

**MONMOUTHSHIRE COUNTY COUNCIL**

**HIGHWAYS ACT 1991**

**LICENCE UNDER SECTION 171 – EXCAVATION IN A PUBLIC HIGHWAY**

**GUIDANCE NOTES FOR APPLICATIONS FOR A S171 LICENCE**

It is essential that applicants for a licence under the above legislation make themselves aware of all the requirements of the Highways Act 1980 and the New Roads and Street Works Act, 1991, the associated Regulations and Codes of Practice. Non compliance with the Regulations and the Act can in some circumstances result in criminal offences being committed and the licensee on summary conviction is liable to a fine not exceeding Level 3 on the standard scale for each offence.

The applicant's attention is particularly drawn to the following:-

1. Safety Measures: Signing, guarding and lighting during the works must comply with Section 65 of the NRASW Act 1991 for which a Code of Practice has been published.
2. Qualifications of Supervisors & Operatives: The works must be carried out by persons holding prescribed qualifications in accordance with S67 of the NRASW Act 1991 and the associated regulations.
3. Affect on Other Apparatus in the Street: The licensee must ensure that the reinstatement complies with the specification for the whole of the guarantee period in accordance with the Act and the Monmouthshire County Council "Trench Reinstatement Specification" drawing.
5. Inspection Fees & Recovery of Costs: The licensee will be liable for the costs as defined in the Act and the associated Code of Practice for Inspections. Licensee shall pay the Street Authority in connection with the grant of the licence the fee of £405.00 made up as follows:-
  - (i) £130 Administration fee
  - (ii) £80 Capitalised fee in lieu of annual charge
  - (iii) £195 Inspection fee for each 200m length, or part thereof

Certain other costs may also pass to the licensee for such items as traffic diversions, temporary traffic orders, damage and losses caused by the works.

**Continued over....**

6. Record of Apparatus/Excavation: The licensee should note the requirement to keep records of the apparatus/excavation as stated in Section 79 of the NRASW Act 1991.
7. Street Authority Powers to Direct as to Timing of the Works: The licensee should be aware that he may be directed to carry out works at specific times under Section 56 of the NRASW Act 1991.
8. Unnecessary Obstruction: The licensee should be aware of the need to avoid unnecessary obstruction as required by the Section 66 of the NRASW Act 1991.
9. Unauthorised Street Works: It is an offence to carry out Street Works without a street works licence or a statutory right - see section 51 of the NRASW Act 1991.
10. Special Streets: Certain streets have been designated with special conditions to control street works. The licensee must ensure that any works comply with these conditions.
11. Person Aggrieved: Where the apparatus in respect of which an application for a Street Works Licence is made to the Street Authority, a person aggrieved by:
  - (a) the refusal of the Authority to grant a licence.
  - (b) their refusal to grant a licence exempt on terms prohibiting its assignment or
  - (c) any terms or conditions of the licence granted to him may appeal to the Secretary of State.

The relevant documents explaining the details of the above legislation, available from HMSO are as follows:-

1. The New Roads and Street Works Act, 1991.
2. The New Roads and Street Works Act, 1991. Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters.
3. The New Roads and Street Works Act, 1991. Specification for the Reinstatement of Openings in Highway.
4. The New Roads and Street Works Act, 1991 - Code of Practice for Inspections.
5. The New Roads and Street Works Act, 1991 - Code of Practice on safety at Street Works and Road Works.
6. Highways Act 1980.
7. To be continued as documents are published.

**Please note new conditions of Section 171 licence:**

A bond payment is also required on application to indemnify the Authority against substandard workmanship. A fee of 20% of the estimated cost of the works will be required; this can be paid via cheque or card. It will then, depending on depth, be released after 2 years of excavation if less than 1.5m deep or 3 years if over 1.5m deep. Alternatively, a Surety Bond will be accepted.

**MONMOUTHSHIRE COUNTY COUNCIL  
HIGHWAYS ACT 1980**

**APPLICATION TO EXCAVATING IN THE PUBLIC HIGHWAY**

**SECTION 171**

I hereby apply for a licence to make an excavation within the highway as the owner for the time of the excavation.

Consent will be issued subject to my undertaking to comply with the Standard Codes of Practice referred to in the Highways Act 1980 and the New Roads and Street Works Act 1991 and to Part III and Schedule 3 of that Act.

**Please tick**

i	I understand that no works must be undertaken before a licence is signed and completed.	<input type="checkbox"/>
ii	I agree to pay a licence fee for the sum of £405.00 for trenches up to 200m, (an additional payment of £195 is required for every 200m thereafter) and <b>enclose a cheque with this application for the amount.</b>	<input type="checkbox"/>
iii	I agree to provide signing and traffic management to the works in accordance with Chapter 8 of the Traffic Signs Manual.	<input type="checkbox"/>
iv	I agree to conform to the specification requirements as detailed in the "Trench Reinstatement Specification" drawing.	<input type="checkbox"/>
v	I agree to carry out the works between the hours specified by the Highways Network Manager.	<input type="checkbox"/>
vi	I agree to notify the Highways Network Manager 1 month before the commencement of works in order to co-ordinate the works and book the road space accordingly.	<input type="checkbox"/>
vii	I enclose 2 No plans scale 1/2500 or greater showing clearly the highways affected and the line and position of work I wish to execute.	<input type="checkbox"/>
viii	I agree to notify all other undertakers one month before the commencement of works and to obtain location plans for each utility, to identify the location of their apparatus. <b>*copies of plans to be enclosed with your application*</b>	<input type="checkbox"/>
ix	I confirm that I have obtained the consent or permission of the owner of any apparatus to which any connection is to be made and <b>enclose proof of confirmation.</b>	<input type="checkbox"/>
x	I agree to notify residents affected by letter drop; <b>a copy is enclosed.</b>	<input type="checkbox"/>
xi	<b>I enclose copies of qualified supervisors and operatives 'Street Works Qualifications Register' cards (front &amp; back)</b>	<input type="checkbox"/>
xii	<b>I enclose proof of Public Liability Insurance.</b>	<input type="checkbox"/>
xiii	<b>I enclose a method of work statement.</b>	<input type="checkbox"/>
xiv	I agree to pay a further £125.00 to inspect, repair or replacement of the said apparatus, where a Section 171 is already in existence.	<input type="checkbox"/>
xv	<b>I enclose the completed application form.</b>	<input type="checkbox"/>

I confirm that I have read and understand the application and agree to comply with its requirements

Signed ..... Printed..... Date.....  
(The Applicant)

Please return to: Mike Jones, Highways Network Manager, Highways Department,  
Monmouthshire County Council, Raglan Depot, Station Road, Raglan.  
NP15 2ER Tel: 01633 644749 Fax: 01633 644726

**NOTE**

**The Licensee is the owner of the property to be served by the apparatus.**

**MONMOUTHSHIRE COUNTY COUNCIL  
HIGHWAYS ACT 1980**

**LICENCE TO MAKE AN EXCAVATION IN THE PUBLIC HIGHWAY**

**SECTION 171**

(NB Those applicants not familiar with the requirements of the legislation are strongly advised to appoint a contractor with the appropriate knowledge and accreditation to help complete this application and to conduct the works on their behalf). Non-compliance with any requirement of the Act may result in severe financial penalties.

**SECTION 1** Licensee

Surname..... Forenames .....

or full registered name of Company .....

Address: .....

Tel Work: ..... Home: .....

**SECTION 2** Precise Location of Proposed Work (tick boxes where necessary)  
(Detailed plan to be submitted with form)

Property Address: .....

.....

Type of Works: (e.g. trial hole) .....

