

APPLICATION FOR TEMPORARY EXCAVATION WITHIN HIGHWAY BOUNDARIES

THIS APPLICATION IS NOT APPLICABLE FOR THE PLACEMENT OR REPAIR OF ANY APPARATUS UNDER, IN, ON OR OVER THE HIGHWAY. FOR THESE PURPOSES PLEASE [REFER TO THE GENERAL CONDITIONS ON PAGE 5.](#)

Highways Act 1980 Section 171. Local Government (Miscellaneous Provisions) Act 1982.
 Road Traffic Regulation Act 1984. New Roads and Street Works Act 1991
 Safety at Street Works and Road Works – A Code of Practice
 Specification for the Reinstatement of Openings in Highway – A Code of Practice
 HSE Guidance; HSG47 ‘Avoiding Danger From Underground Services’

SECTION 1 - APPLICANT

[Please read Conditions](#) on page 5 and 6 before completing in block capitals

Name of Applicant:
Address:
Post Code:
Contact Name:
Contact Telephone Number:
Emergency Contact Telephone Number:
Email address:
Signed:

SECTION 2 - LOCATION

Tick boxes where necessary							
Property Reference _____		Road/Street _____					
District/Parish/Ward _____			City/Town/Village _____				
Postcode: _____		National Grid Ref: _____					
Category of Works:	Emergency Urgent <input type="checkbox"/>	Special Urgent <input type="checkbox"/>	Minor with Excavation <input type="checkbox"/>	Minor without Excavation <input type="checkbox"/>	Standard Works <input type="checkbox"/>	Major Project <input type="checkbox"/>	
Type of works: (ie trial holes) _____							
Proposed Start Date: _____			Estimated Duration		Hours <input type="checkbox"/>	Days <input type="checkbox"/>	Months <input type="checkbox"/>
Planned Finish Date: _____							
Estimated Length of Works: _____m Average		Depth of Excavation		Up To 1.5m <input type="checkbox"/>	Over 1.5m <input type="checkbox"/>	Works No Excavation <input type="checkbox"/>	

SECTION 2 - LOCATION (CONTINUED)

Hours of Working:

Daylight	24 Hours	Night time	AM only	PM only
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Work Lies Within:

Verge	Footway	Carriageway
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Proposed Traffic Control:

Stop/Go Boards		Temp. Traffic Signals		Road Closure		Priority Flow		Not To Be Used	
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SECTION 3 - DETAILS OF CONTRACTOR UNDERTAKING EXCAVATION IN THE HIGHWAY

Name:	
Address:	
Telephone Number:	Contact Name:
Emergency Telephone Number (24hrs):	

SECTION 4 - DETAILS OF CONTRACTORS PUBLIC LIABILITY INSURANCE (MINIMUM £5 MILLION)

Company Name:	
Address:	
Policy No:	Expiry Date:

SECTION 5 - DETAILS OF STREET WORKS ACCREDITATION (proof to be submitted with this form)

Full Name:	
Accreditation/Registration Number:	Expiry Date:
Supervisor / Operative* (delete as appropriate)	
Full Name:	
Accreditation/Registration Number:	Expiry Date:
Supervisor / Operative* (delete as appropriate)	

Revised Feb 2022

SECTION 6 - APPROXIMATE DIMENSIONS OF EXCAVATION (UP TO MAXIMUM 10 PER STREET)

See Note 1 in General Conditions on page 5

Item	Location	Approximate Dimensions (mm)			Carriageway, Footway or Verge (C, F, V)
		Length	Width	Depth	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

SECTION 7 – DISCLAIMER AND FEE

IMPORTANT NOTE:

Your attention is drawn to the General Conditions attached to this form which will apply if consent is given. Special Conditions may be required in certain circumstances.

Applicants, via their contractor, shall indemnify Leicestershire County Council against all losses or claims arising out of the execution of the works and shall insure against any damage, loss or injury which may occur to any property or to any person by, or arising out of the execution of the works. The contractor shall have public liability insurance for the minimum liability of £5,000,000 for any one claim.

Licence fee is £300 and can be paid by cheque (payable to Leicestershire County Council) or preferably by BACS. Account Number 87418460, sort code 60-60-06 quoting reference 313273AW8315

SECTION 8 - SIGN

Signed:
Date:
Print Name:
Position within company:

Enclosures check list

Tick

Public Liability Insurance Certificate:	
Street Works Accreditations Proof:	
Payment:	
Traffic Management Application and Plan:	

FOR COMPLETION BY LEICESTERSHIRE COUNTY COUNCIL

Highways Act 1980 Section 171
Local Government (Miscellaneous Provisions) Act 1982
Road Traffic Regulation Act 1984
New Roads and Street Works Act 1991
Safety at Street Works and Road Works – A Code of Practice
Specification for the Reinstatement of Openings in Highway – A Code of Practice
HSE Guidance; HSG47 ‘Avoiding Danger From Underground Services’

Leicestershire County Council in exercise of its powers under the above legislations hereby grants permission to the applicant to undertake a temporary excavation within the highway boundary as described in the schedule on page 2, subject to any additional conditions laid down below being complied with and the permit being duly authorised.

