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NORTH LANARKSHIRE COUNCIL
Environmental Assets

NEW ROADS AND STREETWORKS ACT 1991 PART IV SECTION 109
APPLICATION FOR PERMISSION TO EXECUTE WORKS

FOR THE PURPOSE OF
PLACING, MAINTAINING, ADJUSTING OR REMOVING APPARATUS IN, OR UNDER A ROAD
(INCLUDING EXCAVATING IN OR BORING UNDER THE ROAD)

APPLICATION DETAILS

1. NAME & ADDRESS OF APPLICANT(S)

I/We.....
Of..... Tel.....

2. PURPOSE OF PROPOSED WORKS

Under the terms of the above Act, apply for permission to.....

3. LOCATION OF PROPOSED WORKS

At.....

4. COMMENCEMENT DATE AND DURATION

Commencing on..... For an expected duration of.....

5. DETAILS OF PROPOSED WORKS

In conformity with the enclosed plan(s) (3 copies) Drawing Nos

6. DECLARATION

I/we have read the Notes for Guidance.

I/we confirm enclosure of the Basic Fee and understand that additional inspection fees and costs may become due, as explained in the Notes for Guidance.

I/we confirm I/we will pay any such additional fees and costs in the timescales specified subject to the undertaking of any additional inspections by the Roads Authority being in compliance with the New Roads and Street Works Act 1991.

I/we accept that any permission granted will be subject to the Standard Conditions and any Special Conditions which may be imposed and that I/we must accept and abide by those conditions for permission to remain valid.

I/we accept that by signing this declaration I/we will burden the successor to the Title of the property with the conditions of any permission which may be granted and I/we will subsequently record the conditions as part of that Title.

I/We Undertake to inform the Roads Authority of actual start date and actual finish dates, both by 16:00 the day works start or end

.....**DATE**.....
SIGNATURE OF APPLICANT(S)
.....**DATE**.....

ADDITIONAL INFORMATION

A. NAME AND ADDRESS OF AGENT

Name..... Tel..... Fax.....
Address.....

B. CONTRACTORS DETAILS (SEE ATTACHED PROFORMA)

Your application cannot be processed until the attached proforma is completed and returned

C. WHERE TO SEND THIS APPLICATION

North Lanarkshire Council, Environmental Assets, Fleming House, 2 Tryst Road,
Cumbernauld, G67 1JW or email RoadsPermits@northlan.gov.uk



NORTH LANARKSHIRE COUNCIL
Environmental Assets

NEW ROADS AND STREETWORKS ACT 1991 PART IV
SECTION 109

INTENTION TO EXECUTE ROADWORKS - CONTRACTOR PROFORMA

FOR THE PURPOSE OF
PLACING, MAINTAINING, ADJUSTING OR REMOVING APPARATUS IN, OR UNDER A ROAD
(INCLUDING EXCAVATING IN OR BORING UNDER THE ROAD)

CONTRACTORS CONTACT DETAILS

NAME.....
ADDRESS.....
TEL (DAY)..... TEL (EMERGENCY).....

INFORMATION TO BE CONFIRMED

Circle to confirm

- | | |
|--|--|
| 1. APPROPRIATE AMOUNT OF PUBLIC LIABILITY INSURANCE COVER | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 2. APPROPRIATE NRSWA ACCREDITATION FOR WORKS SUPERVISOR | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3. APPROPRIATE NRSWA ACCREDITATION CERTIFICATE FOR WORKS OPERATIVE | <input type="checkbox"/> YES <input type="checkbox"/> NO |

WHERE TO SEND THIS PROFORMA

SEND THIS COMPLETED PROFORMA ALONG WITH THE APPLICATION FORM, TO:

NORTH LANARKSHIRE COUNCIL
ENVIRONMENTAL ASSETS
FLEMING HOUSE
2 TRYST ROAD
CUMBERNAULD
G67 1JW

NOTE:

THE APPLICATION FOR PERMISSION TO EXECUTE ROADWORKS CANNOT BE PROCESSED UNTIL
THIS COMPLETED PROFORMA IS RETURNED.

