

**For Permission to Deposit Material On, Excavate In Or Temporarily Use An Area
of the Public Highway.
HIGHWAYS ACT 1980, SECTION 171**

Notes:

1. The Construction (Design and Management) Regulations 2007 were revised and came into force on 6th April 2007. Where Devon County Council authorise, licence or permit works or activities to be undertaken on the public highway, they are deemed to be 'the Client' for the purposes of the Regulations. The new Regulations require any one undertaking that work/activity to achieve certain levels of competence in order to carry out works safely and to specification.

All insurance and certificates of competence must be current at the time of construction. Failure to produce current certificate may result in a re-application.

Conditions:

- a) Applications must be completed in full including a location plan, site specific plan with dimensions, copy of any planning approval (from the relevant District/City Council), if applicable.
- b) The surface water drainage of the highway must not be impeded nor must manholes or the apparatus of any Statutory Undertaker be obstructed.
- c) No materials should be deposited in or partly in the highway at a time when the obstruction so caused and other obstructions in the highway at that time prevent the free passage of vehicles/pedestrians along the highway in at least one direction.
- d) Where the depositing of materials reduces the width of the highway to a single width (or less), adequate traffic management must be provided and agreed with Devon Highways.
- d) No material deposited on the highway shall contain any inflammable, explosive, noxious or dangerous material or any material which is likely to putrefy or which otherwise is, or is likely to become, a nuisance to users of the highway.
- e) No material shall be deposited in such a way it should fall on to the highway, outside of the agreed area.
- f) Any material placed on the highway shall be removed as soon as is practicable.
- g) The obstruction shall not remain on the highway pursuant to this permission after the period of this permission specified above has expired, unless an application for an extension of time has been approved.
- h) All materials placed on the highway shall be properly disposed of and the highway shall be left in a clean and tidy condition on the expiration of this permission. Any damage caused to the public highway will be repaired by Devon County Council and recharged to the licensee.
- i) The applicant shall provide for the Council such facilities as the Council may require for inspecting the works as they proceed.
- j) It is the applicant's responsibility to locate, protect and arrange for any works required to any Statutory Undertaker's or Sewerage Authority's apparatus affected.

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- k) The applicant is to notify, in writing, any Statutory Undertaker or Sewerage Authority whose apparatus is likely to be affected. Written evidence that apparatus is/is not affected, and the utility has agreed to the method by which remedial works will be undertaken, is required from each Statutory Undertaker and must be submitted with the application, if applicable. All costs for alteration to Statutory Undertakers, or DCC's plant and equipment is to be borne by the applicant
- l) The applicant's contractor must be covered by Public Liability Insurance which should be available for inspection; minimum cover to be £5 million. Such insurance must indemnify the Highway Authority from and against all actions, claims, losses and expenses whatsoever in respect of loss of life or personal injury or damage to property, howsoever caused, arising out of or in any way attributable to the works.
- m) During the period of work, warning signs shall be displayed in accordance with "Chapter 8" of the "Traffic Signs Manual" and the "Safety at Street Works and Road Works Code of Practice" to the satisfaction of Devon Highways. Any obstructions or unfinished work must be adequately lit at all times between 1/2 hour after sunset to 1/2 hour before sunrise or in fog.
- n) A minimum of 20 days notice for applications which are 1-10 days' work (Standard). Minimum 3 months' notice for applications which are 11+ days' work (major). A licence costs £65. If you make the request with fewer than 20 days' notice, we may still grant the licence but the cost will be £100. However less than 20 days' notice can only be accepted for genuine emergencies which endanger life or is a risk to property.

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Table A

UNITS OF COMPETENCE FOR TRAINED OPERATIVES

Unit 1	Location and avoidance of underground apparatus.
Unit 2	Signing, lighting and guarding.
Unit 3	Excavation in the highway.
Unit 4	Reinstatement and compaction of backfill materials.
Unit 5	Reinstatement of sub-base and roadbase in non-bituminous materials.
Unit 6	Reinstatement in cold-lay bituminous materials.
Unit 7	Reinstatement in hot-lay bituminous materials.
Unit 8	Reinstatement of concrete slabs.
Unit 9	Reinstatement of modular surfaces and concrete footways.

Table B

UNITS OF COMPETENCE FOR SUPERVISORS

Unit 1	Location and avoidance of underground apparatus.
Unit 10	Monitoring signing, lighting and guarding.
Unit 11	Monitoring excavation in the highway.
Unit 12	Monitoring reinstatement and compaction of backfill materials.
Unit 13	Monitoring reinstatement of sub—base and roadbase in non-bituminous materials.
Unit 14	Monitoring reinstatement in bituminous materials.
Unit 15	Monitoring reinstatement of concrete slabs.
Unit 16	Monitoring reinstatement of modular surfaces and concrete footways.

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