At any time Leicestershire County Council may instruct the applicant to provide additional traffic signs or other measures or require the temporary excavation specified to be reinstated forthwith.

SPECIFIC CONDITIONS FOR TEMPORARY EXCAVATION WITHIN HIGHWAY BOUNDARIES

As below* / none specified* (*delete as appropriate)

Signed: Date:

On behalf of Leicestershire County Council

Permit Number (HMS):	
Receipt Number:	

Revised Feb 2022

CONDITIONS FOR TEMPORARY EXCAVATION WITHIN THE HIGHWAY BOUNDARIES

The applicant's attention is drawn to the following conditions, which form part of the Permit to undertake a temporary excavation within the highway boundaries.

General Conditions

1. This Permit is specific to a street/road. Should excavations be required in more than one street/road then a separate permit will be required for each street/road affected. A maximum of 10 separate locations per street/road can be covered by one permit.
2. This permit does not encompass the placing of new or the repair to existing apparatus within the highway boundaries. If the intention is to place new or repair existing apparatus within the highway boundaries a Section 50 licence (New Roads and Street Works Act 1991) will be required. This form can be downloaded from the LCC web site [Section 50 Licence](#)
3. Prior to undertaking any temporary excavation within the highway boundaries the applicant shall contact the Statutory Undertakers to identify whether the proposed temporary excavation will affect their apparatus. Leicestershire County Council does not necessarily require a copy of the Statutory Undertakers responses and therefore the applicant may, alternatively, provide a letter stating that the responses have been received and that these will be forwarded to the contractor undertaking the temporary excavation.
4. Where any waste generated from the works associated with the temporary excavation has to be disposed of, the Licence Holder must retain a copy of the completed Controlled Waste Transfer Note with a further copy being given to the person accepting the waste.
5. The temporary excavation shall not cause unreasonable obstruction of the highway. The decision of the County Councils Highways Manager shall be absolute in this respect.
6. The unobstructed width of any footway shall not be less than 1.0 metre, unless specific permission has been granted by the County Councils Highways Manager and thus specified in the site specific conditions.
7. During all phases of the temporary excavation (excavation through to reinstatement) the area occupied by the temporary excavation together with all working areas, safety zones and approaches shall be signed, guarded and lit in accordance with the requirements as specified in Safety at Street Works and Road Works, A Code of Practice issued by the Secretary of State for Transport, Local Government and the Regions under Sections 65 & 124 of the New Roads and Street Works Act 1991.
8. Signing and guarding of the temporary excavation may require shuttle working with associated traffic control past the works area. Where the required traffic control necessitates the use of temporary traffic signals the applicant shall obtain the relevant permit from the County Councils Highways Manager.

This form can be downloaded from the County Council's web site [Temporary traffic management application](#).

A copy of your Traffic Management Plan must be included with your application.

9. The materials to be used, standard of workmanship to be observed and performance requirements associated with the reinstatement of a temporary excavation within the highway boundaries shall, in all respects, comply with the Specification for the Reinstatement of Openings in Highways, A Code of Practice issued by the Secretary of State for Transport, Local Government and the Regions under Section 71 of the New Roads and Street Works Act 1991.
10. The applicant must comply with any instructions/directions given by the County Council Highways Manager with respect to the erection and maintenance of traffic signs together with any other temporary traffic management measures, such instructions/directions shall be actioned within 2 hours unless otherwise stated in writing.

11. Should, in the opinion of the County Council Highways Manager, it becomes necessary to instigate remedial action to provide the required traffic management measures, the full cost associated with these remedial measures, including the cost of any material losses incurred by Leicestershire County Council, may be charged to the applicant.
12. No materials or items of plant, other than those expressly required for the temporary excavation shall be permitted to be stored within the highway boundaries under the terms of this Permit. Should the applicant require the storing of materials or items of plant within the highway boundaries an application for a General Permit which specifically authorises such storage should be applied by contacting Customer Services on 0116 3050001.
13. Under no circumstances shall materials or items of plant be placed over or obstruct access to any manholes, hydrants or other Public Utility Companies equipment.
14. Upon completion of the temporary excavation all materials and items of plant shall be cleared away and the surface of the carriageway, verge and/or footway left in a condition satisfactory to the County Council Highways Manager. The full cost associated with reinstating any damage to the carriageway, verge and/or footway caused by either a direct or indirect consequence of enacting this Permit may be re-charged to the applicant.

