

Road opening permit for excavations on the highway (Section 171 Highways Act 1980)

How to apply

Email your completed application to traffordstreetworks@amey.co.uk, including Part C once work has been completed.

Costs

The applicant will be liable for the costs in relation to:

- An administration charge in relation to this permit
- Inspection fees in accordance with the charges in the Street Works (Inspection Fees) Regulations 2002 and any subsequent amendment(s), for all categories of inspection irrespective of whether the Authority carries out the permanent reinstatement per 200m length of excavation.
- Traffic regulation orders or notices determined by the Authority. Orders are currently £2,583 (where six or more weeks' notice has been given), and notices are £756.
- The permanent reinstatement of the works (if appropriate) in accordance with the Authority's annual schedule of rates for minor maintenance current at the time of the permanent reinstatement.

The administration charge and inspection fee is £433.50 and shall be paid at the time of application. Traffic regulation order, notice, and permanent reinstatement charges will be levied subsequent to the application approval.

Charges are subject to change annually. The ones quoted are for the financial year 2026/2027.

Guidance notes

1. This permit only permits opening the highway. It does not address the timing of works under section 56 of the New Roads and Street Works Act 1991, although an indication of the earliest starting date will be provided at the time of application when permission is granted.
2. Under Sections 54 and 55 of the New Roads and Street Works Act 1991, you are required to give advance notice of the works to the Street Authority i.e. Trafford Council, in addition to obtaining this permit.

If you do not obtain a Permit and/or fail to provide NRASWA section 74 notices, Trafford Council may impose section 74 charges and/or a Fixed Penalty Notice in accordance with Section 95A and Schedules 4A and 4B of the New Roads and Street Works Act 1991, as inserted by Section 41 of the Traffic Management Act 2004.

You must call Highway Management on 0161 672 6501 to confirm the start date so that inspections can be arranged. Similarly, you must make contact before backfilling the excavation.

3. The reinstatement of the footway or carriageway or verge construction in accordance with "Specification for Reinstatement of Openings in the Highway - A Code of Practice" must be carried out by accredited personnel within the terms of the New Roads and Street Works Act 1991. The accreditation, if any, shall be indicated at the time of application. The carriageway reinstatement category will be declared when permission is given.

The Authority reserves the right to determine the extent and specification of the reinstatement.

4. On completion of the work, the applicant shall declare either that the works have been permanently reinstated by accredited personnel or temporarily reinstated or awaiting permanent reinstatement by the Authority's contractor. Part C of the application shall be sent to Highway Management, Environmental Services, within one working day of completion.
5. The permanent reinstatement by the applicant or their contractor will, under the terms of the New Roads and Street Works Act 1991, be guaranteed for two years, or in the case of excavations deeper than 1.5 metres, three years. The guarantee period for permanent reinstatement carried out by the contractor will commence from the date Part C of the application is received.
6. A permanent reinstatement carried out by the Authority's contractor will commence within seven days of the receipt of the completion declaration. The applicant will be responsible for the maintenance and safety of the temporary reinstatement until such time as the Authority's contractor commences his works.

The Authority reserves the right to determine the extent of the permanent reinstatement required and will charge accordingly. The Authority in carrying out the permanent reinstatement will absolve the applicant of future maintenance liability, unless subsequently any failure can be shown to have been caused by poor workmanship or negligence on the part of the applicant or his contractor.

Application form

Part A (to be completed by the applicant)

I hereby apply for permission under Section 171 Highways Act 1980 to break up the surface of the carriageway and make excavations in the:

- Carriageway
- Footway
- Verge
- Other

at:

This is for the purpose of:

Works are due to start on: _____ and will last for: _____ (include days or weeks)

Works will be carried out by: _____ (The Contractor) using accredited/non-accredited (select one) personnel as defined by the New Roads and Street Works Act 1991.

In consideration of such permission, I confirm that I have read the notes for guidance, and I hereby undertake and agree to:

1. Give notice of the actual commencement of the works in accordance with the requirements of the New Roads and Street Works Act 1991.
2. Illuminate, watch, fence, control traffic and erect warning signs during the progress of the works in accordance with the requirements of "Safety at Street Works and Road Works - A Code of Practice" published by The Stationery Office.
3. Execute and complete the work to the satisfaction of the Head of Environmental Services.
4. Backfill and reinstate the highway in accordance with the requirements of the "Specification for the Reinstatement of Openings in the Highway - A Code of Practice" published by HMSO.
5. Remove all rubbish and surplus material on completion.

6. Indemnify Trafford Borough Council (the Authority) and keep indemnified during the currency of the works and the guarantee period against all losses and claims for injuries and damage to any person or property whatsoever which may arise out of or because of the works.

Such insurance will be affected with an insurer and in terms approved by the Authority and will be for a minimum of £5,000,000. I shall, whenever required, produce to the Authority the policy or policies of insurance and the receipts for payment of the current premiums.

7. Agree to pay the Authority on demand the usual charges made by them in respect of this permission, inspections, traffic notices and orders, and any permanent reinstatement in accordance with the New Roads and Street Works Act 1991 required to be carried out by the Authority consequent to the works being declared as complete.

Signature:

Name (in capitals):

Date (DD/MM/YY)

On behalf of (the applicant/the contractor):

Address:

Telephone number:

Part B (to be completed by the Highway Network Manager): Permission to open the highway.

I, the Highway Network Manager to Trafford Council, hereby give consent, under Section 171 Highways Act 1980, to the carrying out of the above-mentioned works subject to the above undertaking and the following conditions:

1. All reasonable access is to be given to the Authority's inspector during the work.
2. The street affected has been designated as special engineering/non-traffic sensitive (select an option)
3. The carriageway has a reinstatement category of 1/2/3/4 (select an option) . The Head of the Built Environment reserves the right to determine the extent and specification for the reinstatement.
4. The works will/will not (select an option) require a traffic order/notice (select an option)

They can start at the time requested/shall not start before (select option):

Works requiring a temporary traffic notice or order shall not commence under any circumstances until the notice or order is effective.

5. Completion of the permanent reinstatement shall be carried out by accredited personnel/the Authority's contractor (select an option) .
6. Completion of the work, whether it be permanent or temporary, shall be notified within one working day of the Authority using PART C overleaf.
7. Care shall be taken when excavating near trees, and all work shall be carried out in accordance with the recommendations of NJUG 10 published by the Joint Utilities Group.

Name and signature:

Date:

Part C (to be completed by the Applicant): Notification of completion of works

We will not accept a telephone call as an alternative to this form.

I hereby certify that the works referred to in my application and your consent were completed on:

I also certify that the carriageway/footway/verge/other (select one)
and the depth of the excavation was less than / greater than (select one) 1.5 metres.

The works have been permanently reinstated by my accredited contractor/temporarily reinstated (select one)

I request that you execute the permanent reinstatement within seven days of receipt of this notification.

I understand that the Authority reserves the right to determine the extent of the permanent reinstatement required and will charge accordingly.

Signature:

Name (in capitals):

Date: