

HIGHWAYS ACT 1980 - SECTION 115 [(A) to (K)]

**LICENCE TO SITE A BENCH AT HIGH STREET JUNCTON WITH INGLESTONE
ROAD AND FRONT OF 64 AMBERLEY WAY, WICKWAR, WOTTON UNDER EDGE,
GL12 8LP**

THIS AGREEMENT is made the day of Two Thousand and
between South Gloucestershire Council ("the Council") and Wickwar Parish Council
("the Licensee")

1. The Licensee has applied to the Council for a licence ("the Licence") to place benches adjacent to the highway ("the Highway") referred to in the Schedule hereto (such highway being shown on the plan(s) annexed hereto) and in the positions indicated the Benches referred to in the said plan(s)
2. In consideration of the following covenants on behalf of the Licensee the Council as highway authority pursuant to Section 115 of the Highways Act 1980 agrees to grant the Licence upon the following terms and subject to the following conditions
3. The Licensee covenants:-
 - 3.1 To give notice to the Statutory Undertakers before any works are commenced pursuant to the Licence and to comply fully and effectually with any requirements which they may specify for the protection of their apparatus
 - 3.2 To ensure that the Benches to which this Licence relates shall be erected and maintained at his sole expense at all times during the continuance of the Licence and that no work shall be allowed to obstruct or interfere in any way with or become a source of danger to passage along the highway
 - 3.3 To indemnify the Council from and against all proceedings costs claims or damages arising out of injury or damaged caused to any person or the property of any person by anything done in the exercise of the Licence
 - 3.4 Not to dig any holes to a greater depth than 1 foot 6 inches (0.45 metres) in connection with the Licence
 - 3.5 Not to allow the Benches erected under the Licence to remain in such a situation as to hinder the reasonable use of the Highway by any person entitled to the use thereof or so as to be a nuisance or injurious to the owner or the occupier of

- premises adjacent to the Highway or to cause damage or danger to the Statutory Undertakers or the Council or their installations
- 3.6 Not to erect any fence or barrier of any kind along any part of the highway to which the Licence relates
- 3.7 Not to remove any material from the highway to which this Licence relates or otherwise do anything which would interfere with the support given to the rest of the highway.
4. If it appears to the Council that the Benches to which the Licence relates is or is likely to obstruct or interfere in any with or to become a source of damage or danger to passage along the Highway or to the Statutory Undertakers installations then the Council may without notice to the Licensee remove the Benches, the cost of such work being charged to the Licensee
5. Persons authorised by the Council or Statutory Undertakers may at all times enter the part of the highway to which the Licence relates without notice to the Licensee in order to carry out works for the purposes of the Highway or the undertaking in question
6. The Licence is granted solely to the Licensee as and shall not at any time be assigned
7. This Licence shall remain in force until:-
- 7.1 it is terminated by the Council on:
- (i) (a) 7 days notice in the event of a contravention of any of the terms of the Licence, or
 - (b) 3 months notice if the Council consider it necessary for the purpose of the exercise of their functions as a highway authority
 - (ii) by surrender of the Licence on giving the Council 3 months notice
8. If at any time the Licence ceases in accordance with clause 7 above the Licensee shall if required to do so by the Council at his own expense within such time as specified by the Council remove the Benches and if so required by the Council to reinstate the Highway.

THE SCHEDULE

Site Description: High St junction with Inglestone and front of 64 Amberley Way,
Wickwar, Wotton Under Edge, GL12 8LP

What is being given permission for: To place benches

Planting Licence Reference: 85/198

Kirona reference: 305956

Approved by Street Care Inspector/Officer: Liz Francis

SIGNED

for and on behalf of the Licensee

SIGNED

for and on behalf of the Council

Darren Davison
Programme and Asset Co-ordinator
Highway Maintenance
Environment and Community Services