr NOC on 0845 241 6000
Fax 0161 8775704

Contact Name Mark Worden

Email Please use LSBUD service or you can email

Comments plantenquiries@gammatelcom.com

Purchased the National Fibre Network from Atlantic when company went into receivership

***Verizon Business**

Undertaker Code: MK01

Address Plant Protection Officer, 2-6 St Pancras Way, London, NW1 0QG

Email osp-team@uk.verizon.com

Fax 01293 553871

Comments Includes MCI WorldCom, MFS

***Geo Network**

Undertaker Code: YM12

Address BT plc (Geo), Hampstead TE, PP G25, 361 Finchley Road, London, NW3 6EX

Website www.geo-uk.net/www.linsearch.org

Comment 186k & Hutchinson 3G

Interoute Communications Limited (Vtesse)

Undertaker Code:

Address John Tate Road, Foxholes Business Park, Hertford, SG13 7DT

Telephone 01992 532151

Website <https://vtplant.vtesse.com>

Email plant.enquiries@vtesse.com

Comment Nominal charge for plant enquiries

Part 2 - Lists undertakers who need only be consulted if an assessment of a specific site identifies they may be affected

COLT Telecomms (City of London Telecomms Ltd)

Undertaker Code: CS31

Address Colt Plant Protection Centre, c/o McNicholas Construction (Colt Managing Agents),
117 Bushey Mill Lane, Walford, Herts, WD24 7UN
Telephone 020 82366612
Fax 020 82366600
Contact Name John Richardson
Email Address inbound@colt.net
Website www.colt.net
Comments Currently in South of city only

***Royal Mail**

Undertaker Code: SW01

Address Leeds Mail Centre, Leodis House, Leodis Way, Stourton, Leeds, LS10 1AZ
Telephone 0113 3866658
Comments Royal Mail post pouches and boxes. Consult only where apparatus is evident

ES Pipelines

Undertaker Code: ZY001

Address Hazledon, Station Road, Leatherhead, Surrey, KT22 7AA
Telephone 01372 227560
Email plant@espipelines.com
Comments Formerly British Gas Connections

FibreSpan Ltd

Undertaker Code: XM01

Address The Quay, Channel Way, Ocean Village, Southampton, SO14 3QG
Telephone 0800 6928900
Fax 0845 3138901
Email info@fibrespan.co.uk
Website www.fibrespan.com
Comments Have installed apparatus in Woodhouse, Burley, Armley & Central Leeds

Infolines Public Networks Ltd

Undertaker Code: RE01

Address The White House, Lichfield Street, Tamworth, B79 7QF
Telephone 01827 262300
Fax 01827 55987 (5 digits is correct)
Email service@interphonenetworks.co.uk

METRO

Undertaker Code: MO01

Address West Yorkshire PTE, Property Services, Crow Nest Lane, Elland Road,
Beeston, Leeds, LS11 8AT
Comments Consult only where apparatus is evident.

SSE Mapping Services

Undertaker Code: YE01

Address SSE Mapping Services, PO Box 6206, Basingstoke, Hampshire, RG24 8BW
Telephone 01256 337294
Fax 01256 337295
Contact Name David Green
Email mapping.services@sse.com telecom.alterations@sse.com
Comments Neos Network is the telecoms business of Scottish and Southern Electric plc (SSE). One cable only, Gelderd Road, Ring Road Beeston, Royds Lane, Whitehall Road. Previous company name was Neos Networks Ltd

Arcavia - NWP Spectrum Ltd. / Spectrum Interactive plc Undertaker Code: NW01
Address PO Box 668, Parker House, Maylands Avenue, Hemel Avenue, Hemel Hempstead, Hertfordshire, HP2 4WA
Telephone 01442 205500
Fax 01442 261001
Contact Name Robert Burton
Comments City Centre payphone installation. Consult only where apparatus is evident. Previously called New World Payphone.

