



FORM R01
APPLICATION FOR PERMISSION TO OPEN COUNTY ROAD AND REINSTATEMENT UNDERTAKING

To: **NETWORK MANAGEMENT, REGENERATION AND LOCAL SERVICES,**
COUNTY HALL, DURHAM, DH1 5UQ

1. **Name of applicant** (if limited liability company state name and capacity in which applicant is acting)

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2. **Address** (or registered office if limited liability company)

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3. **Telephone Number / Email** :

4. **Location of opening**:

Road number/name: Village/town:

Street/property name/identification of precise location:

Carriageway, footpath or verge?:

USRN*: Coordinates:

**Unique Street Reference Numbers can be obtained by ringing 03000 267100.*

5. **Purpose for which opening is required** :

(please see sections 1 and 5 of the attached regulations to determine whether a road opening permit or Section 50 licence is required)

6. Refer to Clause 1 - Definitions (Regulations for the Opening of Surfaces of County Roads)

The pipes will be mm in diameter, made of

and jointed with

7. **Extent of opening** Length: mm Width: mm Depth: mm

8. **Expected start date**: **Expected duration**:

9. **Number and description of any permanent surface works, such as manholes, stopcocks, etc. to be installed:**

.....

I/We the undersigned hereby make application for permission to break open the County Road as described above and I/we hereby undertake and agree to observe and comply in all respects with the Council's Regulations for opening of surfaces of County Roads and, on any failure on my/our part to observe and comply with such regulations to repay to the Durham County Council (referred to in the said regulations as "the Council") the cost of any works carried out by them in pursuance of Clause 25 of the regulations, and also to indemnify the Council in accordance with Clause 23 of the said regulations and I/we undertake in the event of this application being granted to break open only that part of the highway described above.

I/We further agree to comply with Section 70 (Reinstatement) and Section 71 (Materials, workmanship and standard of reinstatement) of the New Roads and Street Works Act 1991 (a copy of which is printed on the reverse of this form). It is understood that neither the undertaken given by me/us, nor the permission of the Council to open the road relieves me/us from any liability or responsibility imposed by any existing statutes or at common law or otherwise.

The cost of this road opening permit is **£246** (from 1 April 2019) - this includes inspection fees, registration fees and administration charges. A separate form must be completed for each opening.

Signed:

Date:

For:

"Duty of undertaker to reinstate

70. (1) Is the duty of the undertaker by whom street works are executed to reinstate the street.
- (2) He shall begin the reinstatement as soon after the completion of any part of the street works as is reasonably practicable and shall carry on and complete the reinstatement with all such dispatch as is reasonably practicable.
- (3) He shall before the end of the next working day after the day on which the reinstatement is completed inform the street authority that he has completed the reinstatement of the street, stating whether the reinstatement is permanent or interim.
- (4) If it is interim, he shall complete the permanent reinstatement of the street as soon as reasonably practicable and in any event within six months (or such other period as may be prescribed) from the date on which the interim reinstatement was completed; and he shall notify the street authority when he has done so.
- (5) The permanent reinstatement of the street shall include, in particular, the reinstatement of features designed to assist people with a disability.
- (6) An undertaker who fails to comply with any provision of this section commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (7) In proceedings against a person for an offence of failing to comply with subsection (2) it is a defence for him to show that any delay in reinstating the street was in order to avoid hindering the execution of other works, or other parts of the same works, to be undertaken immediately or shortly thereafter.

Materials, workmanship and standard of reinstatement

71. (1) An undertaker executing street works shall in reinstating the street comply with such requirements as may be prescribed as to the specification of materials to be used and the standards of workmanship to be observed.
- (2) He shall also ensure that the reinstatement conforms to such performance standards as may be prescribed -
- (a) in the case of interim reinstatement, until permanent reinstatement is effected, and
- (b) in the case of permanent reinstatement, for the prescribed period after the completion of the reinstatement;
- This obligation is extended in certain cases and restricted in others by the provisions of Section 73 as to cases where a reinstatement is affected by subsequent works.
- (3) Regulations made for the purposes of this section may make different provision in relation to different classes of excavation and different descriptions of street, and in relation to interim and permanent reinstatement.
- (4) The Secretary of State may issue or approve for the purposes of this section codes of practice giving practical guidance as to the matters mentioned in subsections (1) and (2); and regulations made for the purposes of this section may provide that -
- (a) so far as an undertaker complies with such a code of practice he shall be taken to comply with his duties under this section; and
- (b) a failure in any respect to comply with any such code is evidence of failure in that respect to comply with those duties.
- (5) An undertaker who fails to comply with his duties under this section commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale."

PART III