Dear Sir / Madam

Placing of Materials on the Highway

I refer to your request on the above. A licence has to be obtained from KCC Highways, Transportation and Waste to permit the placing of materials on the highway.

Please find enclosed for your information:

- An application form for a licence to be completed and returned to the appropriate KCC Highways, Transportation and Waste Office, along with full payment. Cheques to be made payable to Kent County Council.

  **£31 initial licence application** - 7 Day duration
  **£31 renewal licence application** - 7 Day duration

- A copy of the Controls of Material – Conditions of Licence – Form MC2

Please note that the above administration charges are for processing an application and are non-refundable. Additional charges may apply to any works on lane rental streets. Further information on the Kent Lane Rental Scheme can be found at [www.kent.gov.uk/lanerentalscheme](http://www.kent.gov.uk/lanerentalscheme). Or apply online via "Gov.uk".


Please note that it is necessary for KCC Highways, Transportation and Waste to receive an application to place materials on the highway, at least 5 working days prior to the intended placing of materials on 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 Place Materials on the Highway

Section 1 – To be completed by the Applicant

<table>
<thead>
<tr>
<th>Location of Materials</th>
<th>New Application</th>
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<tbody>
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<td>Renewal</td>
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<tr>
<th>Full Name and Address of Applicant</th>
<th>Operative Period (14 days maximum)</th>
<th>From</th>
<th>To</th>
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I have read, understood and will comply with the Conditions of Licence form supplied to me and agree to pay for the issue of this licence for 7 days or alternatively agree to pay for the issue of a renewal licence for 7 days.

Signed: ………………………………… Tel No: ………………………………… Fax No: …………………………………

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 171 of the Highways Act 1980 and the Road Traffic Regulation Act 1984, Section 67 (3) hereby grants permission to the above applicant in accordance with the above dated application for the operative period as stated above (or as shown in the special conditions) subject to the following:

1. The Conditions of Permission being strictly adhered to.
2. The KCC Highways, Transportation and Waste Manager (or his nominated representative) having agreed the position of the Materials and details, if any, or any 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 application).
4. The 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 placing of materials. You are required to submit proof of this prior to the commencement of the work along with a copy of your £5 million public liability insurance on application.
5. The applicant has made full payment to the Authority.

Section 2 – To be completed by the Streetworks Team

Special Conditions: ………………………………………………………………………………………………………………………………..

Signed: ……………………………………………………… Date: ……………………………………………………………………………………

For and on behalf of KCC Highways, Transportation and Waste

Paid in Full | Yes / No | Agreed By: | Insurance & Indemnity checked: | Yes / No |
Agreed: | Yes / No | Licence No: | Renewal: | Yes / No |

Assessed by: ……………………………………………………… Streetworks Team
Tel No: ……………………………………………………… Fax No: ………………………………………………………
Control of Materials on the Highway
Conditions of Licence – Form MC2

1. ‘Materials’ means building materials of any kind including loose aggregates, sand and shingle. Also soil, rubbish and non toxic waste.

2. Each pile of material shall be positioned so that it does not impede the surface water drainage of the highway nor obstruct access to any manhole or the apparatus of any utility or the Council.

3. Each material pile shall not exceed 5 metres in length by 2 metres in width.

4. Each pile of material shall while on or within the highway comply with Chapter 8 of the Department for Transport Traffic Signs Manual and the Code of Practice for Safety at Street Works and Road Works. These regulations include conditions such as lighting at night, guarding and the possible need for warning signs. If the conditions are not met, it could result in an accident for which you could be held responsible. If you are at all unsure of any of these requirements, you should contact our Contact Centre for further advice on 03000 418181.

5. No pile of material shall contain any explosive or noxious substance which is likely to putrefy, or which otherwise is, or is likely to become, a nuisance to users of the highway.

6. The pile(s) of materials are required to be controlled to prevent nuisance from dust or spillage including the use of sheets or covers as needed and any spillage shall be immediately removed.

7. No piles of material shall partly or wholly obstruct a footway without the express permission of the KCC Highways, Transportation and Waste Manager, to be granted only after consultation and agreement with the Police and conditional upon the provision of a pedestrian footway of minimum width of 1 metre. This temporary walkway is to be cordoned off in accordance with Chapter 8 of the Department for Transport’s Traffic Signs Manual.

8. No piles of material shall remain on the highway longer than is necessary and in any event, shall be removed or repositioned if required by a Police Officer in uniform or the KCC Highways, Transportation and Waste Manager.

9. No piles of material shall remain on the highway pursuant to this permission after the period of this permission as specified on the licence has expired.

10. Upon removal of the materials from the highway, the owner is to ensure the highway is thoroughly cleaned of any residue, including cleansing of any road gullies if needed. All necessary cleansing works will be to the owner’s cost.
11. The owner will indemnify the Kent County Council to the value of £5 million through Public Liability Insurance against any liability, loss or damage, claim or proceeding whatsoever arising under Statute or Common Law, in respect of the placing and maintaining piles of materials on the highway and their removal therefrom.

12. All applications, including renewals should be submitted 5 working days prior to the intended licence commencement date.

13. It will be necessary to check the site location as to suitability before a licence is issued. Spot checks will be made to ensure compliance.

14. Any location given on the licence application shall be unambiguous and will include property numbers wherever possible, rather than proper names of private properties or businesses.

15. Should materials be in a position on the public highway where payment is necessary for parking (for example in a Pay and Display Zone), it is the responsibility of the owner of the materials to place any necessary monies with the relevant authorities, prior to placement of the materials on the highway.

16. Your attention is drawn to Section 171 of the Highways Act 1980 concerning the placing of materials on the highway. It will be the owner's responsibility to ensure that all materials placed on the highway comply with the Highways Act 1980 in all respects.

17. This licence is being issued on the understanding that the materials are being used in connection with work at the premises named in the application and for no other purpose.

18. The licence owner will be charged fees of £47.50 if, following a routine inspection, any infringements of the licence, or problems arising out of the use of the site are found. Any additional visits to the site, which have to be carried out by KCC Highways, Transportation and Waste, will be charged at £47.50 per visit.

19. If the works are subject to a lane rental charge then additional charges may apply. These charges will be agreed by Kent County Council and paid prior to works taking place.

20. Materials should not be placed on yellow road markings on in bus lanes.

21. Should a site inspection be required to assess safety and condition of the highway before and after the placing of materials a £50 inspection fee may be charged.
Legal Note: Section 171 of the Highways Act 1980

a) Provides for local authorities to consider the prevention of damage and ensuring access to utilities’ apparatus when processing a licence;

b) Requires the obstruction to be lit during the hours of darkness;

c) Required the person depositing the materials to comply with any directions issued to him in writing regarding the erection and maintenance of traffic signs;

d) Provides for fines in the event of non-compliance with licence conditions; and

e) In the event of refusal of a licence or a particular condition in a licence granted, the applicant may appeal to a magistrate’s court.