Estimated Length of Works	<input type="text"/>	<input type="text"/>	<input type="text"/>	m	Average Depth of Excavation	Up to 1.5m	<input type="text"/>	Over 1.5m	<input type="text"/>
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Proposed Start Date:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Estimated Duration:	<table border="1"><tr><th>Hours</th><th>Days</th><th>Months</th></tr><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table>	Hours	Days	Months	<input type="text"/>	<input type="text"/>	<input type="text"/>
Hours	Days	Months												
<input type="text"/>	<input type="text"/>	<input type="text"/>												

Planned Finish Date

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Proposed Hours of Working

Daylight	24 hrs	Night time	AM only	PM only
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Work Lies Within:

Verge	Footway	Carriageway	All
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Proposed Traffic Control:

Stop/Go Boards	<input type="checkbox"/>	Temp. Traffic Signals	<input type="checkbox"/>	Road Closure	<input type="checkbox"/>	Priority Flow	<input type="checkbox"/>	Not be Used	<input type="checkbox"/>
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**SECTION 3** Details of person/company conducting the works:

Name ..... Address: .....

.....

..... Tel No: .....

**SECTION 4 INSURANCE** Public Liability Insurance of a minimum of £5 million must be provided up to completion of the permanent reinstatement. (Proof to be submitted with this form).

Company Name ..... Address: .....

Tel No: ..... Policy No: ..... Expires (Date): .....

Signed ..... (The Licensee) Date .....

**THE COUNTY COUNCIL OF MONMOUTHSHIRE  
HIGHWAYS ACT 1980**

**LICENCE TO MAKE AN EXCAVATION IN THE PUBLIC HIGHWAY**

**THIRD PARTY/PUBLIC LIABILITY INSURANCE**

Contractor .....

Address .....

.....

.....

Tel No: ..... Fax No: .....

Your attention is drawn to the provisions of the above Licence regarding Insurance Policies and you are asked to give the following undertaking:

**THIRD PARTY/PUBLIC LIABILITY INSURANCE**

I/My Firm/Company carries a current Insurance Policy, which was renewed on  
In respect of Third Party/Public Liability which Indemnifies the County Council in respect of legal liability for personal injury to or arising out of my firm's /company's activities under the above Licence and further that the limit of Indemnity is not less than £5,000,000 (£5 MILLION).

I/We undertake to consult the Statutory Undertakers.

Please insert the name and address of your Insurance Broker/Insurance Company:-

.....

.....

.....

.....

Tel No: ..... Fax No: .....

Third Party Policy No: .....

Legal Liability Policy No: .....

Signed: .....

Licensee/Position in Firm/Company: .....

Date: .....

PART N	<b>HIGHWAYS ACT 1980 NOTICE OF WORKS INCLUDING RESPONSES</b>										LOGO		
TO			<b>PURPOSE</b>		<b>NOTICE</b>		Follow up Notice						
			Road Works Authority Response				Other Response						
			<b>REFERENCE No</b>										
			<b>RECIPIENT'S No</b>				Part				of		
			<b>CROSS REF. No.</b>				Part				of		
			<b>REFERENCE No</b>										
			<b>ORIGINATOR'S</b>				Part				of		
		<b>CROSS REF. No.</b>				Part				of			
		DATE OF ISSUE						d		m y			
FROM	TIME OF ISSUE (Emergency & Urgent Only)												
	EXPECTED START DATE												
	EXPECTED COMPLETION DATE												
TYPE OF WORKS													
				Minor (with Excav)			Standard		Major		Reinstatement		
Notice period		Emer'cy	Urgent special cases	Urgent	Minor no excav	Notice	Confirm start date		Notice	Confirm start date	Notices required	Remedial Dangerous	Remedial other
Road Status	Non Sensitive Traffic	Within 2 hrs of start of work starting	Within 2 hrs of work starting	Within 2 hrs	-	Notifying by Daily Whereabouts		7 Days		1 Month	7 Days	Within 2 Hrs of work starting	By daily whereabouts
	Traffic Sensitive situation			2 HRS IN ADV	3 DAYS	1 MONTH	7 DAYS	1 MONTH	7 DAYS	1 MONTH	7 DAYS		3 DAYS
Is Special Engineering Difficulty Involved		YES/NO	If Yes	HAS THE RELEVANT AUTHORITY APPROVED THE WORKS				YES/NO					
<b>LOCATION</b> DESCRIPTION OR HOUSE NAME OR NUMBER  ROAD NAME  LOCAL AREA NAME  DISTRICT  POST CODE <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> NATIONAL GRID REF <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>													
DESCRIPTION OF WORKS (INCL. CONSTRUCTION METHODS – IF KNOWN) COMMENTS (TRAFFIC MANAGEMENT OR OTHER)													
										ESTIMATED INSPECTION UNITS			
										<input type="text"/> <input type="text"/> <input type="text"/>			