NORTH LANARKSHIRE COUNCIL**NEW ROADS AND STREET WORKS ACT 1991 PART IV SECTION 109****APPLICATION FOR PERMISSION TO EXECUTE WORKS
FOR THE PURPOSE OF****PLACING, MAINTAINING, ADJUSTING, OR REMOVING APPARATUS IN, OR UNDER, A ROAD
(INCLUDING EXCAVATING IN OR BORING UNDER THE ROAD)****NOTES FOR GUIDANCE TO APPLICANTS**

(Paragraph numbers relate to the application form)

1 NAME AND ADDRESS OF APPLICANTS

The applicant must either be the owner of the property/premises to which the apparatus relates, or the owners representative. (If the owner is also the Agent or Contractor for the proposed works, then they must still complete Sections A or B of the application form)

2 PURPOSE OF PROPOSED WORKS

Please state the purpose of the proposed works eg lay sewer service connection, lay irrigation pipe etc.

3 LOCATION OF PROPOSED WORKS

Please be as precise as possible giving road name and route number (if known) including town or village name and adjacent house names or numbers. In the case of new roads give as much information as possible about adjacent or nearby roads. Please also state whether excavations will affect the verge, service strip, footway, carriageway or a combination of these.

Please note that if the road in which the works are proposed to be carried out is not a public road, (ie not the responsibility of North Lanarkshire Council for maintenance purposes) then permission will be required from the road manager or the persons responsible for that road.

4 COMMENCEMENT DATE AND DURATION

Under the terms of the New Roads and Street Works Act 1991 Part IV Section 109, the Roads Authority has a duty to give not less than 10 working days notice to any other Authority or person who may be responsible for a structure in the road, or have plant or equipment in or under the road, that could be affected by your proposed works. This timescale excludes weekends and Public Holidays. In view of this, and the time required to process the application, applications should be made with a minimum of 21 days notice. The applicant is responsible for liaising with Public utilities before commencing work and is strongly advise to contact "Dial before you dig" 08000 231 251 to obtain plant locations. The applicant must also be aware of the implications of **standard conditions** 4, 6, 7, 8 & 9 on the proposed commencement date where these conditions apply. See overleaf.

Certain roads are classified as Traffic Sensitive, or having Special Engineering Difficulties, under the terms of the Act. If your proposed works are on one of these roads it will be necessary to extend the minimum time between receipt of your application and the intended commencement date. It may also be necessary to agree alternative construction methods or specifications with you. You will be advised if these circumstances will apply and you must bear this in mind when planning your works. It is essential that, well in advance of making an application, you make yourself aware of all these details and other details relating to traffic management, etc. It is therefore essential to discuss all aspects of the proposed works by contacting the Roads Authority.

5 DETAILS OF PROPOSED WORKS

Since the Roads Authority has a duty to record the location of any apparatus laid in or under the road pursuant to Section 109, you must provide plans to support the application preferably in an electronic format (CAD / GIS) otherwise 3 hard copies of such plans to a scale, (ideally 1/500). These will be retained by the Roads Authority They must show accurately where the apparatus will be laid in relation to the existing road layout and road features eg street lighting columns, pelican crossings etc.

6 DECLARATION

BASIC INSPECTION FEE

Under the terms of Section 107 and 134 of the Act, the Roads Authority has a right to charge for inspections of the works, which have been given permission under Section 109. Inspections can be done at defined stages of the works as follows:

CATEGORY A	Inspection undertaken during progress of the works
CATEGORY B	Inspections undertaken within 6 months following interim or permanent reinstatement
CATEGORY C	Inspections undertaken within 3 months preceding the end of guarantee period (24 months or 36 months for excavations deeper than 1.5 m)

A basic inspection fee of £108 has been included in the fee for the application. Should the works not commence for any good reason where permission has been granted or if permission is refused, then the inspection fee will be refunded in full.

ADDITIONAL INSPECTION FEES AND COSTS

Please note that under Section 131 of the Act, the Roads Authority may undertake Investigatory works as appears to them to be necessary to ascertain whether or not the works comply with the appropriate requirements of the Act and its various Codes of Practice and Specifications. Should these investigations reveal that the works do not comply, then the Roads Authority may charge for these works and for additional inspections at the following stages:

- a) at a joint inspection to determine the nature of the failure and agree remedial works
- b) at an inspection of the remedial works in progress
- c) at an inspection when the remedial works are complete

These additional inspections are currently charged at £100 per inspection and where appropriate, the applicant will be invoiced for any such additional fee(s). The cost of any Investigatory works will be the Roads Authorities reasonable costs to undertake such things as coring or trial-holes etc. These reasonable costs will be invoiced to the applicant and will include general staff costs and overheads.

