



Department
for Transport

Statutory guidance for highway authorities

Permit scheme national conditions

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Department for Transport
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Preface to this statutory guidance

The Department for Transport (DfT) considers that well-designed, outcome-focused, and reasonably implemented permit schemes have demonstrated that they provide the best method of managing a highway authority's (which will normally also be the "permit authority") road network and the works that take place in or on the public highway.

Permit schemes are able to affect everyone's use of roads in an authority's area but, in particular, they can affect how the works undertaken by those who are responsible for installing and maintaining highways' and utilities' infrastructure, and their contractors.

The main aim of a permit scheme is to minimise disruption and better co-ordination of all works and closer monitoring can be used to drive behavioural change and to ensure that disruption to local communities and road users is reduced.

This statutory guidance is provided to support the application of the correct condition to street and road works activities. It sets out what the conditions are; how they need to be recorded; examples and information on how they need to be applied; and explains how they can be enforced to drive the level of change sought.

Both this statutory guidance and the associated statutory guidance on permit schemes issued in 2022 are the only 2 documents related to permit schemes that can be considered as statutory guidance. They supersede and replace all other documents, information and guidance related to permit schemes whenever issued (other than advice notes which may still provide background information). They are in force from 3rd April 2023.

1. Framework for condition use

Summary

- 1.1 Conditions are applied to a permit to undertake works on the highway to ensure that the information on those works is maximised, and the impact of the works on the traveling public is minimised. This ensures the network is managed as effectively as possible and enables works to be undertaken efficiently.
- 1.2 This statutory guidance provides both the type of condition that can be applied and the wording to be used for the conditions themselves. It also provides information and guidance on their use.
- 1.3 This guidance is statutory and is in force from 3rd April 2023. It is important to note that, other than the three mandatory automatic conditions, a condition does not have to be applied to works. Only those conditions stated in this statutory guidance (except for condition 13 which can only be used in exceptional circumstances) can be applied. No other type or wording for a condition can be developed or adapted locally by an authority as a requirement for works or for the approval of a permit. No requirement incorporated into a permit schemes documentation or guidance provided by an authority to 'support' the operation of a scheme can be used or required as a condition and no permit scheme documentation can be used to attempt to make to extend legislation or statutory guidance.

2. Legal framework

Introduction

- 2.1 The Traffic Management Permit Scheme (England) Regulations 2007 as amended (the 2007 regulations) apply to permit schemes in England. They apply to all schemes regardless of when the scheme came into operation. This updated statutory guidance takes account of all the regulatory amendments made since, for example, by the Street and Road Works (Amendments Relating to Electronic Communications) (England) Regulations 2020 and the Street and Road Works (Miscellaneous Amendments) (England) Regulations 2022.
- 2.2 Regulation 10 of the 2007 regulations as amended provide for the types of condition that can be applied and this statutory guidance provides both the national condition text (NCT) and additional information to assist their reasonable application.
- 2.3 It should be noted that, other than the three mandatory conditions, a condition should only be applied/required where and when it is necessary to minimise impact on the network and its users, or nuisance arising from the works. Where a promoter has not added a condition to a permit application, approval should not be withheld without discussions with the promoter having first taken place so any additional condition can be included and complied with.

Fixed Penalty Notices

- 2.4 To assist in the administration of permit schemes, there are offences under regulations 19 (working without a permit) and 20 (breach of permit conditions) of the 2007 regulations. These can, where appropriate, be discharged by payment of a fixed penalty notice (FPN). The authority retains the right to refer the matter to a Magistrate's court, although we would expect this to only be the case in exceptional circumstances.
- 2.5 The penalty charges for FPN offences are:
 - £500 for offences under Regulation 19 (working without a permit)
 - £120 for offences under Regulation 20 (breach of permit conditions)

- 2.6 The period for payment is 36 calendar days, beginning with the day on which the FPN is given. The authority may, in any particular case, extend this period at its discretion.
- 2.7 A discounted charge will apply if payment is made within 29 calendar days, beginning with the day on which the FPN is given. The discounted period cannot be extended, unless the last day of the discounted period does not fall on a working day – the discounted payment period is then extended until the end of the next working day.
- 2.8 Discounted charges are as follows:
- £300 for offences under regulation 19 (working without a permit)
 - £80 for offences under regulation 20 (breach of permit conditions)
- 2.9 Before applying penalties for these offences, authorities should be mindful of the purpose of regulations 19 and 20. This is to drive improved behaviour and ensure that the occupation of the highway is as short, and causes the least disruption, as possible. It is strongly recommended that early and continued dialogue takes place, especially where major works and those works delivering nationally significant project are being undertaken.

