

GUIDANCE NOTES

EXCAVATION ACTIVITY WITHIN THE PUBLIC HIGHWAY

IT IS IMPORTANT THAT THE INFORMATION IN THIS DOCUMENT (INCLUDING HYPERLINKS) IS READ & UNDERSTOOD FULLY, BEFORE COMPLETING YOUR APPLICATION.

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1. Why do you need an Excavation Specified Licence?

- It is a legal requirement to obtain permission from the Local Authority in order to excavate within the public Highway.
- The consent for this approval is issued by way of a Specified Licence.
- To excavate within a public Highway without a licence is an offence and the offending company or person is liable to prosecution.
- Regulations for excavation within public Highways can be found in the Highways Act 1980 Sections 172 and 173.

2. How much is an Excavation Specified Licence?

2a. Specified Licence Costs

- Every Specified Licence Application in 2020/21 has a non-refundable £95 Application Fee which covers the admin costs involved in processing your application. See Table 1 below.
- The actual cost of the Specified Licence is represented in the 'Fee on Approval' column below.
- For works lasting 29 days and over, a Cash Bond is required which will cover any damage to the Highway and its assets (bollards, footway etc.) as a result of the activity.
- The Cash Bond is calculated by totalling the area of the Highway in use and the cost of replacing this area with original Highway material. This Cash Bond will be returned to you when you have confirmed to us that works have ended, and the Local Authority confirms the Highway and its assets are in an acceptable condition.
- The total cost of the process, totalling the Application Fee, the Specified Licence Fee and a Cash Bond (if applicable) is shown in the end column 'Total Cost'.
- You will be invoiced separately for the Application Fee, the Specified Licence Fee and the Cash Bond if applicable.
- Note that invoices will be sent to the Principal Contractor **only**.

Table 1 - The Fee & Bond Structure for 2020/21

Duration & Contract Value	Application Fee	Fee on Approval	Bond Administration Fee	Cash Bond (Returnable)	Total Cost (Application Fee + Fee on Approval + Bond Administration Fee + Cash Bond if applicable)
Up to 28 days (Standard Works) (contract < £1m)	£95	£175	N/A	N/A	£270
29 days and over (Major Works) (contract < £1m)	£95	£410	£55	£TBC	£505 + £55 + Cash Bond
29 days and over (Major Works) (contract > £1m)	Included in 0.15% of contract value	0.15% of contract value	£55	£TBC	0.15% of contract value + £55 + Cash Bond

2b. Temporary Traffic Regulation Order (TTRO) - Road Closure Costs

- Road closure costs are processed and invoiced separately. For typical average costs, see Table 2 below.
- Note that costs will vary depending on the complexity of the road closure.

Table 2 – Average Road Closure Costs for 2020/21

Duration	Average Road Closure Total Cost (Including Advertising Costs)
≤ 5 days	£1169
≥ 6 days	£2,774.10

3. When to apply for an Excavation Specified Licence

- We require at least 21 (twenty-one) days to process a Standard Specified Licence which includes Excavation only and no road closure/s.
- We may require more time depending on the complexity of the activity, if there is a road closure etc. and / or if it is a Major Works development (29 days and over).
- If your application requires a road closure and is 5 days or less, 40 business days' notice is required.
If the road closure is over 5 days and up to 18 months, 60 business days' notice is required.
For road closures that are over 18 months, timescales for processing may increase.
- Note that the road closure timescales **are additional** to the 21 days Specified Licence processing time.
- The project location will determine the restrictions that may be applied to your works e.g. start day/time etc. which in some cases may be Sunday work only.
- For some developments, the Local Authority will need to visit the site and/or discuss the application.
- **Ensure that your proposed start date allows for the timescales mentioned above.**
- Note that **until all required, correct and up to date documents have been received and confirmed by us, the 21 days processing time of your application will NOT BEGIN.**
- Note that if we do not have all the relevant documents or if they are out of date etc. and this does not allow us at least 21 days processing (longer if there is a road closure etc.), this **will have an impact on your proposed start date and you will be required to change it.**

4. What do I need to provide to get an Excavation Specified Licence?

Note: Definition of a 'Specified Licence Activity' = The physical task being undertaken on the public highway (i.e. the type of Specified Licence you are applying for).

Note: All documents uploaded as PDF attachments on the 'Application Documents' page during the online Highways Licence Application process, must be clearly labelled using letters and numbers **only** e.g. Public Liability Insurance, TMP2.

Note: Any PDF attachments submitted with your application that contain characters other than letters/numbers will be rejected by the online system and will send you back to the start of the online Highways Licence Application process. This also applies to any attachments which may contain macros and/or are **not in** a PDF format.

Note: That **until all required, correct and up to date documents have been received and confirmed by us, the processing time of your application will NOT BEGIN.**

Note: The online Highways Licence Application process and all supporting documents must be completed **in full**. If your Standard/Major Works affect traffic (**including pedestrians**), please ensure traffic management documents are submitted to reflect this.

Note: That if we do not have all the relevant documents or if they are out of date etc. and this does not allow us at least the minimum processing time (longer if there is a road closure etc.), this **will have an impact on your proposed start date and you will be required to change it.**

4a. Application Guidance

- **Principal Contractor**

The applicant must apply through the Birmingham City Council website ([General Permit Request](#)), with the [Principal Contractor's](#) details and complete the online documents listed below.

- **Online Highways Licence Application**

This document is mandatory.

You can access this via the Birmingham City Council website [Specified Licences page](#).

The website application will take you through the process and will require you to upload further documents. Once the online application is submitted, it will automatically create an application form that will be sent to us for processing.

- **Temporary Traffic Management Plan with dimensions (TMP1 - Visual) (Appendix 1) (Traffic includes pedestrians)**

This document is mandatory and must be created and submitted by the applicant.

This Temporary Traffic Management Plan (Visual) is referred to as a TMP1 and must be uploaded as a PDF attachment on the 'Application Documents' page during the online Highways Licence Application process.

See **Appendix 1**, which shows an acceptable Traffic Management Plan (TMP1 - Visual) with dimensions.

The Temporary Traffic Management Plan (TMP1 - Visual) must demonstrate how your works will cause minimum inconvenience to road users and pedestrians.

The TMP1 must show the area of the Highway being taken up by the excavation, the area of the Highway being closed off, how traffic will be re-routed during your works and any accompanying dimensions (i.e. distance from the excavation to pedestrian walkway, distance from walkway to the Highway, appropriate signage, guarding, and lighting design).

- **Temporary Traffic Management Plan (TMP2 - Narrative)**

This document is mandatory.

You can access this via the Birmingham City Council website [Specified Licences page](#).

This Temporary Traffic Management Plan (Narrative) is referred to as a TMP2 form and must be downloaded separately, completed and then uploaded as a PDF attachment on the 'Application Documents' page during the online Highways Licence Application process.

When completing the TMP2, ensure that **only** the Principle Contractor's details are put in the 'Owner/Promoter of Proposals' part of the form.

Make sure that the start and end dates on the TMP2 link with the online Highways Licence Application start and end dates and take into consideration our **processing times**.

- **Location of Specified Licence Activity with Dimensions**

This document is mandatory and must be created and submitted by the applicant.

See **Appendix 2** which shows an acceptable plan denoting the Location of the Specified Licence Activity with Dimensions.

The plan must show the location of the activity in relation to existing buildings and the Highway/footway.

The plan must also show the area that will be taken up by the activity and the accompanying dimensions.

- **Risk Assessment (RA)**

This document is mandatory and must be created and submitted by the applicant

The RA must identify potential hazards (i.e. falling objects, obstructions, plant, deliveries etc.) and the severity of the hazard (i.e. fatality, injury).

Further guidance can be found via the [HSE website](#).

- **Method Statement (MS)**

This document is mandatory and must be created and submitted by the applicant.

The MS must give details of how you propose to undertake the project on the Highway in a safe manner, including identifying how pedestrians will be managed during the activity.