Also under the terms of Section 131 of the Act, should agreed remedial works not be undertaken within a reasonable timescale as defined by the Roads Authority, and indicated on a "Notice of Failure", then the Roads Authority may carry out the necessary works and recover the costs reasonably incurred in doing so from the applicant. Similarly, the reasonable costs incurred by the Roads Authority in attending to dangers associated with the works may be recovered from the applicant. In exceptional circumstances, this can be done without giving notice of intent to the applicant, agent or contractor and could extend to instructing the contractor to leave the site.

ADVICE ON CONDITIONS RELATING TO ANY PERMISSION THAT MAY BE GRANTED

If the application is approved and permission granted, such permission will be subject to various conditions set by the Roads Authority. The conditions will be standard, but may include specific requirements in relation to the particular Road Works Permission being sought. Should the applicant wish to discuss the standard conditions before making a formal application, then please email roads@northlan.gov.uk.

Please note the following conditions, extracted from the list of standard conditions, which the applicant should be particularly aware of before making application.

Condition No 4

Permission to execute road works will remain valid for a period of 28 days from the date of approval (and for the duration of the road works if commenced within this 28 days period) unless withdrawn by the Roads Authority. Further application must be made if the road works do not commence within the 28 days period.

Condition No 6

Permission under Section 109 of the Act does not extend to other ancillary activities such as depositing a skip, occupying the road with building materials, erecting a scaffold, erecting temporary traffic lights or Stop/Go boards, forming a footway crossing, etc. Further advice and permissions must be sought from the Roads Authority.

Condition No 7

Permission under Section 109 of the Act does not exempt the applicant from obtaining any other permission which may be required eg Planning Permission, permission to connect to sewerage drainage/water systems, etc.

Condition No 8

It is essential that, in advance of making any application, you discuss with the Roads Authority any requirement for a temporary Notice/Order to close or restrict traffic in a road (at least 12 weeks for a closure **order** before commencement of the works). Separate formal application will be required.

Condition No 9

It is essential that, in advance of making any application, you discuss with the Roads Authority any requirement for temporary restriction to traffic by means of portable traffic signals. Separate formal application will be required.

Condition No 10(a) Safety, Signing, Lighting and Guarding

Under the terms of Section 124 of NRSWA 1991, the applicant must ensure that all excavations or obstructions in the road are adequately guarded and lit and that such traffic signs are placed, maintained and where necessary operated, as are reasonably required for the guidance or direction of road users in accordance with Section 120 of the Roads (Scotland) Act 1984 (duty to have regard to the needs of people with a disability). Failure to comply with Section 124 of NRSWA 1991 is an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

If the applicant fails to comply with these requirements, the Roads Authority may take any steps as necessary and recover reasonable costs from the applicant.

Legal requirements in relation to Safety, Signing, Lighting and Guarding are contained in "Safety at Street Works and Road Works - A Code of Practice", with further guidance available in Chapter 8 of the Traffic Signs Manual.

Condition 10(b) Qualifications of Operatives and Supervisors

Under the terms of Section 126 of NRSWA 1991, the applicant must ensure, except as otherwise prescribed, that road works involving excavation in, or boring under, a road are supervised by a person having a prescribed qualification as a supervisor, and that there is on site at all times, when the works are in progress, at least one person having a prescribed qualification as a trained operative.

The completed application form and the payment must be submitted with a copy of a large scale plan which is not less than 1:1,250 to North Lanarkshire Council, Environmental Assets, Fleming House, 2 Tryst Road, Cumbernauld, G67 1JW. If you are submitting the form by e-mail, please send your application to roadspermits@northlan.gov.uk and ensure that you attach an electronic copy of the location plan to your e-mail. The completed application form must be submitted at least 10 working days in advance of the required start date (one month notice is required in traffic sensitive situations as per the Transport (Scotland) Act 2005) in order to ensure that you have obtained the necessary permissions prior to the expected start date.

Incomplete forms or missing documentation will result in delays processing your application.

If the traffic management is a road closure then a minimum 12 weeks notice is required. Please note that approval will not be given for the requested date if there is a potential conflict with another proposed works within the same location.

