

**APPLICATION FOR CONSENT TO CONSTRUCT/ALTER VEHICULAR**

**ACCESS ON TO THE PUBLIC HIGHWAY**

*Highways Act 1980 – Section 184*

Details to be completed in capital letters and black ink.

The following must be submitted with the application:

* Copy of plans approved by the Local Planning Authority; or
* Copy of site plan to scale not less than 1:500; and
* Copy of location plant to a scale of 1:250 or 1:2500
* Relevant fee

**Applicant details**

|  |  |
| --- | --- |
| (Mr/Mrs/Miss/other) |  |
| Full name |  |
| On behalf (company) |  |
| Address |  |
|  |
| Postcode |  | E-mail |  |
| Telephone no. |  | Mobile no. |  |

**Agent’s details (if relevant)**

|  |  |
| --- | --- |
| (Mr/Mrs/Miss/other) |  |
| Full name |  |
| On behalf (company) |  |
| Address |  |
|  |
| Postcode |  | E-mail |  |
| Telephone no. |  | Mobile no. |  |

**Contractor’s details**

|  |  |
| --- | --- |
| (Mr/Mrs/Miss/other) |  |
| Full name |  |
| On behalf (company) |  |
| Address |  |
|  |
| Postcode |  | Telephone no. |  |

**Supervisor and Operative**

Applicants must arrange for work to be carried out by a person having prescribed New Roads and Street Works Act Qualification as Supervisor and in addition, must ensure that a person having a prescribed qualification as a trained operative is present on site at all times when work is in progress.

|  |  |
| --- | --- |
| (Mr/Mrs/Miss/other) |  |
| Full name |  |
| Supervisor Certificate no. |  |

|  |  |
| --- | --- |
| (Mr/Mrs/Miss/other) |  |
| Full name |  |
| Operative Certificate no. |  |

**Proposed location of works**

|  |  |
| --- | --- |
| Street name(s) |  |
| Town/Village |  |
| Road number |  |
| Grid reference |  |

**Planning permission**

The applicant is advised that other consent, licence or permission may be required prior to commencing work.

The formation or alteration of vehicular access on to Trunk Roads will require planning permission from the Local Planning Authority. In order to minimise any possible delays, please complete the following:

|  |  |
| --- | --- |
| Have you applied for planning permission? *(circle as appropriate)* | Yes / No |
| * If YES, please give date of application
 |  |
| * If YES, please give reference number
 |  |
| What was the outcome of your application *(tick as appropriate)* |
| (i) Granted full permission |  | (ii) No decision yet |  |
| (iii) Granted outline planning |  | (iv) Reserved Matters |  |

**Fees**

The relevant fee must be paid before consideration is given to your application. Please enclose a cheque made payable to Gwynedd Council or you can pay by credit/debit card by phoning 01286 685170 or 01286 685169

\*Please note this is non-refundable.

* £199.00

**Insurance Indemnity Certificate**

The licensee will indemnify the North & Mid Wales Trunk Road Agent or Welsh Government in respect of any claims which may arise from injury, damage or loss

In accordance with the New Roads & Street Works Act 1991. Also the licensee will indemnify the North & Mid Wales Trunk Road Agent or Welsh Government in respect of any claims which may arise from distress, actions, proceedings, claims, demands, costs, damages and expenses which may be levied, brought or made against it by reason of any matter which is carried out under the consent.

The indemnity provided by the Public Liability Policy should be no less than £10 million for any one accident or any one claim and that the Motor Vehicle Policy(ies) is not less than £5 million for any one accident or any one claim. The total in each case must be unlimited.

**This form must be completed by an insurance company or broker OR a copy of the insurance policy must be enclosed with the application forms.**

|  |  |
| --- | --- |
| Name of insured |  |
| On behalf of (company) |  |
| Employers’ Liability Policy No. |  |
| * Name of insurance company
 |  |
| Public Liability Policy No. |  |
| * Name of insurance company
 |  |
| Motor Vehicle Policy No. |  |
| * Name of insurance company
 |  |
| Period of policy validity |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Signature |  | Date |  |
| For |  | On behalf of |  |
| Address |  |

**Declaration**

I confirm that the foregoing details are correct and acknowledge that the works referred to above will be conducted in accordance with the requirements of the Highways Act 1980, the New Roads and Street Works Act 1991, and enabling legislation and Codes of Practice, together with any conditions imposed by the Trunk Road Agent in the relevant consent.

|  |  |  |  |
| --- | --- | --- | --- |
| Signature |  | Date |  |

NOTE: NMWTRA does not accept liability for any inconvenience, loss or costs incurred as a result of the applications being processed late due to lack of information submitted by the applicant.