<b>PART R1</b>	<b>HIGHWAYS ACT 1980 NOTICE OF WORKS INCLUDING RESPONSES</b>	<b>LOGO</b>						
TO	<b>Has part N been sent? (Y/N)</b>							
	PART R2 Give Number of R2 continuation sheets:							
	REFERENCE No							
	RECIPIENT'S No	Part	of					
	CROSS REF. No.	Part	of					
	REFERENCE No							
	ORIGINATOR'S CROSS REF. No.	Part	of					
FROM	<b>ALL WORKS ON THIS NOTICE COMPLETE? (Y/N)</b>							
	<b>IF Y, ACTUAL INSPECTION UNITS</b>							
	No of bar holes/core drills plugged:	D	M	Y				
	Date:							
<b>LOCATION</b>								
DESCRIPTION OR HOUSE NAME OR NUMBER								
STREET NAME								
LOCAL AREA NAME								
DISTRICT								
POST CODE <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> NATIONAL GRID REF <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>								
<b>DESCRIPTION OF WORKS COMMENTS (TRAFFIC MANAGEMENT OR OTHER)</b>								
<b>REINSTATEMENT CLOSING DIMENSIONS</b>								
Item	Location	Length	Width	C F or V	Deep Ex	Interim Date (if Applicable)	Permanent Date	Guarantee Start Date
1								
2								
3								
4								
5								
6								
7								

## **COMPLETING THE FORM PART R1**

- **TO** – This form should only go to the street or road works authority. There is no requirement to register completed works with other undertakers.
- **PART N SENT?** – If the authority has already been notified of the works, the answer to this will be 'Y'. In the case of minor works in “non traffic sensitive situations”, the answer will be 'N'.
- **ALL WORKS IN THIS NOTICE COMPLETED? Y/N** – This should only answered 'Y' if the works, including **all** of the permanent reinstatement works, have been completed. In effect this closes the notice.
- **IF 'Y' ACTUAL INSPECTION UNITS** – This should only be completed if all the works are totally complete. Inspection units are:-

One Inspection Unit

- = Up to 5 excavations if:
  - Made within 10 days;
  - Within a range of 500 metres
  - The aggregate length is less than 200 metres in length

Or

= 200 metres of a trench or part therefore.

Barholes used to detect gas leaks do not count as excavations for the purpose of inspection **unless** no other street works are carried out on the site.

For the large majority of minor works the number inspection units will be 1.

The number of inspection units is not directly related to the number of reinstatement entries on the registration form as, for example, a single excavation may straddle two surfaces as a result of which, for the purposes of registration, it will appear as two excavations. Case must therefore be taken in calculating the number of inspection units and this can only be done accurately on site.

- **LOCATION** – This will be the same as the location given on the notification form (Form Part N)
- **REINSTATEMENT CLOSING DIMENSIONS** – Each reinstatement should be entered against an item number. If further reinstatement is made, for instance if an interim reinstatement is made permanent at a later date, then each item of reinstatement must be re-entered against the same item number as on the previous Form Part R. This ensures that, at any time, the latest registration form represents the status or “whole life” of the works.
- **LOCATION** – This should be sufficiently detailed to allow the reinstatement to be identified on site. In most urban areas the house number and street will suffice.



- **LENGTH AND WIDTH** – Measurements should be expressed in metres to one decimal place.
- **SURFACE** – The surface will be footway, carriageway or verge.
- **DEEP EXCAVATIONS** – Where an excavation is more than 1.5 metres deep a 'Y' should be entered in the column 'Deep Ex'
- **GUARANTEE START DATE** – This is the date on which the completed R1 Notice is returned to the street or road works authority; for completed reinstatement, whether interim or permanent.