Regulation 19: offence to undertake works without a required permit

- 2.10 This regulation makes it a criminal offence for an undertaker, or someone acting on its behalf, to undertake works without a permit. The offence carries a maximum fine of level 5 on the standard scale, but may also be discharged by a FPN. Regulation 19 only applies where a specific ‘work’ has been commenced without a permit, except to the extent that a permit scheme provides that this requirement does not apply (for example, for immediate works where the 2-hour rule applies).
- 2.11 Where an offence is committed under regulation 19, it would not be appropriate to impose “overrun” charges on the undertaker under the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009 as amended. This is because there can be no overrun of a non-existent permit.
- 2.12 The offence under regulation 19 does not apply where a valid permit has been obtained for the works but works must be undertaken in accordance with the scope of regulation 20 as detailed below.

Regulation 20: offence to breach a permit condition

- 2.13 This regulation makes it a criminal offence for an undertaker or someone acting on its behalf to undertake works in breach of any permit condition. The only conditions that an authority can apply to a permit are those set out in this statutory guidance. This offence carries a maximum fine of level 4 on the standard scale but may also be discharged by a FPN.

- 2.14 It may be considered an offence under regulation 20 when, subsequent to the commencement of works, changes are made and implemented without a prior approved permit change. For such an offence, where the location of the works has been correctly recorded, those changes should materially affect the extent of works and/or the associated traffic management with the consequence that there is a significant impact on the running of the highway network.
- 2.15 The changes which could cause significant impact on the running of the highway network are: where the severity of the traffic management increases as per the Street Manager escalating list of “hierarchy of traffic management”; or a pedestrian walkway in the carriageway becomes necessary; or the works move from being confined to the footway or verge to the carriageway. If such changes are made and implemented, without a permit change request or traffic management change notification, then an offence under regulation 20 may have been committed.
- 2.16 An offence under regulation 20 is intended to be a single offence. So it may only be committed once in relation to each permit condition breached.
- 2.17 To clarify the issue of continuous or repeat offences, it should be noted that, where an issue or similar issues arise spanning more than a single day and which could result in an FPN, there is a clear distinction between the two routes of action:
- Continuous – a single ongoing FPN offence that has not been substantially resolved, existing for more than a single day (for example, clearance of spoil where this is a permit condition). Where an identified offence is not being resolved to the point that operational safety is compromised, it is recommended that further action be taken by the authority to resolve the situation at the earliest possible time.
 - Repeat – an offence or similar that is found to have been committed on more than one day and is distinct from continuous (the same offence). Where the initial offence is corrected but then repeated on other days offence an FPN should be issued for the first offence and for additional similar offences where the permit authority has noted that the offence has been additionally committed on subsequent days.
- 2.18 Where the duration for a permit has been agreed for any works, but those works continue beyond the agreed and permitted duration, such works will be liable to penalties available under the 1991 Act. Where works continue and have a material impact on the network, the undertaker may, in addition, have committed an offence of breaching a permit condition under regulation 20.
- 2.19 The undertaker may also be liable to pay an “overrun” charge to the authority under the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009 as amended.

3. Regulation 10: conditions that may be attached to permits

Introduction

- 3.1 The regulations (10 in the 2007 regulations as amended) detail the types of conditions that authorities may attach to permits. All conditions applied must comply with and be of the type specified in regulations as set out in this statutory guidance. They must not be used to conflict with other statutory requirements.

Notes on the Conditions

- 3.2 Conditions 1a or 1b, 11a apply to all permits and, therefore, there is no need for these conditions to be attached to individual permits. Condition 9d must apply to all permits for major works on reinstatement category 0, 1 and 2 roads.
- 3.3 It is highly recommended that permit applications include any conditions that the works promoter feels are appropriate for the works being undertaken. Any additional, authority imposed, conditions applied must be reasonable and comply with regulations. Any cost implications associated with the use of conditions should be proportionate and carefully considered. Works promoters should ensure that site operatives are aware of the conditions attached to permits and the traffic management agreements that are in place.
- 3.4 Street Manager has a character limit for the condition text of 1,500. However, suggested example shorthand text has been provided to assist. It must be noted, however, that, where a shorthand form of the condition text has been used, it shall be read as though the full version of the condition text had been attached and the condition will apply accordingly.
- 3.5 It must be noted that no works promoter or authority can add to, amend or adapt the wording for the statutory conditions or develop and use any form of local condition. No aspect of a permit scheme documentation can be used as a condition for approval of works.

4. Conditions

NCT01a & NCT01b: Duration

NCT01a – Duration APPLIES TO ALL PERMITS on streets where the validity window does not apply
Condition Text For the activities hereby permitted, it is a condition of this permit that activities shall not commence before the proposed start date or, in the case of ‘immediate works’, the start date contained in the application for immediate works and must end by the estimated end date provided on this permit. The proposed start date, actual start date and estimated end date will be as defined in [Street Manager].
Guidance for use of condition This condition should be added as a condition on all permits for activities carried out on streets where the validity window does not apply.
NCT01b – Duration APPLIES TO ALL PERMITS on streets where the validity window applies
Condition Text For the activities hereby permitted, it is a condition of this permit that activities shall not commence before the proposed start date and must commence within the valid starting window period or in the case of immediate works by the actual start date contained in the application for immediate works. Once the activities have commenced, the activities must take no more than [x number of] days in total to be completed. The proposed start date, actual start date and estimated end date are as defined in [Street Manager].
Guidance for use of condition This condition should be added as a standard condition on all permits for activities carried out on streets where the validity window applies.

NCT01a/NCT01b apply to all permits. The permit application is not to be refused for the inclusion of these conditions

NCT02a: Limit the days and times of day

NCT02a Limit the days and times of day within the permit duration
Condition Text For the activities hereby permitted, it is a condition of this permit that activities shall only take place between [start time] and [end time] on weekdays and [start time] and [end time] on Saturdays and [start time] and [end time] on Sundays or Bank Holiday.
Guidance This condition should be attached to permits where it is necessary to limit the times of day that works are undertaken because the highway needs to be returned to normal use outside of these times e.g. due to conflicts of works or special events etc. For instance, the permit may be valid for 3 days but the site can only be occupied between the hours specified. Environmental concerns must be taken into consideration when using this condition. It should be noted that, where specific start and stop times i.e. if you are only permitted to work outside traffic sensitive times, these are likely to be part of the discussions between the works promoter and the authority.
Example shorthand text NCT02a – activities to take place 09.00-19.00 weekdays, 0900-1300 Saturdays all other times highway to be clear as well as the reason for such specific requirements.

This condition is to be used to limit timings of activities. It is to be used to clarify when the site can be occupied. This is not to be confused with NCT05a which relates to limiting the extent of the works' footprint.

NCT02b: Working hours

NCT02b Working hours
Condition Text For the activities hereby permitted, it is a condition of this permit that, as agreed, the following [extended] working hours will apply at this site from [start time] until [end time] on weekdays and [start time] and [end time] on (Saturday/Sunday/Bank Holiday).
Guidance There will be occasions where it is beneficial for a works promoter to clarify the hours that personnel will be working on site, for instance where it is necessary to advance the completion of the works by working extended hours to avoid a nuisance or an obstruction or to prevent a clash with any other event that may be planned for that street. This condition must only be attached to permits if the works promoter has agreed to the additional/extended hours specified and must not be imposed as a standard condition on permits. Environmental concerns must be taken in consideration when using this condition. If no specific working hours have been added to the permit application, then the assumption is that works will take place within the window of 8am-6pm Monday to Friday and 8am-1pm Saturday (Control of Pollution Act times). Both works promoter and authority need to consider, again, if this condition is applicable. In any case, if this condition is considered to be needed, discussion and, where needed, prior approval from the authority should have been sought and gained.
Example shorthand text NCT02b – agreed (extended) hours 07.30-23.00 weekdays, 09.00-12.00 Sat

It should be noted that the working day is not the notice day.

