DELEGATED DECISION

Regeneration and Local Services

6 September 2018

Granting Of A S50 Licence To Install Private Electric, Gas & Water Connections In Unc 12.31 Middles Road & Unc Footpath Kielder Drive, Stanley, County Durham



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 Aptus Utilities Ltd to install private electric, gas and water connections 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

The connections are being installed to service a development being constructed at the above location. 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 electric, gas and water connections in Unc 12.31 Middles Road & Unc Footpath Kielder Drive, Stanley Durham has been submitted by Aptus Utilities Ltd, Unit 19-20 Barrs Fold Road, Wingates Business Park, Bolton, BL5 3XP.
- 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

£796 licence fee paid. Fee incorporates costs for administration, inspection and registration fees and legal costs. A cash bond of £900 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.







