

STREET WORKS LICENCE 2026 APPLICATION PACK

SECTION 171 OF THE HIGHWAYS ACT 1980.

**GRANTED TO PERSONS WISHING TO MAKE AN EXCAVATION
IN THE PUBLIC HIGHWAY.**

NOTE:

**ALL WORKS TO BE CARRIED OUT BY ACCREDITED PERSONNEL AND SUPERVISED
BY AN ACCREDITED SUPERVISOR.**

**NOTICE PROCEDURES MUST BE STRICTLY ADHERED TO, IN ACCORDANCE WITH
THE NEW ROADS AND STREET WORKS ACT 1991.**

**NO WORKS ARE TO BE UNDERTAKEN IN THE HIGHWAY BEFORE A LICENCE HAS
BEEN GRANTED. A CRIMINAL OFFENCE IS COMMITTED IF SECTION 51(1) OF THE
NRSWA 1991 IS BREACHED.**

GUIDANCE NOTES FOR PERSONS WISHING TO CARRY OUT STREETWORKS

The person granted a Street Works Licence, is considered to be an undertaker for the purpose of Part III of the New Road and Street Works Act 1991 ("NRSWA"), and is therefore subject to the duties and responsibilities imposed by the Act, associated secondary Legislation and Codes of Practice.

Those applicants not familiar with the requirements of this legislation are strongly advised to appoint a contractor with appropriate knowledge and accreditation to help with the application and conduct the works on their behalf. The Licensee may be subject to financial penalties for non compliance with the relevant statutory duties or Licence Conditions.

Anyone other than a Statutory Undertaker wishing to carry out street works, which includes the breaking open of, boring or tunnelling under, any street to place, adjust, repair, alter or renew any apparatus **MUST BE IN POSSESSION OF A STREET WORKS LICENCE.**

The licence will apply to excavations in the Highway,

Any such apparatus must be kept in good condition and must also comply with any condition with regard to safety; inconvenience to persons, in particular the disabled, using that street.

The Licensee will be the person responsible for every aspect of the Licence including:

- 1) Proof of Public Liability Insurance – minimum cover of Five Million Pounds.
- 2) Charges – including administration, all inspection fees, and possible Bond fees.
- 3) Reinstatements as per the Code of Practice.
- 4) Notice procedures as per the Code of Practice.
- 5) Removal of waste as in accordance with the Environmental Protection Act 1990, the regulations made under that Act and all other relevant legislation.
- 6) The Licensee shall regulate the works so as to minimise obstruction to vehicular and pedestrian traffic and shall guard the works in accordance with Chapter 8 of the Traffic Signs Manual 2006, published by TSO, and the Safety at Street Works and Road Works Code of Practice 2001.

The NRSWA and associated codes of practice are available from H.M.S.O.

The Licensee will also have the following obligations:

Safety, signing, lighting and guarding of the works;
Verifying the qualifications of operatives and supervisors;
Keeping disruption to highway users to a minimum;
Notification of Utilities whose apparatus may be affected;
Reinstatement of the highway;
To supply a plan of the completed apparatus to the Street Works
Authority for recording purposes;
Accommodating the needs of disabled persons whilst the works are in progress.

OBTAINING THE LICENCE

To obtain a Street Works Licence, complete the attached application form and submit by email to: Streetworks@bedford.gov.uk Tel: 01234 718777

**Please allow a minimum of 10 working days for this application to be processed.
Failure to supply all the required information will result in the application being returned.**

Fees

FEES FOR EXCAVATION ONLY (S171 OF THE HIGHWAYS ACT 1980)

The cost of an **Excavation only licence (Section 171 Licence)** is **£298.25** which covers inspection fees and administration fees incurred with the processing of the Licence.

The Licensee will indemnify the Street Authority against any claim in respect of injury, damage or loss arising out of the placing or presence in the street of apparatus to which the Licence relates, and the Contractor will indemnify the Street Authority against any claim arising from the execution by any person of any works authorised under the Licence. Current Public Liability Insurance is required for these works to a minimum of five million pounds of cover.

DEFINITIONS

Licensee means the person, partnership or limited company to which a Street Works Licence is granted, together with their successors in title or assignees of the Licence.

Contractor means the company or organisation responsible for the excavation and reinstatement of the opening in the highway.

Street Authority means Bedford Borough Council as the Highway Authority for streets maintainable at public expense.