Directing pedestrians to the opposite footway is not an acceptable method without suitable controls. If possible, consider an existing, controlled crossing point in proximity.

Further guidance can be found via the [HSE website](#).

- **Public Liability Insurance**

This certificate is mandatory and must be submitted by the applicant.

However, the Public Liability Insurance must be registered for the Principal Contractor **only**.

Public Liability Insurance must be in-date and cover the duration of your works.

Public Liability Insurance must be for a minimum of £5 million.

- **Accreditation – SWQR Card/s (Street Works Qualifications Register)**

This document is mandatory and must be created and submitted by the applicant.

We accept in-date SWQR Cards **only**.

We require details of a minimum of one supervisor (Advanced membership).

All SWQR Cards must be in-date and must show a copy of the front and back of the Card/s.

- **Traffic Management Road Closure Application**

This document is mandatory if a road closure is necessary.

You can access this via the Birmingham City Council website [Specified Licences page](#).

The form is being reviewed, however, in the meantime please note guidance within the document, download separately, complete and then upload as a PDF attachment on the 'Application Documents' page during the online Highways Licence Application process.

- **Application/Notification to use Temporary Traffic Signals on the Public Highway (TS1)**

This document is mandatory when temporary traffic signals are necessary.

You can access this via the Birmingham City Council website [Specified Licences page](#).

The form is being reviewed. Please note guidance within document, download separately, complete and then upload as a PDF attachment on the 'Application Documents' page during the online Highways Licence Application process.

Note: All documents uploaded as PDF attachments on the 'Application Documents' page during the online Highways Licence Application process, must be clearly labelled using letters and numbers only e.g. Public Liability Insurance, TMP2.

Note: Any PDF attachments submitted with your application that contain characters other than letters/numbers will be rejected by the online system and will send you back to the start of the online Highways Licence Application process. This also applies to any attachments may contain macros and/or are **not in** a PDF format.

Note: That **until all required, correct and up to date documents have been received and confirmed by us, the processing time of your application will NOT BEGIN.**

Note: The online Highways Licence Application process and all supporting documents must be completed **in full**. If the Standard/Major Works will affect traffic (**including pedestrians**), please ensure traffic management documents are submitted to reflect this.

Note: That if we do not have all the relevant documents or if they are out of date etc. and this does not allow us at least the minimum processing time (longer if there is a road closure etc.), this **will have an impact on your proposed start date and you will be required to change it.**

4b. Technical Guidance (Specification)

- An Excavation Specified Licence will only be given to works such as trial pits, investigative works etc. It cannot be used for the installation of ramps, equipment such as drainage or utility supplies etc.
- All reinstatements must be made to the same lines and levels of the Highway as before the excavation was undertaken. No changes to the highway will be permitted.
- If the excavation is on a traffic sensitive road, restrictions will apply. It may be possible to licence your work during off peak hours.
- A pedestrian walkway must always be maintained.
- The volume of pedestrian traffic will determine the width that must be maintained. 1.2m is the minimum width required in low volume areas i.e. cul-de-sac. In areas of high pedestrian activity such as high streets and shopping areas, it may be necessary to maintain up to 3.5m.
- All reinstatements will be undertaken by a New Roads and Street works act ([NRSWA](#)) accredited operative in accordance with NRSWA '91 specification for openings within the Highway.
- No cutting back of any Highway tree will be licenced unless authorised by a Tree Officer.
- Tree root cutting must be in accordance with the National Joint Utilities Group (NJUG).
- All signing, lighting and guarding must be in accordance with Traffic Signs Regulations and General Directions ([TSRGD](#)), Chapter 8 ([Chapter 8 part 1 guidance link](#)) and [Chapter 8 part 2 guidance link](#)) and [Safety at Streetworks and Road Works – A Code of Practice](#).

5. Applying for Excavation Specified Licence with Checklist

The link below will send you to the start of the Online Highways Licence Application found on the Birmingham City Council website.