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**Waste Disposal Certificate**

The contractor is to list below the locations of all sites which he intends to use in carrying out the works referred to in the consent which are connected with the disposal of surplus materials. No alternative sites can be used unless prior notification is made in writing to the Head of Agency quoting a full description as required below.

All sites used will need to be licensed under current waste disposal legislation and will have to be used in accordance with the terms and conditions imposed in that licensing.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Site no. | Address | Category of material | Licencing Authority | Licence number or date of formal resolution by Local Authority |
| 1 |  |  |  |  |
| 2 |  |  |  |  |
| 3 |  |  |  |  |
| 4 |  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Signature |  | Date |  |
| On behalf of |  |
| Address |  |



**PART N - NOTICE OF WORKS INCLUDING RESPONSES**

*New Roads and Street Works Act 1991*

**Applicant details**

|  |  |
| --- | --- |
| (Mr/Mrs/Miss/other) |  |
| Full Name |  |
| On behalf of (company) |  |
| Address |  |
|  |
| Postcode |  | E-mail |  |
| Telephone no. |  | Fax no. |  |

**Type of notice** *(tick as appropriate)*

|  |  |  |  |
| --- | --- | --- | --- |
| Initial notice |  | Start notice |  |
| Confirmation notice |  | Stop notice |  |
| Street Authority response |  | Revised duration |  |
| Cancellation |  | Other |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Date of issue |  | Time of issue |  |
| Expected start date |  | Expected completion date |  |
| Actual start date |  | Revised completion date |  |
| Actual Stop date |  |  |

**Works category** *(tick as appropriate)*

|  |  |  |  |
| --- | --- | --- | --- |
| Emergency (2 hours after) |  | Standard (10 days) |  |
| Urgent (2 hours after) |  | Major (3 months)\*\* |  |
| Minor (3 days) |  |  |

\*\*Major works: initial 3 months notice to be followed by a standard 10 days start notice.

**Remedial reinstatement** *(tick as appropriate)*

|  |  |  |  |
| --- | --- | --- | --- |
| Dangerous (2 hrs after) |  | Other (3 days) |  |

**Location details**

|  |  |
| --- | --- |
| House name/no. |  |
| Street name |  |
| Village/Town |  | Postcode |  |
| USRN |  | NGR |  |
| Brief description of works(e.g. traffic management or special engineering difficulties |  |

**Declaration**

I/We agree to abide by all the conditions laid down in this application issued to me/us by North & Mid Wales Trunk Road Agent:

|  |  |  |  |
| --- | --- | --- | --- |
| Signature |  | Date |  |



**APPLICATION TO USE PORTABLE TRAFFIC SIGNALS ON THE HIGHWAY**

***THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 2016, NO. 362***

***NEW ROADS AND STREET WORKS ACT 1991***

|  |  |
| --- | --- |
| Your Ref. |  |
| Agent Ref.  |  |

**Details to be completed in capital letters and black ink**.

Please read the guidance notes overleaf.

**N.B.** All multiphase applications MUST include a plan showing the position of traffic light heads and timing of lights.

**Application details** *(tick as appropriate)*

|  |  |
| --- | --- |
| Application for multiphase signal control |  |
| Notification for two way signal control |  |

**Details of Traffic Management Company**

|  |  |
| --- | --- |
| Name |  |
| Contact Details |  |
| Emergency Contact Details |  |

**Applicant details**

|  |  |
| --- | --- |
| (Mr/Mrs/Miss/other) |  |
| Full Name |  |
| On behalf of (company) |  |
| Address |  |
|  |
| Post Code |  | E-mail |  |
| Telephone No. |  | Mobile no. |  |
| Out of hours Tel No. |  |  |

**Period of works** *(tick as appropriate)*

|  |  |
| --- | --- |
| Emergency works (urgent / 2 hours) |  |
| Planned works *(note number of days below)* |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Start date |  | Finish date |  |

|  |  |
| --- | --- |
| Number of days |  |

**Location and detail of works**

|  |  |
| --- | --- |
| Address |  |
| Road Number/USRN |  |
| Grid Reference |  |
| Brief description of works |  |
| Is site on a junction? | Y / N |
| Traffic sensitive situation? | Y\* / N *\*If yes, please refer to Highway Authority* |
| Plan attached | Y / N |
| Multiphase timings |  |
| Residual road widths |  |
| No. of signal heads |  |

**Hours of operation** *(tick as appropriate)*

|  |  |
| --- | --- |
| Working day operation (07:30 -16:30) |  |
| 24 hours operation |  |