If no working hours have been added to the permit application, then the agreed assumption is that works will take place within the window of 8am-6pm Monday to Friday and 8am-1pm Saturday. If works take place outside of these times, the hours of work should be made clear by use of this condition. The works promoter should make reasonable endeavours to work within the agreed hours. If works take place unreasonably outside these hours without prior agreement, the authority may take reasonable actions.

NCT03: Ancillary information on adjacent streets

NCT03 - Ancillary information on adjacent streets
Condition Text For the activities hereby permitted, it is a condition of this permit that, if there are changes to ancillary information on activities on adjacent streets related to those permitted that become known about within the duration of the permit, the authority must be notified via Street Manager.
Guidance To be used where the following related activities become known about within the duration of the permit. The prescribed related activities that disrupt traffic flows include; <ul style="list-style-type: none">• placement of portable traffic signals or other traffic control,• placement of site welfare facilities,• placement of site compound or material storage,• and placement of spoil compound for the works.

NCT04a: Removal of surplus material/plant

NCT04a - Removal of surplus materials/plant
Condition Text For the activities hereby permitted, it is a condition of this permit that all remaining excavated or stored backfill materials and/or any unemployed plant must be removed from the public highway within (x hours e.g. 24) or by the stipulated time (e.g. at the end of the working day or prior to the site being un-occupied) due to (stipulate reason for application of condition).
Guidance This condition should be attached to permits where it is necessary to limit the area taken up by unused plant/materials or they need to be removed for safety reasons. The condition should only be used where the storage of the materials and/or plant may cause problems on site such as congestion. It should be location specific and must not be applied to all permits. It is good practice to include the site-specific reason for attaching the condition. Authorities must ensure that timeframes are reasonable to ensure that this condition can be met - where x = 1 this may be deemed as unreasonable and impractical.
Example shorthand text NCT04a – surplus material to be removed by 15.00 each day as close to school.

Practical use of this condition would be in areas where there is a night-time economy or where there is a need to limit the activity footprint. It is site specific and, when requested, the reasons for its inclusion are to be given. This condition would be at the request of the authority.

NCT04b: Storage of surplus materials/plant

NCT04b - Storage of surplus materials/plant
Condition Text For the activities hereby permitted, it is a condition of this permit that no materials and/or plant that will not be utilised within the working day are to be stored within or outside of the defined working space from (insert date) until (insert date) due to (stipulate reason for application of condition).
Guidance This condition should be attached to permits where it is necessary to limit the length of time materials or plant can be stored on site before they are required. The condition can also be attached to permits where it is necessary to limit the defined area that materials or plant can be stored on site before they are required. The condition should only be used where the storage of plant and/or materials may cause problems such as congestion or a special event. It should be location specific and must not be applied on all permits. It is good practice to include the site-specific reason for attaching the condition.
Example shorthand text NCT04b Material will only be stored on site x hrs prior to use/ within [defined working space] The reason for the use of this condition and any required details should be included.

This condition will be used when it is necessary to limit the length of time or the area required to store plant and materials on site prior to their use and a valid reason for the application of this condition will be given, e.g. so as not to cause congestion during the works or during a special event. This condition to be applied on a works by works basis and not applied to all permits. This condition would usually be requested by the authority.

NCT05a: Width and/or length of road space that can be occupied

NCT05a - Width and/or length of road space that can be occupied
Condition Text For the activities hereby permitted, it is a condition of this permit that the activity shall occur only within the area [insert description of area or provide traffic management plan reference] including the relevant and required signing, lighting and guarding excluding advance warning, advance communication and diversionary signs.
Guidance This condition should be attached to permits where the works site is restricted to an agreed area/length as described in the brackets or specified in the traffic management plan. This may also be used where the work and traffic management is restricted to the footway only. The traffic management plan reference should be included for clarity.
Example shorthand text NCT05a Works restricted to area agreed in TM plan 12345

The relevant traffic management type need not also be attached as a condition, for instance, if a promoter has used the traffic management type of “No carriageway incursion”, then there is not also a need to attach this condition. However, the authority may take reasonable actions if the traffic management type differs to that stated on the permit.

The information of whether works are within carriageway or footway etc. is already specified within the permit application – this condition should not be used to duplicate this information.

