

Delegated Decision

17 October 2024



Granting Of A Section 50 Licence To Install 1 no. new manhole and surface water connection in Unc Hay Lane, Spennymoor, County Durham

Ordinary Decision/Key Decision No.

Report of Network Management

Stephen Jones, Highway Network Manager

Electoral division(s) affected:

Tudhoe

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 HAB Northern Ltd, Teesside Grange, Eaglescliffe, Stockton on Tees, TS16 0QH to install a new manhole and surface water connection within the adopted highway on behalf of Livin Housing Ltd.

Executive summary

- 2 An application to install a new manhole and surface water connection within Unc Hay Lane, Spennymoor, County Durham, has been submitted by Livin Housing Ltd, Farrell House, Arlington House, Durhamgate, Spennymoor, DL16 6LN.

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 £975 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 262420
	Stephen Jones	Tel: 03000 263982

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 £975 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



Key:

- New manhole on existing highway drain
- New surface water connection to highway drain

© Crown Copyright and database right 2024.
Ordnance Survey AC000080843
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.

Durham County Council
Map produced by Durham County Council - IntraMAP on
1/10/2024 at a scale of 1:500