IMPORTANT NOTICE

THE STREET WORKS REGULATIONS 2001

(CHARGES FOR UNREASONABLY PROLONGED OCCUPATION OF THE HIGHWAY)

If a Street Works Licence holder does not give proper notice of commencing and completing their works, or if they take longer to complete the works they have given notice for, they will be subject to the following charges:

Table 10.2 Maximum daily charges

	Amount (£) each of the first three days	Amount (£) each subsequent day
Traffic Sensitive or protected street not in road categories 2, 3 or 4	£5,000	£10,000
Other Street not in road categories 2, 3 or 4	£2,500	£2,500
Traffic Sensitive or protected street in road category 2	£3,000	£8,000
Other street in road category 2	£2,000	£2,000
Traffic sensitive or protected street in road category 3 or 4	£750	£750
Other street in road category 3 or 4	£250	£250

* **Note** any overrun on Remedial Works will be charged at the rate appropriate to the category of the new works.

WORKS

The excavations within the highway shall be executed in accordance with the following requirements:

It is the duty of the Contractor by whom street works are executed to reinstate the street in accordance to the Specification for the Reinstatement of Openings in Highways Code of Practice, May 2020 revision.

The signing, lighting and guarding are to be in accordance with the Safety at Street Works and Road Works Code of Practice, and any failure to comply with those provisions shall be subject to the defect procedure for excavation and reinstatement in paragraph E.

The Licensee shall ensure that works carried out is to be done with minimum disturbance to the highway.

The Contractor shall take all proper precautions to ensure the safety and protection of apparatus of Statutory Undertakers, Sewerage Authority and Highway Authority.

Applicants should note that special conditions may be imposed by the Council:

- a) In the interests of safety.
- b) To minimise the inconvenience to persons using the street (having regard in particular to people with a disability);
- c) To protect the structure of the street and the integrity of apparatus in it.

The Contractor **MUST** permit the Street Authority to monitor his performance throughout all stages of the works as set out below:

- 1) During works as required by Section 65 of the New Road and Street Works Act 1991.
- 2) Immediately after Permanent Reinstatement.
- 3) Between 6 and 9 months after reinstatement and during the one month preceding the end of the guarantee period. (This period will begin from the date the Council is notified of the permanent reinstatement, and will be under guarantee for 2 years for excavations up to 1.5m deep or 3 years for excavations over 1.5m deep.)

The Contractor shall ensure that all disposable materials are disposed of at authorised tips and shall make its employees fully aware that dumping or fly tipping in any form is strictly prohibited and that offenders will be prosecuted.

For information on how to safely dispose of waste please use these links:

<http://www.environmentagency.gov.uk/business/topics/waste/default.aspx> <http://www.defra.gov.uk/environment/waste/about/index.htm>

REINSTATEMENT

The reinstatement of any excavation shall be in accordance with the Specification for the Reinstatement of Openings in Highways Code of Practice.

The Contractor shall maintain the reinstatement for a period of two years, or three years for any deep excavation greater than 1.5m, following satisfactory completion of work.

Defective reinstatements will be dealt with under the procedure described in the Code of Practice for Inspections; Defect inspections fees will be charged at the current rate.

All temporary reinstatements must perform to the same standards as a permanent reinstatement and must not remain temporary for longer than six months without special dispensation.

The Street Authority reserves the right, if it chooses, to conduct any remedial works as are deemed necessary on site in an emergency and to correct any defect to the reinstatement of the excavation (or in relation to signing, lighting and guarding as the case may be) within two years of any defect not being promptly rectified by the Contractor. The Contractor shall be responsible for any claims arising from the work or any necessary maintenance works and associated costs.

WITHDRAWAL OF LICENCE

The Licence hereby granted shall remain in force until withdrawn by the Street Authority under Schedule 3 of the NRSWA or surrendered to the Street Authority by the Licensee.

The Street Authority may withdraw this Licence by serving notice at any time if:

- (1) the Licensee fails to comply with any condition of the Licence; or
- (2) the Street Authority considers the withdrawal of the Licence is necessary for the purpose of the exercise of their functions as Street Authority.

The period of the notice shall be not less than seven (7) working days in the case of a withdrawal under paragraphs (1) or (2), or not less than 3 months in the case of a withdrawal under paragraph (3).

ACCREDITATION OF PERSONNEL

Section 67 of the NRSWA requires an accredited supervisor to be available at all times to supervise the works. Section 67 of the NRSWA also requires an accredited operative to carry out the works, and be on site at all times, while the works are in progress.

The Street Works (Qualifications of Supervisors and Operatives) Regulations 2009 (SWRQ) prescribe the appropriate qualifications.

Copies of both sides of the Supervisor & Operatives SWQR cards must be submitted with the application as evidence of accreditation.

SERVING NOTICE UNDER SECTIONS 54, 55, 70 and 74 OF THE NRSWA

All notices for the works shall comply with the Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters (third edition 2009), and shall give the appropriate period of notice specified in the Street Works (Registers, Notices, Directions & Designations) Regulations 2007 ("the notice Regulations").