Once you have selected 'Begin Online Highways Licence Application', the website will guide you through the application process where you will also upload all the required documents for your application.

- [Online Highways Licence Application](#)
Mandatory

Please note that applicant **must also upload** the following documents in PDF format on the 'Application Documents' page within the Online Highways Licence Application (for further information refer to section '4. What do I need to Provide to get an Excavation Specified Licence?'):

- Temporary Traffic Management Plan with dimensions (TMP1 - Visual) (Appendix 1) (Traffic includes pedestrians)**
Mandatory
- [Temporary Traffic Management Plan \(TMP2 \(Narrative\)\)](#)
Mandatory
- Location of Specified Licence Activity with Dimensions (Appendix 2)**
Mandatory
- Risk Assessment (RA)**
Mandatory
- Method Statement (MS)**
Mandatory
- Public Liability Insurance (min £5 million)**
Mandatory
- Accreditation – SWQR Cards**
Mandatory
- [Traffic Management Road Closure Application](#)
Mandatory if a road closure is necessary.
- [Application/Notification to use Temporary Traffic Signals on the Public Highway \(TS1\)](#)
Mandatory if temporary traffic lights are necessary.

When the application process is complete, the uploaded documents will then be automatically submitted to the Local Authority as part of the Online Highways Licence Application.

6. When will I receive the Specified Licence?

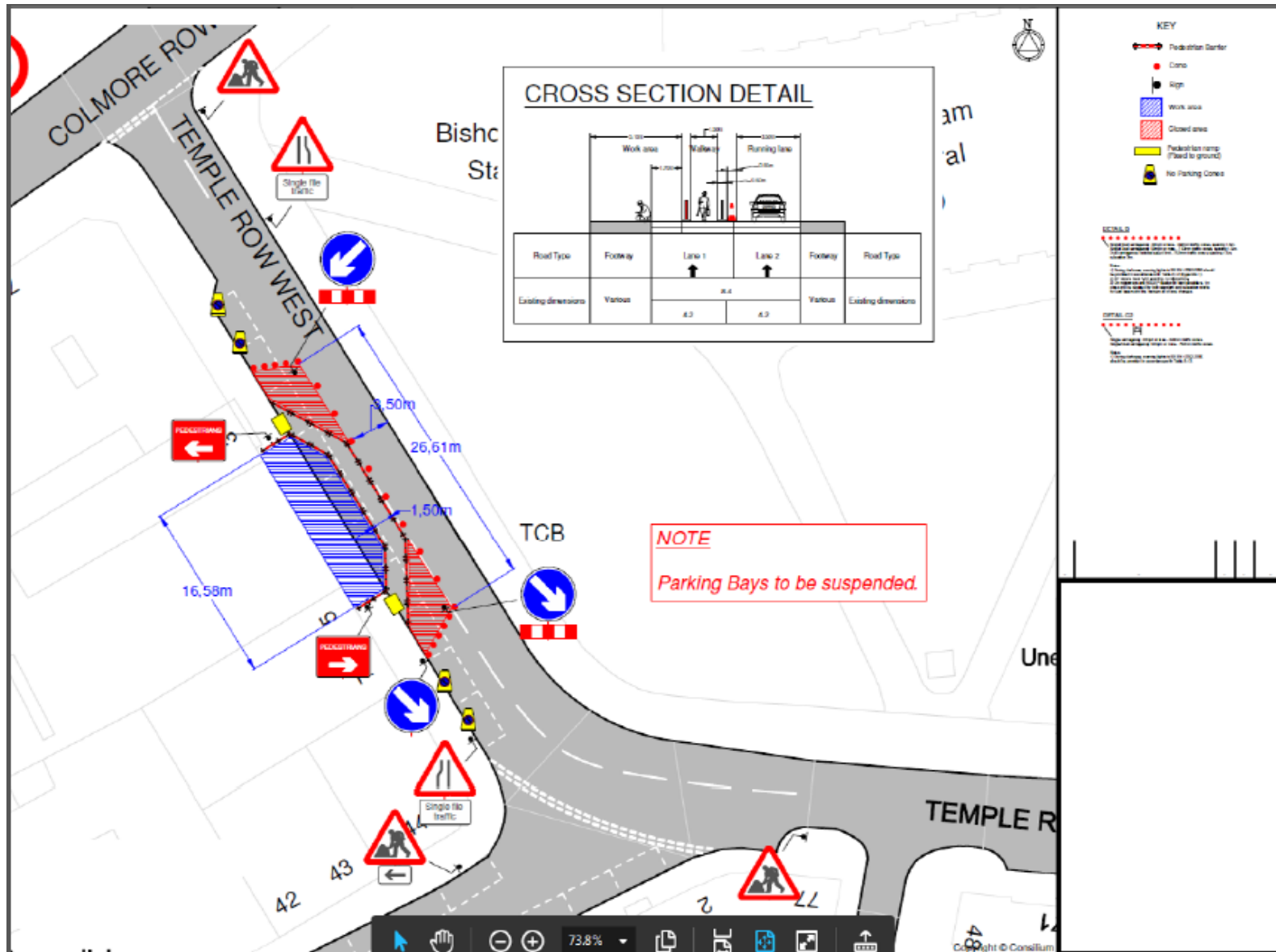
- The Specified Licence and associated costs must be paid for in full, prior to issue.
- Once the Specified Licence has been approved in principle, the Principal Contractor will be notified by email, **note this does not mean the Specified Licence is valid.**
- The Local Authority will then draft the Specified Licence, and this will be emailed to the Principal Contractor.
- The Principal Contractor **must sign** the Licence and **email it back** to the Local Authority.
- Once received, the Local Authority will sign and date the Specified Licence and return it via email to the Principal Contractor.
- Once all the above bullet points have been addressed, the **Specified Licence is valid, and you can begin work on the site.**