**PORTABLE TRAFFIC SIGNALS FORM**



**Kelly Santaana/Stacey Harris**  
**Street Works Section, Monmouthshire County Council, Raglan Depot, Station Road,**  
**Raglan.**  
**NP15 2ER**

**Tel: 01633 644764 / 01633 644762**  
**Fax: 01633 644726**

**THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 1994 No 1519**

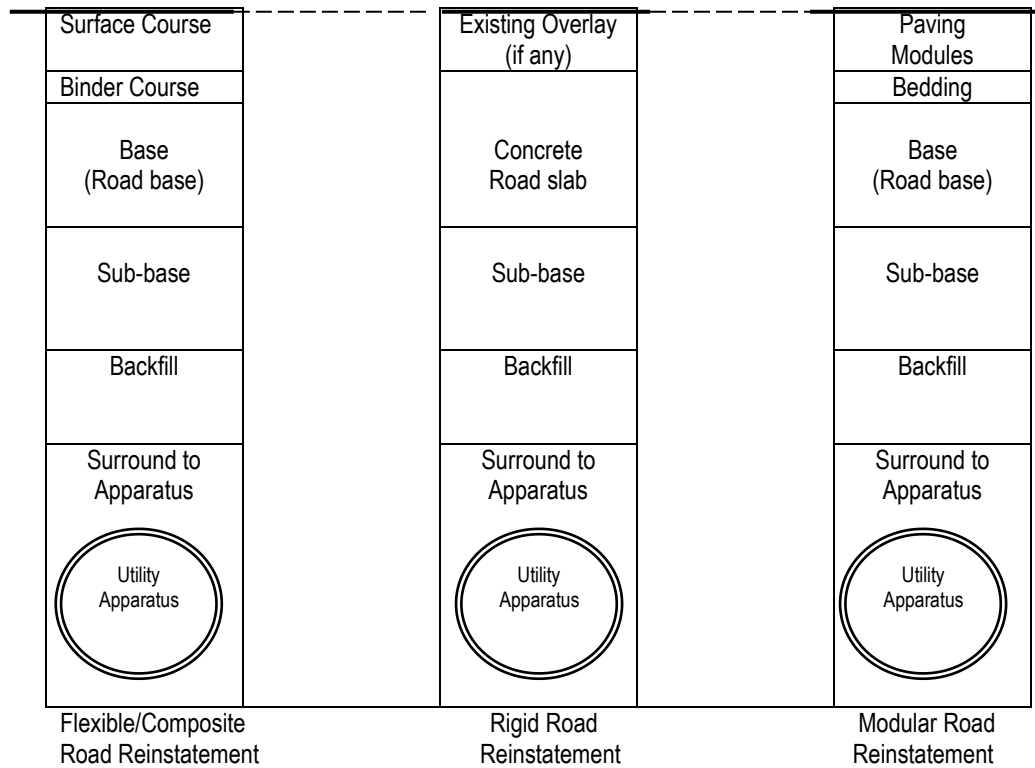
This form must be sent off to the Street Works Section at the above address/fax number  
 Please read the notes for guidance on the reverse side or consult the office indicated above.

