



Highways, Transportation and Waste Streetworks

East Kent

Ashford Highway Depot, Henwood Industrial Estate
Javelin Way, Ashford, TN24 8AD
Tel: 03000 418369 – Fax: 03000 422835

Mid Kent (Canterbury & Swale)

Faversham Highway Depot
Canterbury Road, Faversham, ME13 8LY
Tel: 03000 418338 – Fax: 03000 422833

Mid Kent (Maidstone and Tonbridge & Malling) and West Kent

Aylesford Highway Depot, St Michaels Close
Aylesford, ME20 7BU
Tel – Mid Kent (Tonbridge & Maidstone): 03000 418333
Tel – West Kent: 03000 418319
Fax: 03000 422833

KCC Highways Contact Point: 03000 418181

Dear Sir / Madam

Section 142 of The Highways Act 1980 – Request for licence to cultivate the public highway

I refer to your request for information on the above. A licence has to be obtained from KCC Highways, Transportation and Waste to permit the cultivation of the public highway. Please find enclosed for your information:

- An application form for a licence to be completed and returned to the above address.

Please note that there is currently no charge for this licence. The licence is valid for one year and can be renewed if all conditions have been adhered to.

- A copy of the Conditions of Licence – C2

Please note that it is necessary for KCC Highways, Transportation and Waste to receive an application to cultivate the public highway at least 5 working days prior to the intended cultivation of the highway. If you have any further queries, please contact KCC Highways, Transportation and Waste on 03000 418181.

Yours faithfully

Toby Howe
Senior Highway Manager
Highway Operations



Licence to Cultivate the Public Highway

Section 1 – To be completed by the Applicant

Location of proposed cultivation	New Application Renewal	<input type="checkbox"/> <input type="checkbox"/>
Description of proposed cultivation		
Full name and Address of Applicant	Operative Dates	
	From	To

I have read, understood and will comply with the Conditions of Licence (C2) as attached, for the issue of this licence for 1 year.

Signed: Tel No:

Date:

Kent County Council will only use the information provided in conjunction with the processing, management and the compliance of your licence. The information may be shared with the relevant district, borough or city councils or statutory regulators for compliance and monitoring purposes as necessary.



The Council, pursuant to the powers conferred by Section 142 of Highways Act 1980 hereby grants permission to the above applicant in accordance with the above dated application for the operative period as stated above (or shown in the special conditions) subject to the following:

1. The Conditions of Licence (C2) being strictly adhered to.
2. The KCC Highways, Transportation and Waste (or his nominated representative) having agreed the position of the cultivation and details, if any, of the necessary traffic management and has signified his approval below.
3. Compliance with additional Special Conditions (if any) outlined in the space below (unless the renewal box is ticked above. In this instance the special conditions attached to the original licence apply).
4. The Kent County Council is to be indemnified up to the value of £5 million by the Licensee from and against all actions and claims arising out of the Cultivation of the Highway. You are required to submit proof of this prior to the commencement of the work.

THIS CONSENT IS NOT VALID UNTIL SECTION2 IS COMPLETED

Section 2 – To be completed by the Streetworks Team

Special Conditions:

Signed: Dated:

For and on behalf of the KCC Highways,
Transportation and Waste

Paid in full:	N/A	Agreed by:		Insurance & indemnity checked	Yes / No
Agreed:	Yes / No	Licence No:		Renewal:	Yes / No

Assessed by: Streetworks Team

Tel No: Fax No:

Conditions of Licence (C2)

1. You are required to contact your home insurance provider and take out the necessary public liability insurance to the value of £5 million to protect KCC Highways, Transportation and Waste and yourself from and against all actions and claims arising out of the cultivation of the highway. The applicant is required to submit proof of this prior to the licence being issued.
2. No Structure, e.g. wall or fence shall be erected on the highway.
3. No trees, shrubs or other plants are to exceed 3ft (900mm) in height from ground level.
4. No rockery is to be sited on the highway.
5. The highway authority may reinstate the highway to its standards and specifications and take steps to recover its cost in so doing if any of these conditions are not complied with.
6. The licence is issued to the owner / occupier of the said premises and their successors in title for the duration of one year. It must be transferred with any sale of said premises to the new owner / occupier and KCC Highways, Transportation and Waste should be notified of the change of ownership within one month of the transfer.
7. KCC Highways, Transportation and Waste reserves the right to withdraw this licence, if any conditions of the licence are contravened, giving a notice period of not less than seven days.
8. The applicant has the right to surrender the licence at any time, by giving one month's notice to KCC Highways, Transportation and Waste.
9. KCC Highways, Transportation and Waste reserve the right to withdraw the licence for the exercise of their functions as a highway authority and will give a minimum of three months notice of their intentions.
10. Upon termination, surrender or withdrawal of the Licence, the area of highway land must be returned to its original state unless other arrangements have been agreed by the KCC Highways, Transportation and Waste highway office.