7. Contacts

- For further technical guidance, email: BHM.TechnicalSpecifiedLicences@kier.co.uk
- For further application & administration queries only, email: Highwayspermitmanagement@birmingham.gov.uk
- For road closure and traffic signalling guidance, email: tmapprovals@birmingham.gov.uk

If you require this document in another format, please contact: **0121 6750273**

8. Appendix 1 - Example of Traffic Management Plan with Dimensions (TMP1 - Visual)



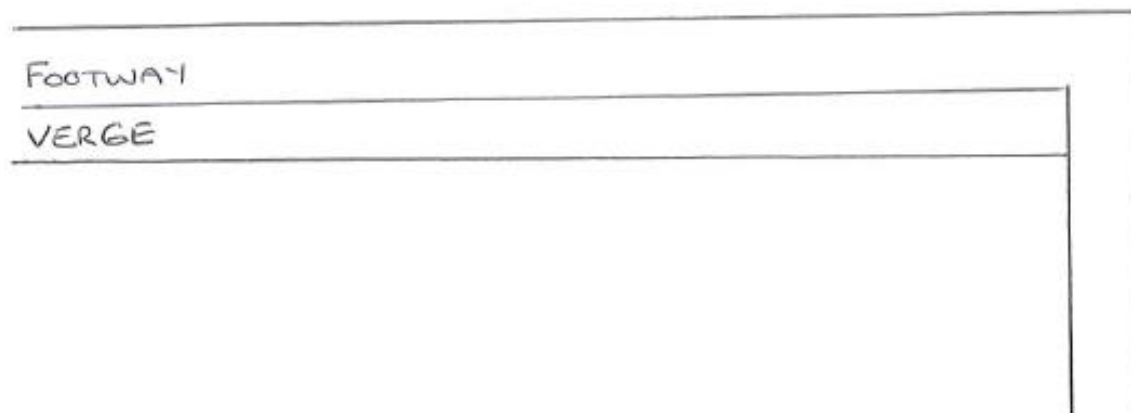
9. Appendix 2 – Example of Location of Specified Licence Activity with Dimensions

Location No.27 BRISTOL ROAD



CARRIAGEWAY

BRISTOL ROAD



BACK STREET