**Declaration**

I/We herby certify that the portable traffic signal used will be of a type which is currently approved by the Department of Transport and Welsh Government.

|  |  |  |  |
| --- | --- | --- | --- |
| Signature |  | Date |  |

**FOR NORTH AND MID WALES TRUNK ROAD AGENT ONLY**

**Site approval** – The Traffic Signs Regulations and General Directions 2016

The North and Mid Wales Trunk Road Agent for the road(s) where the sites specified above are located (N.B. for Trunk Roads please refer to Notes for Guidance Item 3)

1. Approves for the purposes of Part 6, Schedule 14 and Direction 6 of the Traffic Signs Regulations and General Directions 2016 the erection; and
2. Use at or within 2 meters of each of the sites indicated by a …………………. symbol on the attached plan(s) marked with the reference number(s) …………………. of the portable light signals of a type prescribed in the said Regulations.
3. Requires that it shall be a condition of the approval contained in paragraph 1 above that the erection and use on or near the said road(s) at each of the sites indicated above shall continue only for so long as is necessary to complete the works which necessitated the use of the signals;
4. The approval is given subject to the Special Conditions attached.

|  |  |  |  |
| --- | --- | --- | --- |
| Signature on behalf of the Trunk Road Agent |  | Date |  |

**NOTES FOR GUIDANCE**

1. As required by *The Traffic Signs Regulations and General Directions 2016 No. 362*, and the *New Roads and Street Works Act 1991*, the North and Mid Wales Trunk Road Agent shall give written permission whenever Portable Traffic Signal Control is to be used on the Trunk Road.
2. Where Portable Traffic Signal Control is to be used at a site which contains a **junction**, it is a **statutory requirement** for the Trunk Road Agent to provide a **written permission which shall include express site approval** for their operation **prior to commencement of use**.
3. Applications for the use of multiphase portable traffic signals on **Trunk Roads** must be approved and authorised by the Welsh Government.
4. For authorisation of multiphase signals on Trunk Roads, a minimum of one month should be allowed for processing.
5. Where the location contains a junction, the application must be accompanied by **copies** of a plan showing the positions of the signal heads, together with details of the proposed timings.
6. For authorisation of traffic lights or multiphase signals on County Roads, please contact the local Highway Authority.
7. The provision, operation and maintenance of all signals, lights, guards and fencing for the safety and protection of street and road works, workers and members of the public will be in accordance with the *Traffic Signs Manual, Chapter 8, Safety at Street Works and* *Road Works, A Code of Practice*, appropriate technical directives and advice notes issued by the Highway Authority, Department of Transport and The Welsh Government.
8. All applications and notifications for the use of Portable Traffic Signals must be e-mailed or posted to the North and Mid Wales Trunk Road Agent (details below)
9. In **emergency** or **urgent** situations (as defined in the *New Roads and Street* *Works Act 1991)*, permission may be given orally by contacting the North and Mid Wales Trunk Road Agent and confirmed in writing as soon as reasonably practicable thereafter.
10. Application forms must be sent to the North and Mid Wales Trunk Road Agent by e-mail or as part of the NRSWA Notice sent by Electronic Transfer of Notices (EToN).

NOTE: The North and Mid Wales Trunk Road Agent does not accept liability for any inconvenience, loss or costs incurred as a result of the applications being processed late due to lack of information submitted by the applicant.

**Highways Act 1980 – Section 184**

**EXPLANATORY NOTES**

**HIGHWAYS ACT 1980 / SECTION 184**

**NEW ROADS AND STREET WORKS ACT 1991 SECTIONS 84/85/86**

The New Roads and Street Works Act 1991 introduced statutory regulations, procedures and Codes of Practice which will have to be followed when excavation work is to be carried out within the highway. For the purpose of Section 86 of the Act, all works for which a Section 184 of the Highways Act 1980 is required will be subject to the same legislative procedures and practices as contained in the New Roads and Street Works Act 1991.

Works carried out under Section 184 of the Highways Act 1980 are deemed as "major highway works" and accordingly, the references in Section 84 and 85 of the New Roads and Street Works Act 1991 to the Highway Authority shall also be construed as references to a person other than the Highway Authority for works executed under Section 184 (9) of the Highways Act 1980.

Accordingly, where an undertaker's apparatus in the Street is affected by the aforementioned work, a Section 85 Notice of the New Roads and Street Works Act 1991 may be issued by the applicant. The procedures for the measures needing to be taken in relation to the apparatus, including allowable costs, shall be in the manner prescribed in the Code of Practice entitled 'Measures Necessary Where Apparatus Is Affected By Major Works (Diversionary Works)'.