Charges are based on up to 28 days duration per each application. Once approved, dates cannot be changed and a new permit application with the required fee must be submitted. Please note that where an extension is required when works extend beyond the agreed period as stated on the Permit, a new application must be submitted with the payment of a new charge.

The fees charged for a Section 109 Road Opening Permit are published on the Council website at:

<https://www.northlanarkshire.gov.uk/CHttpHandler.ashx?id=5821&p=0>

NEW ROADS AND STREET WORKS ACT 1991 PART IV SECTION 109

NORTH LANARKSHIRE COUNCIL

**CONDITIONS OF PERMISSION TO EXECUTE ROAD WORKS FOR THE PURPOSE OF
PLACING, MAINTAINING, ADJUSTING OR REMOVING APPARATUS IN, OR UNDER, A ROAD
(INCLUDING EXCAVATING IN OR BORING UNDER THE ROAD)**

1. The applicant must either be the owner of the property/premises to which the apparatus relates, or the owners representative. (If the owner is also the Agent or Contractor for the proposed works, then they must complete the Client and Contractor Section of the application form. The applicant must also have signed and accepted the terms of the declaration contained within the application form and accepts the terms of the declaration.
2. The applicant shall indemnify the Roads Authority from and against all actions, claims, demands, costs, charges, damages, losses and expenses of whatever kind or nature which may be brought or made against them or incurred by them in respect of the negligence, omission or default by them or those for whom they are responsible arising irrespective of any operation authorised by them unless due to the negligence or other breach of legal duty on the part of the Roads Authority or of any person for whom the Roads Authority is responsible.
3. Consent can be withdrawn by the Roads Authority.
4. Permission to execute road works will remain valid for a period of 28 days from the date of approval (and for the duration of the road works if commenced within this 28 day period) unless withdrawn by the Roads Authority. Further application must be made if the road works do not commence within the 28 day period.
5. Work shall not commence until the commencement date agreed with the Roads Authority. The applicant shall give the Roads Authority at least 7 working days notice of his/her intention to commence road works. Any proposed alterations to the notified commencement date must be notified to and agreed in writing with the Roads Authority.
6. Permission under Section 109 of the Act does not extend to other ancillary activities such as depositing a skip or erecting a scaffold etc for which additional permission or authority is required from the Roads Authority. Separate formal application to the Roads Authority will be required.
7. Permission under Section 109 of the Act does not exempt the applicant from obtaining any other permissions which may be required eg planning permission, permission to connect to sewerage, drainage/water supplies etc.
8. It is essential that, in advance of making any application, you discuss with the Roads Authority any requirement for a temporary Notice/Order to close or restrict traffic in a road (at least 12 weeks for a closure Order before commencement of the works. Separate formal application will be required. The applicant shall be responsible for meeting all costs incurred by the Roads Authority in making any temporary Notice/Order.
9. It is essential that, in advance of making any application, you discuss with the Roads Authority any temporary restriction to traffic by means of portable traffic signals. Separate formal application will be required. The applicant shall be responsible for meeting all costs incurred by the Roads Authority for signing an alternative route available
10. Works shall be carried out in accordance with the New Roads and Street Works Act 1991 (as amended by the Transport (Scotland) Act 2005) ("the Act"), and all Regulations and Codes of Practice (current and future) made under the Act including but not limited to the following (where applicable):

- Code of Practice for the Co-ordination of Works in Roads a Code of Practice
- Measures necessary where apparatus is affected by major works (Divisionary Works) – a Code of Practice
- Specification for the Reinstatement of Openings in Roads – a Code of Practice
- Code of Practice for Inspections Safety at Street Works and Road Works – a Code of Practice

These documents are available from the website of The Scottish Roadworks Commissioner (<http://www.roadworksscotland.gov.uk>), under Legislation and Guidance.

Under the terms of Section 10.2.1 of the "Code of Practice for the Co-ordination of Works in Roads", the Roads authority should ensure the applicant is made aware of his/her obligations under the Act. For this reason, the applicant's attention is especially drawn to the following requirements which form part of these conditions and which are embodied in the Act, Regulations and/or current Codes of Practice. (Note - this is not an exhaustive list of the applicant's obligations under the Act but only those, which the above Code of Practice suggests, should be drawn to the attention of the applicant):-

10(a) **Safety, Signing, Lighting and Guarding**

Under the terms of Section 124 of the Act, the applicant must ensure that all excavations or obstructions in the road are adequately guarded and lit and that such traffic signs are placed, maintained, and where necessary operated, as are reasonably required for the guidance or direction of road users in accordance with Section 120 of the Roads (Scotland) Act 1984 (duty to have regard to the needs of people with a disability). The applicant shall comply with the requirements of the "Safety at Street Works and Road Works – a Code of Practice".