PLEASE NOTE THAT:

- a) The applicant shall be required to indemnify the County Council in relation to any and all third party claims and to this effect shall have public liability insurance in the sum of £5m for each / any claim. A copy of a current certificate of insurance must be provided with this application.
- b) General Condition 8 refers to the Specification for the Reinstatement of Openings in Highways. The applicants' attention is drawn to the performance requirements of any reinstatement associated with a temporary excavation within the highway boundaries. Depending upon the depth of the temporary excavation a performance related guarantee will apply, this being for a period of 2 years for excavations less than 1.5 metres deep and 3 years for excavations greater than 1.5 metres deep. The guarantee period will not commence until such time as the applicant registers the dimensions of the reinstatement on form **SWL5 (attached)**. The applicant will be responsible for the performance of the reinstatement throughout the guarantee period and will indemnify the County Council against any third party claims associated with the reinstatement. It is therefore in the interest of the applicant to register the reinstatement details at the earliest possible opportunity.
- c) General Condition 4 refers to a Controlled Waste Transfer Note.
- d) Should the location of the temporary excavation necessitate a Temporary Traffic Regulation Order [TTRO], the applicant is advised that an 12 week lead time is required to formulate, advertise and make the legal order. The applicant will be required to pay all of the costs associated with making the TTRO together with the traffic management costs incurred implementing the TTRO.
- e) The applicant shall inform the County Council 7 working days in advance of any temporary excavation being undertaken in the highway by completing the advance notification form **SWL4 (attached)**.
- f) All correspondence relating to this permit shall be addressed to:

Leicestershire County Council
Environment & Transport Department
Highways Office
Arbor Road
Croft,
Leicestershire LE9 3GE

Revised Feb 2022

NOTICE OF WORKS INCLUDING RESPONSES FORM SWL4

N		NEW ROADS AND STREET WORKS ACT 1991 NOTICE OF WORKS INCLUDING RESPONSES										FORM SWL4	
TO: LEICESTERSHIRE COUNTY COUNCIL ENVIRONMENT and TRANSPORT DEPARTMENT HIGHWAYS OFFICE ARBOR ROAD CROFT LEICESTERSHIRE LE9 3GE		Purpose		Notice				Follow up Notice					
		Street Authority Response				Other Response							
		REFERENCE No.		Part				of					
FROM:		RECIPIENT'S CROSS REF. No.		Part				of					
		ORIGINATOR'S CROSS REF. No.		Part				of					
		DATE OF ISSUE				d		m		y			
TYPE OF WORKS		TIME OF ISSUE (Emergency & Urgent Only)											
		EXPECTED START DATE											
		EXPECTED COMPLETION DATE											
NOTICE PERIOD		TYPE OF WORKS											
		Emergency	URGENT SPECIAL CASES	URGENT	MINOR NO EXCAV	MINOR WITH EXCA		STANDARD		MAJOR		REINSTATEMENT	
STREET STATUS	NONTRAFFIC SENSITIVE	WITHIN 2 HOURS OF WORK STARTING	WITHIN 2 HOURS OF WORK STARTING	WITHIN 2 HOURS	-	NOTIFY BY DAILY WHEREABOUTS		7 DAYS		1 MONTH	7 DAYS	WITHIN 2 HOURS OF WORK STARTING	BY DAILY WHEREABOUTS
	TRAFFIC SENSITIVE SITUATION	2 HOURS IN ADVANCE	3 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			
LOCATION													
DESCRIPTION OR HOUSE NAME OR NUMBER													
STREET NAME													
LOCAL AREA NAME													
DISTRICT				POSTCODE				NATIONAL GRID REF.					
DESCRIPTION OF WORKS													
COMMENTS (TRAFFIC MANAGEMENT OR OTHER)													
										ESTIMATED INSPECTION UNITS			

Leicestershire County Council, Environment and Transport Department,
 Highways Office, Arbor Road, Croft, Leicestershire LE9 3GE
 Telephone: 0116 305 2163 Email: networkmanagement@leics.gov.uk

REGISTRATION OF WORKS FORM SWL5



R1	NEW ROADS AND STREET WORKS ACT 1991 REGISTRATION OF WORKS						FORM SWL5							
TO: LEICESTERSHIRE COUNTY COUNCIL ENVIRONMENT and TRANSPORT DEPARTMENT HIGHWAYS OFFICE ARBOR ROAD CROFT LEICESTERSHIRE LE9 3GE	Has part SWL4 been sent? (Y/N)													
	PART R2: Give number of R2 continuation sheets													
	REFERENCE No.	Part				of								
	RECIPIENT'S CROSS REF. No.	Part				of								
FROM:	REFERENCE No.	Part				of								
	ORIGINATOR'S CROSS REF. No.	Part				of								
	ALL WORK ON THIS NOTICE COMPLETE? (Y/N)													
	IF Y, ACTUAL INSPECTION UNITS													
LOCATION														
DESCRIPTION / HOUSE NAME OR NUMBER														
STREET NAME														
LOCAL AREA NAME														
DISTRICT														
POSTCODE					NATIONAL GRID REF.									
DESCRIPTION OF WORKS														
COMMENTS (TRAFFIC MANAGEMENT OR OTHER)														
REINSTATEMENT														
LOCATION														
CLOSING DIMENSIONS														
GUARANTEE START DATE														
Item	Location	Length	Width	Depth	C, F, V	Interim			Permanent					
1						D	M	Y	D	M	Y			
2														
Continue overleaf if more than 2 locations														
As Laid Record: <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>														
Depth to top of apparatus														
Sketch of location - including measurements to fixed objects (To be attached).														

Leicestershire County Council, Environment and Transport Department,
Highways Office, Arbor Road, Croft, Leicestershire LE9 3GE
Telephone: 0116 305 2163 Email: networkmanagement@leics.gov.uk