Instalcom Ltd Undertaker Code: NW01
Address Instalcom, Unit 1, Borehamwood Industrial Park, Rowley lane, Borehamwood, Hertfordshire, WD6 5PZ
Telephone 020 8731 4600
Fax 020 8731 4601
Email plantenquiries@instalcom.co.uk
Website www.instalcom.co.uk
Comments Global Crossing & Fibernet, Racal Telecom (South of City)

TeliaSonera Undertaker Code: ZM01
Address Telent, Teliasonera Line Plant Enquiries, Crompton Close, Basildon, Essex, SS14 3BA
Telephone 01268 595608
Email telenttelia.plantenquiries@telent.com

GTC pipelines
Address GTC Energy House, Woolpit Business Park, Woolpit, Bury Saint Edmonds, IP30 9UP
Telephone 0845 055 6199 (EXT 4)
Website pe.gtc-uk.co.uk/Plant_Enquiry
Comments Includes: Independent Pipelines Limited, Quadrant pipelines, Electricity Network Company, Independent Power Networks, Utility Grid Installations

O₂ Undertaker Code: MG01/02
Address o2 (UK Ltd), 260 Bath Road, Slough, SL1 4DX
Telephone 01753 565 003
Fax 01753 565 010
Website www.o2.co.uk

Turner & Townsend (previously Orange PCS) Undertaker Code: RT01
Address 63 Church Street, Birmingham, B3 2DP
Telephone 0121 2621100
Email mbnlplantenquiries@turntown.com

Appendix 3

Application for Street Works Licence Method Statement



Construction Method:

Traffic Management:

(Please note that the use of temporary road closures/traffic signals will require a separate application)

Proposed Working Hours and Days:

Road Reinstatement Category

Proposed Reinstatement Details: (materials, thickness etc) As referred to in 3.3 above, by using pages 119 – 122 of the NRSWA Code of Practice, Specification for The Reinstatement of Highways.

Consultation carried out: (E.g. Bus operators, residents, emergency services etc)

Appendix 4

Advance Notice Form



To: Network Support Team
Highways and Transportation
Selectapost 6
Ring Road
Middleton
Leeds
LS10 4AX

From: *(Insert your address)*

Tel:.....

Fax:.....

Out of hours tel:.....

Email Address.....

Proposed Start Date:.....

Proposed End Date:.....

Street Name:

Locality/District:.....

Location of Work (e/g o/s 1):

Works Located in: Carriageway Footway Verge

Average Depth of Excavation:

Checked by Network Clerk:

Checked by Assistant Network:

Approved by Area Network Engineer/Officer:

COMMENTS:

Appendix 5



Checklist of Information to be supplied by Applicants

- Completed Application Form
- Licence fee
- Two copies of apparatus location plan (min 1:1250)
- Bond fee if applicable
- Copy of public liability insurance certificate
- Copy of supervisor and operative accreditation cards
- Copy of method statement
- Advance notice form

Checklist of information to be supplied once works have commenced

- Notice of actual start form
- Reinstatement form

Appendix 6

Notice of Actual Start Form



To: Network Support team
Highways and Transportation
Selectapost 6
Ring Road
Middleton
Leeds
LS10 4AX

From: *(Insert your address)*

Telephone Number:.....

Fax:.....

Out of hours telephone number:.....

Email Address.....

Works Reference number *(supplied on approval letter)*:.....

Actual Start Date:.....

Proposed End Date:.....

Street Name:

Locality/District:.....

Location of Work *(e/g o/s 1)*:

Works Located in: Carriageway Footway Verge

Average Depth of Excavation:

Checked by Network Clerk:

Appendix 7

Reinstatement Notice Form



To: Network Support Team
Highways and Transportation
Selectapost 6
Ring Road
Middleton
Leeds
LS10 4AX

From: (Insert your address)

Telephone number:.....

Fax:.....

Out of hours telephone number:.....

Email Address.....

Works Reference number (*supplied on approval letter*):.....

Actual Start Date:.....

Works End Date:.....

Street Name:

Locality/District:.....

Location of Work (*e/g o/s 1*):

Depth and Dimension(s) of Excavation(s)

Site 1C/W-F/W-Verge Interim-Permanent

Site 2 C/W-F/W-Verge Interim-Permanent

Site 3 C/W-F/W-Verge Interim-Permanent

(Circle the above as appropriate)

Checked by Network Clerk: