



Civic Centre/Canolfan Ddinesig  
Newport/Casnewydd  
South Wales/ De Cymru  
NP20 4UR

**Newport**  
CITY COUNCIL  
CYNGOR DINAS  
Casnewydd

## Highway Excavation Application Pack

## S171 Highways Act 1980

### Contact

Tel: 01633 656 656

Email: [street.works@newport.gov.uk](mailto:street.works@newport.gov.uk)

**PLEASE NOTE THE FOLLOWING**

**FAILURE TO OBSERVE THE RELEVANT SECTIONS OF s171 OF THE  
HIGHWAYS ACT 1980 MAY RESULT  
IN PROSECUTION.**

**FAILURE TO SUPPLY ALL THE REQUIRED INFORMATION  
WILL RESULT IN THE APPLICATION BEING RETURNED.  
  
THE COUNCIL WILL NOT RETAIN ANY INFORMATION AND  
THE APPLICATION WILL NOT BE PROCESSED.**

**THE PERMANENT REINSTATEMENT SHALL BE  
GUARANTEED BY THE LICENCEE FOR A PERIOD OF 2  
YEARS FROM THE DATE OF THE REINSTATEMENT,  
EXCEPT WHERE THE EXCAVATION DEPTH IS OVER 1.5  
METRES WHEN THE GUARANTEE PERIOD SHALL BE 3  
YEARS.**

**NO WORKS ARE TO BE  
UNDERTAKEN IN THE HIGHWAY  
BEFORE CONSENT HAS BEEN  
GRANTED.**

## **CONTENTS**

- Page 4 - Traffic Management Act 2004 / Notes of Guidance for Applicants**
- Page 5-7 - Highway Excavation Application / Standard Conditions**
- Page 8-10 - Form HWL1 Application for Highway Excavation**
- Page 11 - Form HWL2 Notice of work**
- Page 12-13 - Form HWL3 Registration of Works / Reinstatement**
- Page 14-15 - Application for use of portable traffic lights / Conditions**
- Page 16 - Registration of works**
- Page 17 - Check list**

**HIGHWAYS EXCAVATIONS – APPLICATION PACK**

**s171 HIGHWAYS ACT 1980**

**TRAFFIC MANAGEMENT ACT 2004**

The Traffic Management Act was introduced in 2004 to tackle congestion and disruption on the road network. The Act places a duty on local traffic authorities to ensure the expeditious movement of traffic on their road network and those networks of surrounding authorities. The Act gives authorities additional tools to better manage parking policies, moving traffic enforcement and the coordination of **all activities on the network, including street works**.

This Act will take effect as of the 1st April 2008 and will change the noticing periods required for street works.

More in-depth information can be found at the Department for Transport Website <http://www.dft.gov.uk/pgr/roads/tpm/tmaportal>

**NOTES FOR GUIDANCE FOR APPLICANTS**

A person may with consent of the Highway Authority for a street which is highway maintainable at the public expense, make a temporary excavation.

The issue of an application to make a temporary excavation in the highway does not authorise the applicant to interfere with apparatus already existing in the street. At all times access must be maintained to any apparatus within the highway.

It is the duty of a person who makes an excavation to comply with any directions given to him in writing by the Highways Authority with respect to the erection and maintenance of traffic signs in connection with the excavation.

Where a person makes an excavation in a street they shall;

- (a) Make sure the excavation is properly signed and guarded or fenced off and during the hours darkness to be properly lit
- (b) And when requested by the Highway Authority fill in the excavation, the excavation shall not remain in the street any longer than has been agreed by the applicant and the Highway Authority.

## HIGHWAYS EXCAVATION APPLICATION / STANDARD CONDITIONS

The following must be received or the granting of the application may be delayed.

- a). **Completed Form HWL1** (Highways Excavation Application form);
- b) **Application Fee is £223.60 per 7 days** Payment in advance (cheques made payable to **Newport City Council**)

**BAC's Payment details are:**  
**Santander UK**  
**Sort Code 09-07-20**  
**Newport CC Collection Acc**  
**Acc no 05070406**

*When making a BAC's Payment please state on the payment 'TT04530088201' S171*

- c) **A scale plan** (of Ordinance Survey standard) at 1:1250 or greater of the proposed location and depth of the relevant apparatus marked by a red broken line and a grid reference for the excavation site;

The following must be submitted in the first instance (copies will be kept on file for future application, whilst still valid)

- a) **Proof of Public Liability Insurance** This must provide a minimum of **£10m** cover which be valid at the time that the works are completed and not just when the application is made.
- b) **Proof of Street Works Accreditation** (Copy of both sides of Supervisor & Operatives SWQR cards). An accredited supervisor must supervise the work, and at least one accredited operative must be on site at all times when the works are in progress. **N.B this cannot be the same person.**

Please contact the Street Works Manager at Newport City Council for assistance if Traffic Lights or a Road Closure is required. Telephone number is 01633 210547.

The Applicant shall regulate the works so as to minimise obstruction to vehicular and pedestrian traffic and shall guard the works in accordance with Chapter 8 of the Traffic Signs Manual 2006 published by TSO and the Safety at Street Works and Road Works Code of Practice 2001 which gives specific guidelines on the safe signing, lighting and guarding of temporary works on the Highway, as required by Section 65 of the New Roads and Street Works Act, 1991. The works area shall be maintained and kept clean and tidy throughout the duration of the works.

The Applicant shall not interfere with any drain, culvert, gully, bridge, wall or other structure without the specific consent of the Highway Authority.

Except in accordance with this application, no part of the highway may be closed, **AT ANY TIME**, without the consent of the Highway Authority.

The Highway Authority shall serve notices to the Statutory Undertakers in accordance with the requirements of the New Roads and Street Works Act 1991 on behalf of the applicant. Except in the case of an emergency, such notices must be made at least twenty-five working days prior to the start of the works. The applicant shall be responsible for carrying out any works required by a Statutory Undertaker in their response to a notice, or subsequently to protect apparatus. Prior to the commencement of any works the applicant shall determine the precise location of any Statutory Undertakers plant. The applicant shall allow for the notification process when programming his works.

If there are no objections to the works (including those from Statutory Undertakers), the Highway Authority will issue the application. (Works shall not commence until this application is approved and issued). The application will only be valid for the dates approved by the applicant and Highway Authority.

In the event of the works being cancelled after the application form has been submitted an administration fee will still be charged to the applicant to cover Administrative costs.

Reinstatement of the works shall be in accordance with the specification provided by the Highway Authority. Any excavation shall be at least temporarily reinstated with bitumen macadam before removing any signing and barriers. No trench reinstatement is to be re-opened to highway users without at least a temporary bituminous layer being in place, which is flush with the level of the adjacent highway. Limestone is not permitted in the wearing course. Any temporary reinstatement shall be agreed with the Highway Authority.

Once the works are complete the area shall be left in a clean and tidy condition to the satisfaction of the Highway Authority.

Within five working days of completion of the works the Applicant shall give written notice to the Highway Authority. This shall be done by way of the '**Registration of Works**' *HWL3* provided in the application pack.

The date and time when the Highway Authority will resume responsibility for maintenance of the highway works, will normally be two years (three years for excavations greater than 1.5 meters) from the actual date of the completion of the works. Until the Highway Authority assume responsibility for maintenance of the works the Applicant shall be responsible for any claims arising from the work or any necessary maintenance works and associated costs. The Highway Authority shall determine any necessary works.

No works are to be undertaken in the highway before a licence has been granted.

Additional conditions may be applied to the application by the Street Works Manager or his representative as deemed necessary.

Any works necessary by the Highway Authority as a result of the failure of the applicant to comply with the conditions of the application shall be chargeable to the applicant. The applicant shall also be liable for any further inspections that may be necessary in the same manner as provided under Section 72 (2) of the New Roads & Street Works Act 1991.

Mae'r ffurflen hon ar gael yn Gymraeg, fformatau eraill ar gael ar gais / This form is available in Welsh, other formats available on request.

HWL

(Office Use  
Only)

**NEWPORT CITY COUNCIL**

**APPLICATION FOR HIGHWAYS EXCAVATION**

**Form  
HWL1**

**Section 1. Details of person or company carrying out the excavation**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Mobile Number: \_\_\_\_\_

Name of accredited Operative: \_\_\_\_\_

SWQR No. \_\_\_\_\_

Name of accredited Supervisor: \_\_\_\_\_

SWQR No. \_\_\_\_\_

Photo copies of Street Works accreditation required

**EMERGENCY CONTACT DETAILS (24 hour contact number)**

Name: \_\_\_\_\_

Tel: \_\_\_\_\_

**Section 2. Precise Location of Proposed Work** (Detailed plan to be submitted with form. **A scale plan** of Ordinance Survey standard) at 1:1250)

Property Name/Number: \_\_\_\_\_

Road / Street: \_\_\_\_\_

City/Town/Village \_\_\_\_\_

Post Code: \_\_\_\_\_

**Section 3. Timings of works, traffic control**

Tick boxes where necessary)

Proposed Hours of Working      Day Time       Night Time       Restricted

Average Depth of excavation      Up to 1.5m       Over 1.5m       No Excavation

Proposed Traffic Control      Road Closure\*       Temp. Traffic Signals\*   
   Stop/Go Boards   
   Priority Flow       None

Please see guidance notes. These will need to be applied for separately

Work lies within:      Verge       Footway       Carriageway       All

Description of works (including estimated length and width):

**Section 4. Insurance** Public Liability Insurance of a minimum of £10 million must be provided up to the completion of the permanent reinstatement.

Photocopy of insurance certificate required

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel No: \_\_\_\_\_ Policy No: \_\_\_\_\_

Date Expires: \_\_\_\_\_

**Section 5. Declaration of applicant**

I confirm that the foregoing details are correct, and acknowledge that the works referred to above must be conducted in accordance with the requirements of s171 of the Highways Act 1980 and Traffic Management Act 2004, associated legislation, together with any other conditions imposed by the Highway Authority in the relevant application, which includes my duty to secure that the work is supervised by an accredited supervisor.

I confirm that all reasonably practicable steps have been taken to ensure that other owners of apparatus likely to be affected by these works have been contacted and where necessary location of apparatus identified. N.B It is recommended that the results of any enquires are no older than 1 month.

I acknowledge the statutory need for me to pay the prescribed inspection fees which will be imposed by the Highway Authority, including any defect inspection fees and the cost of any necessary remedial works conducted by the Highway Authority during the guarantee period.

I also acknowledge that the licence is granted on the condition that I will indemnify the Highway Authority against any claim in respect of injury, damage or loss arising out of :

The execution by any person of any works authorised by the application.

I also acknowledge that I have read and understand the Notes for Guidance and Standard Conditions as attached (NB further specific conditions may be imposed at the time of granting the licence).

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed (Name): \_\_\_\_\_

In the capacity of: \_\_\_\_\_

**IMPORTANT**

All communications relating to this application should be addressed to:

**Newport City Council,  
Street scene,  
Street Works Team,  
Civic Centre,  
Godfrey Road,  
Newport  
NP20 4UR**

Email address: [street.works@newport.gov.uk](mailto:street.works@newport.gov.uk)

		<b>s171 HIGHWAYS ACT 1980 NOTICE OF WORKS</b>				<b>Form HWL2</b>	
To		<b>Newport City Council, Street Works Section, Street scene, Civic Centre, Godfrey Road, Newport NP20 4UR</b>				From	
						Fax	
Expected Start Date					Expected Completion Date		
Is Special Engineering Difficulty involved?		Yes/No	If Yes	Has the relevant Authority Approved the Works (e.g. any 106 agreement that may be applicable for Welsh Water sewer connections)		Yes/No	
<b><u>LOCATION</u></b>							
<b>Description or House Name or Number</b>							
<b>Street Name</b>							
<b>Local Area Name</b>							
<b>Town</b>							
<b>Postcode</b>							
				<b>OS Grid Ref</b>			
<b><i>DESCRIPTION OF WORKS</i></b> (including Construction Methods, Estimated length and width of works, Traffic Management etc.)							

**s171 HIGHWAYS ACT 1980  
REGISTRATION OF WORKS / REINSTATEMENT**

**Form  
HWL3**

**Reference** (Office Use Only)

**HWL** \_\_\_\_\_

To **Newport City Council,  
Street Works Section,  
Street scene,  
Civic Centre,  
Godfrey Road,  
Newport  
NP20 4UR**

From

Fax

Actual Start Date

Actual Completion  
Date

**LOCATION**

Description or  
House Name or Number

Street Name

Local Area Name

Town

Postcode

OS  
Grid  
Ref

***DESCRIPTION OF WORKS***

**REINSTATEMENT  
Location**

**Closing  
Dimensions**

**Works Complete  
Dates**

**Item**

**Length  
(m)**

**Width  
(m)**

**Carriageway  
/ Footway  
or Verge \***

**Excavation  
depth over  
1.5m**

**Interim**

**Permanent**

**D M Y D M Y**

<b>1</b>											
<b>2</b>											
<b>3</b>											
<b>4</b>											
<b>5</b>											
<b>6</b>											

**\*If the reinstatement is in more than one part of the highway, please give the dimensions for each part**

**Sketch of location – Including measurements to fixed objects (use separate sheet if necessary)**

**PLEASE PROVIDE A COPY OF THE QUARRY TICKETS FOR ANY MATERIAL USED IN THE REINSTATEMENT**

## APPLICATION FOR THE USE OF PORTABLE TRAFFIC LIGHTS

THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 1994 No: 1519

<b>(Please Tick)</b>  APPLICATION FOR MULTIPHASE SIGNAL CONTROL  NOTIFICATION FOR TWO WAY SIGNAL CONTROL						Our Ref:	
						H/Way Auth:	
						Notice No:	
From:						Name of Contact:	
						Tel:	
						Fax:	
						Out of Hours Contact:	
Client:						Tel:	
Emergency/Urgent - 2hrs		Major – 1 Month		Standard – 10 Days		Minor – 3 Days	
Start Date:				Finish Date:			
Location of Works:							
Road No:			O.S Grid Ref:			Does Site Contain a Junction? YES / NO	
Traffic Sensitive Route? YES / NO (If YES Please Refer to Highway Authority)							
Is site near existing Traffic Signal/ Crossing? YES / NO							
Do signal lights require switching off? YES / NO							
Purpose of Works:							
Hours of Operation:				TO			24 Hours Operation YES / NO
<b>THE FOLLOWING ADDITIONAL INFORMATION IS REQUIRED FOR MULTIPHASE OPERATIONAL APPROVAL</b>							
Multiphase Timings?				Pedestrian Facilities Provided YES / NO			
Residual Road Widths:				Number of Signal Heads			
<b>4 COPIES OF SITE PLANS, LOCATION PLANS SHOWING POSITION OF SIGNAL HEADS</b>							
DECLARATION: I/WE hereby certify that the portable traffic signal used will be a type which is currently approved by the Department of Transport and Welsh Assembly Government Directives:							
Signature:		Name:			Date:		

APPROVED BY:

	DATE:	
--	-------	--

## **Conditions relating to the portable traffic signals application**

The Traffic Signs Regulations and General Directions 2002 SI 3113 permit the use of portable traffic signals in accordance with regulation 35 provided that:-

The equipment is type approved

The equipment is capable of working vehicle actuated.

The site involves simple shuttle working with no junctions in the controlled length.

The Highway Authority or Agent Authority is notified when signal control is used.

Safety at Street Works and Road Works a code of practice issued under The New Roads and Street works Act Section 65.3

All signals to be provided, installed, maintained and removed on site in accordance with Chapter 8, safety at Street works and Road Works COP and Temporary Traffic Management on High Speed Roads.

### **General Conditions**

Portable traffic signals used to control junctions (i.e. more than simple shuttle working) or heavy plant crossings require that the Highway Authority issues specific site approval.

All signage to conform with "Chapter 8" and the "Safety at Street works code of practice".

All portable traffic signals to be operated in accordance with DFT booklet "An Introduction to the use of Vehicle Actuated Portable Traffic Signals". Manual control for fixed time operation shall only be used with the written consent of the Highway Authority.

All Highway users within the area of traffic control will be advised of the intended dates of use of portable traffic signals by the applicant.

Provide details of Site Plans and Location Plans showing position of the signal heads & timings per link.

### **Setting up Site**

All appropriate advance warning signs, in accordance with the requirement of chapter 8 of the Traffic Signs Manual, to be established prior to positioning of the signals.

The maximum distance between portable traffic signals must not exceed 300m. The signals are to be set up to allow working space only and are not to include for parking for non-essential site vehicles.

Portable traffic signals are set up with time settings as a function of site length. The period of use and the controlled shuttle working length to be kept to an absolute minimum. Signals must operate vehicle actuated unless alternative agreed in writing.

When the switching off any permanent signals is required, the promoter must contact the Highway Authority in advance a minimum of 2 weeks notice is required so the necessary arrangements can be made. This procedure carries a charge as set out in the Fees and Charges approved by Newport City Council October 2008:-

**"Switching off/on for Utility and Third Party requirements:-**

**Monday – Friday 08.00 – 18.00 - £421.20 Total for turning off & on**

**Monday – Friday 18.00 – 08.00 - £499.20 Total for turning off & on**

**Weekend/Bank Holidays - £499.20 Total for turning off & on**

If the site cannot be set out as planned the promoter must immediately contact the Highway Authority to discuss.

### **Environmental considerations**

In built up or residential areas, connection of signals to mains power supply may be preferable. The Electricity Supplier must be consulted and may levy a charge for supply. Where ever possible the use of radio controlled battery operated traffic lights must be used.

All generators must meet the requirements of the Environmental Protection Act 1990 c43.

### **Maintenance**

***The signal supplier / hirer must provide and display on the equipment on site the call-out number for maintenance, response to be within two hours.***

## **REGISTRATION OF WORKS**

The Applicant must complete and submit **Form HWL3** giving details of any reinstatement to the Street Works Authority within **TEN WORKING DAYS** of the completion of the works and clearing the site. A **detailed drawing to Scale 1/1250** showing the actual depth of the apparatus, and its locations measured against fixed objects/structures should also be submitted (**Interim reinstatements must be made permanent within 6 months** and during that time must perform to the same standards as a permanent reinstatement).

**Please attach a copy of the quarry tickets for any material used in the reinstatement.**

## **STATUTORY UNDERTAKERS PLANT ENQUIRIES**

In order to comply with Section 69 of the New Roads and Street Works Act 1991, notification must be circulated to all Statutory Undertakers to identify whether the proposed works will affect their apparatus.

**The applicant will undertake this circulation.**

The Main Statutory Undertakers operating in Newport are:

- Dwr Cymru Welsh Water
- Western Power Distribution (Electricity)
- Wales and West Utilities (Gas)
- Virgin Media
- British Telecom
- City Fibre
- Concept Solutions
- Vodafone
- CM Utilities
- Street Lighting Section, Streetscene, Newport City Council

The applicant should contact any other utilities or relevant authorities they are aware have apparatus in the street.

## S171 HIGHWAYS ACT 1980

All applicants should check that they have enclosed the following documentation, in order that the approval process is not delayed.

Receipt of the below is mandatory to process your application.

*(Please Tick)*

Application Form (HWL1)

Notice of Works Form (HWL2)

Proof of Accreditation

Proof of Insurance Cover

Plans of Proposed Excavation

Fee