DELEGATED DECISION

Regeneration and Local Services

14 May 2018

Granting Of A S50 Licence To Install Private Drainage In A689 Front Street, Stanhope, County Durham



Report of Network Management John Reed – Head Of Technical Services

Purpose of the Report

To seek approval to grant a licence in accordance with Section 50 of the New Roads and Street Works Act 1991 (NRSWA) to enable County Durham & Darlington Fire & Rescue Brigade to install private drainage within the adopted highway.

Background

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

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 S50 of the New Roads and Street Works Act is required to authorise and control the proposed works.

Recommendations and reasons

- An application to install private drainage in A689 Front Street, Stanhope, County Durham has been submitted by County Durham & Darlington Fire & Rescue Brigade c/o Clerk of the Authority, County Hall, Durham, DH1 5UL
- In line with legislation allowing the installation of apparatus in the highway I suggest the application be permitted in accordance with current practice and procedures.

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.

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Appendix 1: Implications

Finance -£796 licence fee paid. Fee incorporates costs for administration, inspection and registration fees and legal costs. A cash bond of £100

has also been obtained to cover the reinstatements to be completed.

Staffing – N/A

Risk - N/A

Equality and Diversity / Public Sector Equality Duty - N/A

Accommodation – N/A

Crime and Disorder - N/A

Human Rights - N/A

Consultation – Usual consultations completed within the Network Management Section

Procurement – N/A

Disability Issues - N/A

Legal Implications -A standard S50 Licence is to be signed by both parties

> and sealed. Details of the agreement are to be registered with the land registry, as appropriate. The Highway Authority is to record the agreement and inform the utility companies accordingly upon request about private

apparatus in the highway.



