

Delegated Decision

12 April 2024

Granting Of A Section 50 Licence To Install 1 no. new manhole and sewer connection in C17 (Aldin Grange House), Kingswood, Autin Stile, Bearpark

Ordinary Decision/Key Decision No.



Report of Network Management

Paul Anderson, Strategic Highways Manager

Electoral division(s) affected:

Deerness

Purpose of the Report

- 1 To seek approval to grant a licence in accordance with Section 50 of the New Roads and Street Works Act 1991 (NRSWA) to enable ADL Developments Ltd to install 1 no. new manhole and sewer connection within the adopted highway.

Executive summary

- 2 An application to install 1 no. new manhole and sewer connection within C17 Autin Stile, Bearpark, County Durham, has been submitted by ADL Developments Ltd, Unit 16C, Spey House, Belmont Industrial Estate, Durham, DH1 1TH

Recommendation

- 3 In line with legislation allowing the installation of apparatus in the highway I suggest the application be permitted in accordance with current practice and procedure.

Background

- 4 It is illegal to dig up the adopted highway without consent of the Highway Authority (Highways Act 1980 Section 131). The installation of apparatus

within the highway is permissible under Section 50 of the New Roads And Street Works Act 1991 upon request / consent of the Highway Authority.

Details of any alternative options considered and rejected when making the decision

- 5 As the works are not being undertaken by a statutory undertaker, there is no alternative other than to consider the apparatus as private, until such times as the connections are adopted by a statutory undertaker. Therefore, a licence under Section 50 of the New Roads and Street Works Act is required to authorise and control the proposed works.

Main implications

Legal Implications

- 6 A standard S50 Licence is to be signed by both parties and sealed. Details of the agreement are to be registered with local land charges, as appropriate. The Highway Authority is to record the agreement and inform the utility companies accordingly upon request about private apparatus in the highway

Finance Implications

- 7 A licence fee of £945 has been paid. This licence fee incorporates administration, inspection, registration and legal fees.

Conclusion

- 8 Decision to grant a licence in line with Section 50 of the New Roads And Street Works Act 1991. This section of the Act permits the installation of apparatus in the highway in line with the terms and conditions imposed by the Highway Authority for County Durham.

| | | |
|-----------------|---------------|-------------------|
| Contact: | Helen Walker | Tel: 03000 269195 |
| | Paul Anderson | Tel: 03000 268105 |

Appendix 1: Implications

Legal Implications

A standard S50 Licence is to be signed by both parties and sealed. Details of the agreement are to be registered with local land charges, as appropriate. The Highway Authority is to record the agreement and inform the utility companies accordingly upon request about private apparatus in the highway.

Finance

A licence fee of £945 has been paid. This licence fee incorporates administration, inspection, registration and legal fees.

Consultation

Consultations have been completed with relevant Durham County Council staff

Equality and Diversity / Public Sector Equality Duty

Not applicable

Human Rights

Not applicable

Crime and Disorder

Not applicable

Climate Change

N/A

Staffing

Not applicable

Accommodation

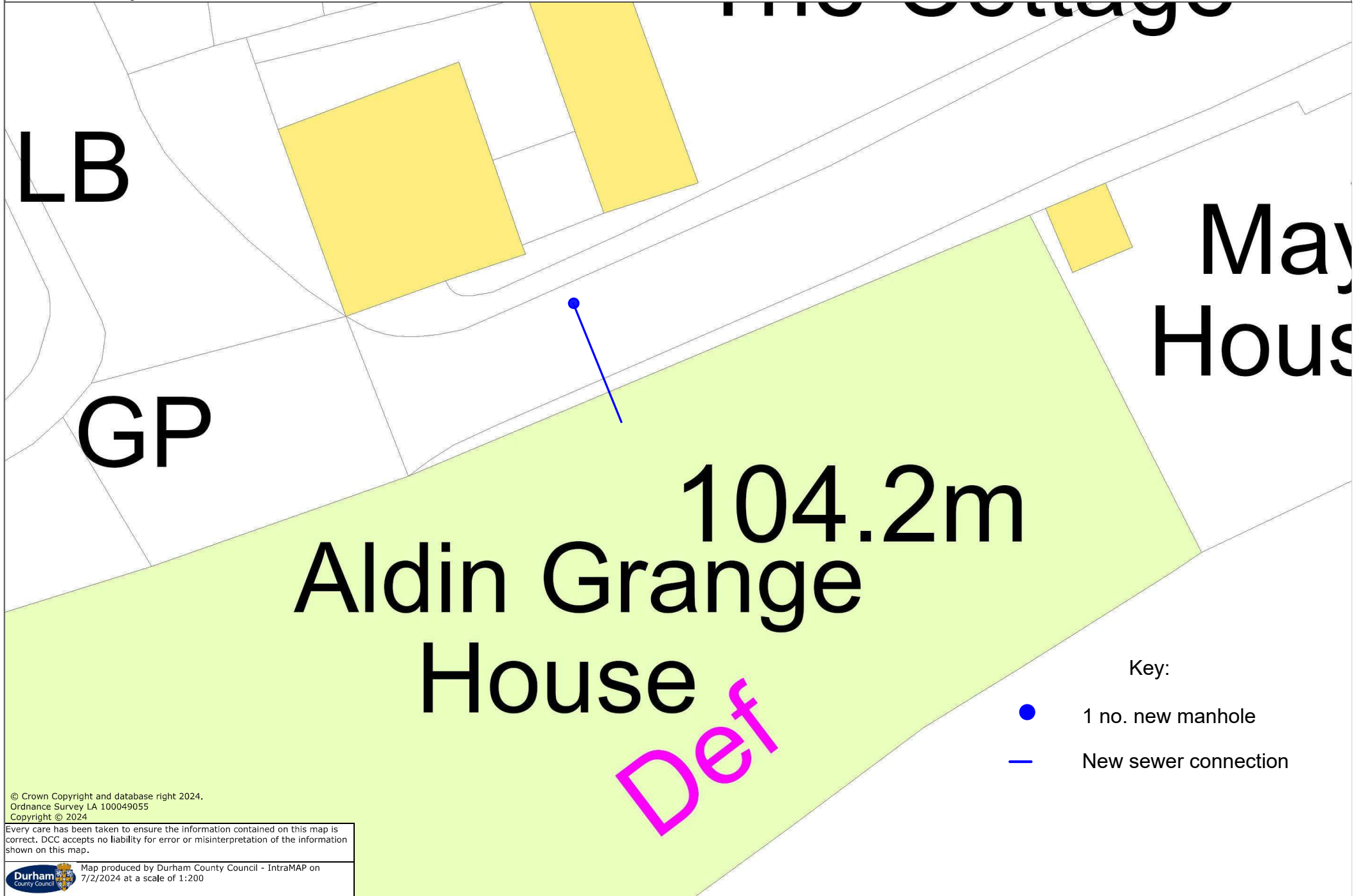
Not applicable

Risk

Not applicable

Procurement

Not applicable



May House

104.2m
Aldin Grange House

Def

Key:

- 1 no. new manhole
- New sewer connection

© Crown Copyright and database right 2024.
Ordnance Survey LA 100049055
Copyright © 2024

Every care has been taken to ensure the information contained on this map is correct. DCC accepts no liability for error or misinterpretation of the information shown on this map.