APPLICATION FOR MULTIPHASE SIGNAL CONTROL  
 NOTIFICATION FOR TWO WAY SIGNAL CONTROL

	YOUR REF:
	STREET AUTH REF

FROM		NAME OF CONTACT:					
		TEL:					
		FAX:					
		OUT OF HRS CONTACT:					
CLIENT		TEL:					
EMERGENCY/ URGENT – 2 HRS		MAJOR-1 MONTH		PLANNED – 7 DAYS		3 DAYS	1 DAY
START DATE		FINISH DATE					
LOCATION OF WORKS							
ROAD NO:		OS GRID REF:			DOES SITE CONTAIN A JUNCTION? YES*/NO*		
TRAFFIC SENSITIVE SITUATION? YES*/NO* IF YES, PLEASE REFER TO HIGHWAY AUTHORITY							
PURPOSE OF WORKS:							
HOURS OF OPERATION	WORKING DAY OPERATION (I.E. 7.30 AM TO 4.30 AM)				24 HOURS OPERATION		
THE FOLLOWING ADDITIONAL INFORMATION IS REQUIRED FOR MULTIPHASE OPERATION APPROVAL							
MULTIPHASE TIMING:							
RESIDUAL ROAD WIDTHS					NO. OF SIGNAL HEADS		
4 Copies of Site Plans and Location Plans showing position of the signal heads							
DECLARATION I/we hereby certify that the portable traffic signal used will be of a type which is currently approved Department of Transport and the Welsh Office Directives:							
Signature: _____				Name: _____			
Date: _____							

## Road Running Surface



**Figure A2.1** – Typical Reinstatement Structure within recognised Road Designs.

- 2) Permitted materials and layer thickness for road structures are specified as follows.
  - a) Flexible Design see Appendix A3.0 to A3.4
  - b) Flexible Sub-structure see Appendix A3.5
  - c) Composite Design see Appendix A4.0 to A4.3
  - d) Composite Sub-structure see Appendix A4.4 to A4.5
  - e) Rigid Design see Appendix A5.0 to A5.2
  - f) Modular Design see Appendix A6.1 to A6.3
- 3) All layer thicknesses are in millimeters

### A2.8.2 Footway, Footpath and Cycle Track Structures

- 1) For the purpose of defining permissible material options, layer thickness, etc., this Specification classifies footway, footpath and cycle track structures as being of flexible, rigid or modular design. The structures assumed to be representative of each of these designs are shown in Figure A2.2. For each design, a typical reinstatement structure, identifying the principal structural layers, is also shown.
- 2) Permitted materials and layer thickness for footway, footpath and cycle track structures are specified as follows:
  - a) Flexible Design           see Appendix A7.1
  - b) Rigid Design             see Appendix A7.2
  - c) Modular Design         see Appendix A7
- 3) All layer thicknesses are in millimeters.

**List of undertakers to be notified (correct as of 17/11/16)**

<p>Dwr Cymru/Welsh Water  Asset Records  Data Services O.A.C  Eastern Business Park  St. Mellons  Cardiff  CF3 OLT  0800 917 2652</p>	<p>Virgin Media Business  National Plant Enquiries Team  Mayfair Business Park  Broad Lane  Bradford  BD4 8PW  <a href="mailto:plant.enquiries.team@virginmedia.co.uk">plant.enquiries.team@virginmedia.co.uk</a></p>
<p>NRSWA Section  Mapping Centre  Western Power Distribution  Lamby Way  Rumney  Cardiff  CF3 2EQ  0845 6013341  <a href="mailto:wpdmapresponse@westernpower.co.uk">wpdmapresponse@westernpower.co.uk</a></p>	<p>Street Lighting Department  Monmouthshire County Council  Raglan Depot  Station Road  Raglan  NP15 2ER  01633 644721  <a href="mailto:highways@monmouthshire.gov.uk">highways@monmouthshire.gov.uk</a></p>
<p>Wales and West Utilities  Wales and West House  Spoooner close,  Celtic Springs,  Coedkernew,  Newport.  NP10 8FZ  02920 278912  <a href="mailto:plantprotectionenquiries@wwutilities.co.uk">plantprotectionenquiries@wwutilities.co.uk</a></p>	<p>Highways Drainage  Monmouthshire County Council  Raglan Depot  Station Road  Raglan  NP15 2ER  <a href="mailto:highways@monmouthshire.gov.uk">highways@monmouthshire.gov.uk</a></p>
<p>British Telecom  National Notice Handling Centre  Postpoint 5WW6  Telecom House  Trinity Street  Hanley  Stoke on Trent  ST1 5ND  0800 023 2023 (option 5)  <a href="mailto:nnhc@openreach.co.uk">nnhc@openreach.co.uk</a></p>	