Where a person proposes to carry out the work specified in the application, the Highway Authority may give consent to execute those works in accordance with the plans approved and subject to the conditions of the consent and satisfactory completion of the following certificates:

**INSURANCE INDEMNITY CERTIFICATE**

The applicant shall indemnify and keep indemnified the Trunk Road Agent against any claims in respect to injury, damage or loss arising out of works to which the consent relates, or the execution by any person of any works authorised by the consent. Such indemnity shall be as specified by the Council and the applicant will be required to submit a completed Insurance Certificate as evidence that the necessary insurance cover has been obtained.

**WASTE DISPOSAL CERTIFICATE**

The applicant must ensure that surplus material from the site for which the consent relates, is to be disposed of at sites licensed under current waste disposal legislation and subject to the terms and conditions imposed in that licensing. The applicant is required to submit a completed Waste Disposal Certificate for all sites he intends to use to deposit waste material referred to in the consent.

Further information and advice concerning the aforementioned please contact
The North & Mid Wales Trunk Road Agent
**🕿 01286 685169 / 01286 685170
E-mail:** **streetworks@nmwtra.org.uk**

**GDPR Privacy Notice**

**Your personal information**

The North & Mid Wales Trunk Road Agent (NMWTRA) operate as Agent on behalf of the Welsh Government (WG) for the trunk road network in North & Mid Wales.

As agent, NMWTRA will assume the role of “*Data Processor*” on behalf of WG who are the “*Data Controller*”. WG as Data Controller will be responsible for your personal information.

**Why we need your information**

The WG will use your information as followed:-

|  |  |
| --- | --- |
| **Data Collected** | **Why we need your information?** |
| Streetworks Application | To process your streetworks applications we shall record personal data. |

**Justification for using your Information**

The WG collects and uses your personal information because it has a legal duty or right to do so; or to perform a public interest task; or because you have given your consent. The legal term for this is called the *legal basis of processing*.

*In this instance, the WG is using your personal information because it is undertaking a task in the public interest.*

The WG will not use your information for automated decision making or profiling.

**How your data will be Shared & How long will the data be retained**

Your data may be shared with the following organisations and the data will be retained as detailed below.

The WG will not transfer your personal information to another country.

|  |  |  |
| --- | --- | --- |
| **Data Collected** | **Who we will share your data with?** | **Retention Period** |
| Streetworks Application | - Trunk Road Agents | 15 years |

**Your rights**

You have legal rights, and it is important that you know what they are.

**You have the right to obtain a copy of your personal data.** You will be provided with copies of your personal data within the statutory period of one month (or if providing your personal data is a complex matter, this will be done as soon as is reasonable within 3 months). Your personal data will be provided to you free of charge, however, if your request is deemed *manifestly unfounded* or *excessive*, a reasonable fee will be charged. You ask to obtain your personal data by contacting the WG Data Protection Officer.

**You have the right to have information about you corrected.**

You have the right to ask that your personal data is rectified if it is incorrect or incomplete. This will be done within 1 month, or if your request is complex, within 3 months.

**The right to have personal data erased** inspecific circumstances:

* Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed;
* If you withdraw your consent;
* When you object to the WG processing and there is no overriding legitimate interest for continuing the processing;
* If the personal data was unlawfully processed;
* When the personal data has to be erased in order to comply with a legal obligation; or
* When the personal data is processed in relation to the offer of information society services to a child, e.g. an app developed specifically for children.

**The right to restrict processing.** Where it is claimed that data is *inaccurate* or the *right to erasure* has been exercised you can require the WG to restrict processing until verification checks have been completed.

**The right to data portability**. Under certain circumstances, you have the right to obtain and reuse your personal data across different circumstances.

**The right to object**. In addition to the right to object to your information being used for direct marketing, you have the right to object to processing based on the performance of a task in the public interest/exercise of official authority (including profiling), and processing for purposes of scientific/historical research and statistics.

**The right to withdraw your consent** at any time if consent has been relied upon originally.

**Rights in relation to automated decision making.** You have the right not to be subject to decisions based solely on automated processing, including profiling, which produces legal effects on you or affects you in a significant way.

**Data Protection Officer:** The email address for the WG Data Protection Officer is DataProtectionOfficer@gov.wales

If you wish to complain about the way that the WG has used your personal data contact the Data Protection Officer.

If you are not satisfied with their response you also have the right to contact the Information Commissioner:

<https://ico.org.uk/concerns>.

**Information Commissioner’s Office**

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113