

## HIGHWAYS ACT 1980

**APPLICATION** for CONSENT to undertake a **Temporary Excavation** in the HIGHWAY under the provisions of Section 171 of the Highways Act 1980.

### SECTION 1 - APPLICANT DETAILS

<b>Name and address of applicant:</b>     <b>Tel. No:</b> <b>Email: :</b>	<b>Name and address of agent:</b> <i>(All correspondence will be sent to this address)</i>     <b>Tel. No:</b> <b>Email:</b>
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### SECTION 2 - LOCATION AND DESCRIPTION OF PROPOSED WORKS

<b>Location of works:</b>			
<b>Road no.:</b>		<b>O.S. Grid Reference:</b>	
<b>Areas of the Highway affected:</b> Verge [ ]    Footway [ ]    Carriageway [ ]    Rear lane [ ] <i>(Please tick)</i>			
<b>Description of proposed works:</b>			
<b>Estimated length of works:</b>	<b>Average depth</b> <i>(Tick box)</i>		
<b>Estimated duration of works:</b>	<b>Up to 1.5 metres</b> <input type="checkbox"/>	<b>Over 1.5 Metres</b> <input type="checkbox"/>	
<b>Proposed start date:</b>	<b>Proposed finished date:</b>		

### SECTION 3 - DETAILS OF PERSONS/CONTRACTOR UNDERTAKING WORKS

Licensees must arrange for work to be carried out by a person having a prescribed qualification as 'supervisor' and in addition, they must ensure that a person having a prescribed qualification as a trained 'operative' is present on a site at all times when work is in progress (*see Explanatory Notes*).

<b>Name and address of the contractor:</b>     <b>Tel. No:</b> <b>Email:</b>	<b>Name of supervisor:</b>	
	<b>NRASWA Certificate no.:</b>	
	<b>Name of operative:</b>	
	<b>NRASWA Certificate no.:</b>	

**NOTE:** The applicant must provide details of the Contractor prior to any works being undertaken in the highway.

#### SECTION 4 - INDEMNIFICATION AND INSURANCE

##### Indemnification.

The applicant shall indemnify the Authority against any claim in respect of injury, damage or loss arising out of the execution by any person of any works authorised by the consent.

The indemnity provided by the Policy should not be less than £5,000,000 for any one accident or any one claim.

##### Insurance Certificate

I/we hereby certify that I/we hold the undermentioned policy with (Name of Insurance Company):

\_\_\_\_\_

Policy no.: \_\_\_\_\_ Expiry date: \_\_\_\_\_

(The applicant may be required to provide proof of the insurance cover)

#### SECTION 5 - PLANS

The following plans must be submitted with this application:

1. Copy of site plan to a scale not less than 1/500 showing the applicants property marked in red and proposed works.
2. Copy of location plan to a scale not less than 1/1250 or 1/2500 or 1/10,000 showing location of site in relation to its surroundings.

#### SECTION 6 - DECLARATION

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 Highways Act 1980, New Roads and Street Works Act 1991, enabling Regulations and Codes of Practice, Health and Safety at Work etc Act 1974 and relevant legislation, together with any conditions imposed by the Highway Authority in the consent.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Completed application to be returned to [streetcare@carmarthenshire.gov.uk](mailto:streetcare@carmarthenshire.gov.uk) or to the postal address above.

Once your application has been logged, you will be provided with a reference number and payment options for the licence fee.

## **NEW ROADS AND STREET WORKS ACT 1991**

### **EXPLANATORY NOTES - STREET WORKS QUALIFICATIONS**

#### **The legal requirements**

The New Roads and Street Works Act 1991 places duty on undertakers to ensure that work involving the installation, renewal, maintenance and inspection of underground apparatus in any street or road is under the control of competent persons. To satisfy the requirements of the Act, undertakers must arrange for work involving breaking up the street to be under the supervision of a person having a prescribed qualification as a 'supervisor'. In addition, whether or not the street is broken up, they must ensure that a person having a prescribed qualification as a 'trained operative' is present on the site at all times when the work is in progress.

Detailed provisions covering the qualification system are contained in the Street Works (Qualifications of Supervisors and Operatives) Regulations 1992, which came into force on 5th August 1992. The Regulations require undertakers to comply with the duty to provide qualified supervisors within two years from the above date and, in the case of trained operatives, within five years.

#### **What is meant by an 'undertaker'?**

An undertaker is a person or organisation doing work under either:

- i. a statutory right (such as the Utility organisation - cable television, electricity, gas, sewerage, water, telecommunications etc) or
- ii. a licence or permission granted by the street or road works authority (such as persons and organisations laying sewers, drains, water supply connections and other apparatus for their own private purposes).

Undertakers may make arrangements for the qualified persons to be provided by contractors or agents working on their behalf, but the responsibility for ensuring that the requirements of the Act are met rests with the undertakers.

#### **What is a prescribed qualification?**

The Street Works (Qualifications of Supervisors and Operatives) Regulations 1992 define the prescribed qualifications for various types and combinations of work:

#### **Qualifications for 'supervisors'**

1. Monitoring excavation in the highway

2. Monitoring excavation, backfilling and reinstatement of construction layers with bituminous materials
3. Monitoring reinstatement of construction layers in bituminous materials
4. Monitoring reinstatement of concrete slabs
5. Monitoring reinstatement of modular surfaces and concrete footways

#### **Qualifications for 'trained operatives'**

1. Excavation in the highway
2. Excavation, backfilling and reinstatement of construction layers with a cold-lay bituminous surface.
3. Reinstatement of construction layers in hot-lay and cold-lay bituminous materials
4. Reinstatement of concrete slabs
5. Reinstatement of modular surfaces and concrete footways

A person may only act as a supervisor or trained operative for the type of work for which the person has the relevant qualification. It may, therefore, be necessary for a number of persons having different qualifications to be involved during the progress of the work through its various stages. There is, however, no limit to the number of qualifications that may be held by one person.

#### **What is the position regarding work that does not involve breaking up the street or road?**

A qualified supervisor is not required for supervising the opening of covers and chambers, or for the renewal or replacement of poles, lamps, columns and signs, pole testing and similar work involving minimal breaking up of the street or road. These types of work do, however, require the presence of a trained operative who has successfully completed a unit of competence in signing, lighting and guarding. For this purpose, a record of achievement in this unit will count as a prescribed qualification.

For all other types of work, a full qualification must be held by the relevant person.

#### **Who will award the qualifications?**

The Secretary of State has appointed three organisations to act as awarding bodies for the scheme:

- City and Guilds of London Institute (England and Wales only)
- Scottish Vocational Education Council (Scotland only)
- Certification and Assessment Board for the Water Industry

#### **How will the qualified persons be identified?**

A Street Works Qualification Register containing details of the qualifications awarded by all awarding bodies will be maintained. Each person included in the register will be issued with a personal identity card showing the qualification or qualifications held by that person. The Register will respond in writing to authorised telephone or written requests for information about the qualification status of individuals. The enquirer will be invoiced for this service. Qualifications will need to be re-registered by the holder five years after the date of the previous registration.