NCT06a: Road space to be available to traffic/pedestrians at certain times of day

NCT06a - Road space to be available to traffic/pedestrians at certain times of day
Condition Text For the activities hereby permitted, it is a condition of this permit that [x]m must be maintained for pedestrians and/or [y]m must be maintained for vehicles at the specified times.
Guidance This condition should only be attached to permits where it is necessary to maintain the footway/carriageway dimensions in excess of the statutory minimum.
Example shorthand text NCT06a - A minimum width/length of [x]m shall be maintained for peds/vehicles at all times/between 09:30-15:00

NCT06a is only to be used where it is required to maintain an existing provision in excess of the widths stated in the code of practice for safety at street works and road works e.g. 1.5m in the footway and 3.75m in the carriageway.

Practical examples would be areas of high pedestrian footfall i.e., outside stations/shopping centres, sport facilities, etc.

NCT06a is not to be used as an indication that a pedestrian walkway will be provided. This condition is not to be used to increase residual carriageway widths as it may conflict with the safety code of practice.

NCT07a: Road closed to traffic

NCT07a - Road closed to traffic
Condition Text For the activities hereby permitted, it is a condition of this permit that activities shall only take place when [insert road name] or [insert description of the relevant section of the road] is closed to traffic.
Guidance If a road is closed in its entirety, the text could read 'full closure'. If the road is only part closed, the text could read 'closure from (point a) to (point b)'. If residential or commercial access is being maintained, the text should read 'access maintained'.
Example shorthand text NCT07a – High Street closed from jct High Road to o/s 291 Low Road, access maintained

This condition is not to be applied to all permits requiring a road closure. There may be occasions where an authority may require a road closure over and above the prescribed traffic management, and therefore apply this condition i.e. closure of a minor road on a signalised junction to alleviate congestion on the primary route. NCT07a is site specific where circumstances dictate and is not an addition to the temporary traffic regulation order process in normal circumstances.

NCT08a: Traffic management request

NCT08a - Traffic management request
Condition Text For the activities hereby permitted, it is a condition of this permit that works, or the relevant part of the activity, shall only take place when the following traffic management is deployed by use of x (where x determines type of control i.e. portable signals, stop/go boards etc.)
Guidance If the authority considers there to be a need for traffic management to be utilised, or more stringent traffic management over and above that detailed within the safety code of practice, then this condition should be deployed.
Example shorthand text NCT08a - 2-way PLS in place, Stop Go 07:00 – 09:00 required due to peak traffic flows causing congestion

This condition is to be used where a particular method of traffic control is required. Intelligent portable signals using inbuilt programming to automatically adjust timings to optimize traffic flow have been developed and may be one of the methods considered.

There may be times where such innovations will be the preferred option.

Other methods of traffic control can be used, such as stop/go boards to control a parking facility or at certain times during the execution of the works, but it should be noted that these are considered the least suitable option for anything over minor works on reinstatement category 3 and 4 roads.

NCT08a would be requested where the promoter has not identified the traffic management or the method identified is considered inappropriate.

NCT08b: Manual control of traffic management

NCT08b- Manual control of traffic management
Condition Text For the activities hereby permitted, it is a condition of this permit that, for the traffic management deployed (state type), it is manually operated between (x hours and y hours).
Guidance If traffic management is to be manually controlled at any point, these times should be noted in text that reads 'manual control from xx:xx – yy:yy'.
Example shorthand text NCT08b – Manual control between 1600 hours and 2000 hours due to peak traffic flows to ensure traffic does not block junction with xxxx

This condition is to be applied as per the instruction of the authority with the purpose of improving traffic flow. It is site specific and not applied to all permits that require the use of signals. It is recommended that supplementary text be added in the short text to indicate the outcome required. Examples include 'traffic is not to stack up past Junction A', 'proactively managing traffic flows through the site based on tidal requirements', etc.

Developments in technology in this area have provided proven intelligent portable light systems which are a reliable alternative to two-way control. They should be approved and accepted as a 'manual control' method of operation. Where a promoter utilises 'intelligent' portable light systems, this should be communicated to the authority 'in the additional information field' in the permit application. Other than for the set up and maintenance of these lights, an operative's presence is not required.

The requirement for manually operated/control here is deemed to be met by a qualified/competent person being onsite monitoring flow, and intervening to manual control setting when needed in accordance with the safety code of practice where temporary measures are identified.

HAUC (England) will be able to provide further advice and information on approved systems.