Failure to comply with Section 124 of the Act is an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

If the applicant fails to comply with these requirements, the Roads Authority may take any steps as appear necessary to them and recover their reasonable costs from the applicant.

- 10(b) Qualifications of Operatives and Supervisors
 Under the terms of Section 126 of the Act, the applicant must ensure, except as otherwise prescribed, that road works involving excavation in, tunnelling or boring under, a road are supervised by a person having a prescribed qualification as a supervisor, and that there is on site at all times, when the works are in progress, at least one person having a prescribed qualification as a trained operative.
 Failure to comply with Section 126 of the Act is an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 10(c) Delays and Obstructions
 Under the terms of Section 125 of the Act the applicant must ensure that all road works involving excavation in, or tunnelling or boring under, a road are completed with all such dispatch as is reasonably practicable. Failure to do so is an offence and is liable on summary conviction to a fine not exceeding level 3 of the standard scale.
 Where the applicant creates an obstruction in a road to a greater extent or for a longer period than is reasonably necessary, the Roads Authority may by notice require him to take such steps as are specified in the notice to mitigate or remove the obstruction. If the applicant fails to comply with such a notice within 24 hours of receiving it or such longer period as the Roads Authority may specify, the Roads Authority may take the steps specified in the notice and recover the costs reasonably and properly incurred in doing so from the applicant.
- 10(d) Undertaker's Apparatus which might be affected
 Under the terms of Section 128 of the Act, the applicant must take all reasonably practicable steps to give any undertaker, who has apparatus in the road likely to be affected by the road works, reasonable facility for monitoring the execution of the works and the applicant must comply with any requirement made by the undertaker which is reasonably necessary for protecting or securing access to the apparatus.
 Failure to comply with Section 128 of the Act is an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
 The applicant must, therefore, take all reasonable steps to establish if apparatus will be affected by the road works and where such apparatus is likely to be positioned in the road. The applicant must obtain copies of the plant drawings for all relevant apparatus from the statutory undertakers.
- 10(e) Reinstatement
 Under the terms of Section 129 of the Act, the applicant must begin the reinstatement as soon after completion of any part of the road works as reasonably practicable and complete with all dispatch as is reasonably practicable. Before the end of the next working day after the day on which the reinstatement is completed (whether interim or permanent) the applicant must inform the Roads Authority. Any interim reinstatement must be made permanent as soon as reasonably practicable and in any event within 6 months from the date on which it was completed.
 Failure to comply with Section 129 of the Act is an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
 Under the terms of Section 130 of the Act, the applicant must comply with the specification of materials to be used and the standards of workmanship to be observed as stated in the Specification for the Reinstatement of Openings in Roads – Code of Practice. The applicant will be responsible for maintaining the reinstatement whether interim or permanent. The guarantee period for the permanent reinstatement will be 2 years for openings less than 1.5m deep and 3 years for openings greater than 1.5m deep.
 Failure to comply with Section 130 is an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
 Under the terms of Section 131 of the Act, the Roads Authority may carry out such investigatory works as appear to be necessary to ascertain whether the applicant has complied with his/her duties under Part IV of the Act. If such a failure is disclosed, the applicant shall bear the cost of the investigatory works. If no failure is disclosed, the Roads Authority shall bear the cost of the Investigatory works. Where the applicant has failed to comply with his/her duties in relation to reinstatement, he/she shall bear the cost of
 (a) a joint inspection to determine the nature of the failure and what remedial works is required.
 (b) an inspection by the Roads Authority of the remedial work in progress.
 (c) an inspection by the Roads Authority when remedial works have been completed.
 Where the applicant has failed to comply with his/her duties under the Act, the Roads Authority may serve Notice requiring remedial works to be undertaken within such a reasonable period as may be specified in the Notice. If the applicant fails to comply with the Notice, the Roads Authority may carry out the necessary work and recover costs reasonably incurred in doing so from the applicant. If it appears to the Roads Authority that the reinstatement is causing a danger to road users then the Authority may carry out works without notice to the applicant and may recover costs from the applicant.
- 10(f) Records of Apparatus
 Under the terms of Section 5.10.9 of the "Code of Practice for the Co-ordination of Works in Roads", the Roads Authority is responsible for holding records of apparatus laid which is not subsequently adopted by a statutory undertaker e.g. gas, water, electricity, etc. Where such apparatus is subsequently adopted by a statutory undertaker, then that undertaker will be responsible for holding records of the apparatus from the date of adoption. The applicant must provide the Roads Authority with 2 copies of "as built" drawings of the apparatus as laid showing detailed information of its depth, location, purposes etc within 2 calendar weeks of completion of reinstatement. This information should be provided in an electronic format (CAD/GIS)