<u>Type of Works</u>	<u>Notice Period</u>
Major Works (works lasting more than 10 days)	10 working days before works commence*;
Standard Works (works lasting 4 to 10 days)	10 working days before works commence;
Minor Works (works not exceeding 3 days)	3 working days before works commence;

*For major works a 12 weeks advance notice should also be given to the Street Authority.

Where it is intended to execute **emergency** works in any street, notice shall be given as soon as reasonably practicable and in any event within 2 hours of commencing those works.

NB: For full details of the notice periods and the types of works to which they apply, the Licensee should consult the notice Regulations. If the correct notice is not given then the Licensee is guilty of an offence and could be fined up to **Two Thousand Five Hundred Pounds** if convicted. Fixed Penalty Notices may also be issued for failure to comply with the notice requirements

“A ‘Start of Works’ notification must be submitted within two hours of commencing activity, clearly identifying the works that have begun. Notification should be sent via email to Streetworks@bedford.gov.uk

“A ‘Stopping of Works’ notification must be submitted within two hours of commencing activity, clearly identifying the works that have begun. Notification should be sent via email to Streetworks@bedford.gov.uk

IMMEDIATE WORKS

Where emergency works or urgent works (as defined in the notice Regulations) are carried out, this application must still be filled in **retrospectively**.

APPLICATION FOR SECTION 171 HIGHWAYS ACT (ROAD OPENING PERMIT)

Precise Location of Proposed Work (Detailed plan must be submitted with form)

Property Name / Number: _____ Road / Street: _____ City /

Town / Village: _____ Postcode: _____

Co-ordinates: Easting: _____ Northing: _____

Details of Company Conducting Works (Contractor)

Name of Contractor: _____

Address: _____

_____ Postcode: _____

Tel: _____

Email Address: _____ Mobile: _____

Insurance Details (Photocopy of insurance certificate is required) Insurance

Company Name:

Tel No: _____ Policy No: _____ Expiry Date: _____

Address: _____

Emergency Contact Details (24-hour contact number)

Name: _____ Tel: _____

Name of Accredited Operative: _____ SWQR No. _____

Name of Accredited Supervisor: _____ SWQR No. _____

(Photocopies of Street Works accreditation are required)

Details of Excavation and Traffic Management (Tick boxes that apply)

Work Lies Within: Verge ☐ Footway ☐ Footpath ☐ Carriageway ☐

Average Depth of Excavation Up to 1.5m ☐ Over 1.5m ☐

Description of works:

Length:

Width:

Start Date -

End Date -

Proposed Working: 08:00 – 18:00 ☐ 20:00 – 06:00 ☐ Restricted ☐

Proposed Traffic Control: Road Closure* ☐ Temp. Traffic Signals* ☐ Stop/Go Boards ☐
Priority Flow ☐ None ☐

***Please note a Road Closure will take 12 weeks to approve at an additional cost of £1,744.25 A 12 week notice will apply to these works if a closure is required, and there is a separate TTRO application form to complete, which can be found on Bedford Borough Council's website.**

DECLARATION:

I **confirm** the details on the application are correct and acknowledge that the works referred to in the application must be conducted in accordance with the requirements of the New Road and Street Works Act 1991 and the associated legislation and Codes of Practice.

I acknowledge the need for me to pay the prescribed inspection fees which will be imposed by the Street Authority (Bedford Borough Council), including any defect inspection fees and the cost of any necessary remedial works conducted by the Street Authority should I fail to comply with the conditions of the Licence.

I also acknowledge that the Licence is granted on the condition that I will indemnify the Council 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 this Licence refers.
- 2) The execution by any person of any works authorised by this Licence.
- 3) An invoice will be issued to applicant listed on this form **(£298.25)**

I have read and understood the conditions of the Licence contained in this application. SIGNATURE OF THE APPLICANT

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PRINT NAME HERE: DATE:

POSITION IN COMPANY (where applicable):

CONTRACTOR’S SIGNATURE (authorised to act on behalf of the company):

.....

PRINT NAME HERE: DATE:

POSITION IN COMPANY (where applicable):

CHECKLIST THE FOLLOWING ITEMS **MUST** BE ATTACHED TO YOUR APPLICATION:

- 1) One copy of a plan clearly marking the **exact** location of your works, and if applicable, location of the apparatus.
- 2) Proof of a minimum of **Five million pounds** Public Liability Insurance (copy of your valid certificate of insurance).
- 3) A copy of your Traffic Management plan.
- 4) Proof of request to the undertakers for approved plant information.
- 5) Proof of Street Works Accreditation of the supervisor and the operative (please attach a copy of the front and back of the card).