- 10(g) Adoption Notification
Notification must be given to the Roads Authority on the adoption by a public utility of the apparatus including surface apparatus and boxes or chambers. A copy of the public utilities acceptance certificate or similar must be attached to the notification. Such adoption will free and relieve North Lanarkshire Council from any and all responsibility for monitoring the effects of third parties' works on the apparatus in question with immediate effect. Similarly, should the applicant become a public utility and/or gain access to the Scottish Roadworks Register, they will so notify the Roads Authority and such notification will free and relieve the Council as above.
- 10(h) Maintenance Responsibility
Unless the public utility indicates that it has accepted responsibility for track(s), opening(s), reinstatement(s) and surface apparatus, boxes, chambers involved with the permitted works, the applicant will remain responsible for all these elements for the guarantee period as detailed at paragraph 10e and, If it is later shown that the applicant failed fully to meet relevant specifications at the outset, in perpetuity. Surface apparatus, boxes and chambers will likewise remain the responsibility of the applicant in perpetuity unless adopted by the public utility. Without prejudice to the 'in perpetuity' elements of this paragraph, defects previously identified by the Roads Authority and not repaired to the satisfaction of the Roads Authority will result in the applicant remaining responsible for the above elements indefinitely until the defects are rectified to the satisfaction of the Roads Authority.
- 10(i) The Needs of Disabled people
The applicant must bear in mind the different needs of disabled people when undertaking the works in relation to safety passage/access. Special precautions are required to cater for people with impaired vision or mobility. Legal requirements can be found in "Safety at Street Works and Road Works – a Code of Practice" with further guidance available in Chapter 8 of the Traffic Signs Manual.
- 10(j) Laying of Apparatus
Wherever possible, apparatus should be laid in accordance with NJUG (the National Joint Utilities Group) guidance available from their website - <http://www.njug.org.uk>.
11. Work shall be in conformity with any plan(s) submitted with the application and as subsequently approved by the Roads Authority with the issue of this Permission.
12. No existing culverts, pipes, drains, ducts, cables, roadside ditches, road gullies, manholes, catchpits or other chambers or other property shall be altered without the prior written consent of the proprietor or authority concerned.
13. In no case shall surface boxes, chambers or other fittings be placed within the road pavement layers, footway construction layers or roadside verge without the prior written consent of the Roads Authority.
14. The applicant will comply fully with all inspections carried out by the Roads Authority. The applicant will pay the prescribed inspection fees as prescribed in the "Code of Practice for Inspections" prior to the permission being granted.
15. The applicant shall co-operate with the Roads Authority and with other undertakers and comply with the provisions of the "Code of Practice for the Co-ordination of Works in Roads.
16. If the applicant finds apparatus belonging to any other undertaker which is not marked or is wrongly marked on the records made available by that undertaker, the applicant shall take steps to inform that undertaker of its location and so far as appears from external inspection its nature and whether it is in use.
17. The applicant shall maintain the apparatus laid in pursuance of this permission to the satisfaction of the Roads Authority.
18. If the applicant requires to execute emergency works they must give notice to the Roads Authority as soon as reasonable practicable and in any event within 2 hours of the works being begun.
19. This Permission cannot be assigned without the prior written consent of the Roads Authority, such consent shall not be unreasonably withheld or delayed but may be granted subject to such additional reasonable conditions which the Roads Authority considers necessary to ensure that the obligations on the applicant will continue to be carried on. Such conditions may include a bond or guarantee. The applicant will burden any successor to the Title of the property with all the conditions of permission which may be granted and will subsequently record the conditions as part of that Title