NCT09a: Changes to traffic management arrangements

NCT09a - Changes to traffic management arrangements
Condition Text For the activities hereby permitted, it is a condition of this permit that, if there are planned and proposed changes to the traffic management arrangements, the works promoter must notify the authority before these changes are made. For ALL MAJOR PERMITS on Category 0, 1, and 2 streets only, condition 9d applies.
Guidance To be used where the traffic management used for an activity is proposed to be changed during the course of undertaking that activity on major works on traffic sensitive roads. This condition should be applied on a works specific basis where changes to traffic management could cause significant network management problems. The traffic management changes requiring prior notification will be an escalation or de-escalation of traffic management according to the hierarchy of traffic management set out in the table and text below.
Example shorthand text NCT09a Significant changes in TM will be notified to authority

This condition is to inform the authority prior to any planned and proposed significant changes being made on site. A traffic management change notification must be made to the authority informing them of this traffic management change. Where unexpected and unforeseen circumstances arise that materially affect the traffic management, a change request should be used (there will be no charge applicable to a traffic management change notification).

The list below is taken from the 'Street Manager list of hierarchy of types of traffic management' to determine whether the traffic management type needs to increase or decrease from that already on the permit. The list is in descending order of severity.

- Road closure
- Contraflow
- Lane closure
- Convoy working
- Multiway signals
- Two way signals
- Stop/go boards
- Temporary Obstruction 15 Minutes Delay
- Priority working
- Give and take
- Some carriageway incursion
- No carriageway incursion

NCT09b: Traffic management arrangements to be in place

NCT09b - Traffic management arrangements to be in place
Condition Text For the activities hereby permitted, it is a condition of this permit that the works comprised in [specified part A/B] of the activities hereby permitted shall be subject to and shall occur only when the following traffic management measures are in place [or as attached in schedule.].
Example shorthand text NCT09b- part 2 of these works cannot start until the Eastbound lane is open to traffic, as agreed in TM plan 12345

NCT09c: Signal removal from operation when no longer required

NCT09c - Signal removal from operation when no longer required			
Condition Text			
<p>This condition should be attached to permits in cases where temporary traffic signals are used.</p> <p>For the activities hereby permitted, it is a condition of this permit that activities using portable traffic signals must have the signals (whether manually operated or not) removed from use as soon as possible and no later than four hours after completion of works irrespective of day of completion.</p>			
Guidance			
<p>To be used for activities requiring the use of portable traffic signals where traffic flows would be unnecessarily impacted by the signals remaining in operation beyond the point at which they are required for the work and causing unnecessary disruption (e.g. to stop portable traffic signals being deployed over a weekend when works were completed on the Friday afternoon).</p> <p>The term ‘completion on this activities’ means the point in the works at which the portable traffic signals can be safely removed, whilst ensuring the integrity of the reinstatement remains. This should not be taken to mean ‘works closed’ or similar that relates to the section 74 notification.</p> <p>‘Completion of activities’ also means the surface of the highway has been fully reinstated (including markings) and is suitable for use by traffic.</p> <p>Signal heads do not need to be removed from site, only decommissioned and not be causing an obstruction for this condition to be complied with. Further guidance to ensure compliance with this condition is set out in the following chart:</p>			
Works Location	Works	Removal of portable traffic signals in 4hrs?	
Verge	Reinstating verge	Yes - no wait for curing of materials.	
Footway only	Reinstatement of footway or modular footway	Yes - unless full reconstruction of footway or pedestrian walkway needs to be maintained.	
Cycleway	Footway or cycleway	Yes - 4hrs from point of markings being	

	reinstatement including cycleway and cycleway marking replacement as applicable.	replaced (to take place as soon as reinstatement material allows).
Carriageway	Carriageway reinstatement. Differing requirements for different street categories, materials etc. Phased works with temporary traffic signals moved to side if needed.	Yes – phases should be achieved within 4hrs. Unless the materials specified within the SROH and associated factors (outside temperature) would see the curing period exceed the 4 hours.
Specialist surfacing/full road markings.	Specialist surfacing and full road markings likely to be 2nd phase of existing works. Temporary traffic signals would be reinstated for the duration of these works.	Yes – phases should be achieved within 4hrs. Longer curing requirements due to specialist surfacing should be conditioned on permit when known. (See above)
Example shorthand text		
NCT09c PTS removal from use.		

NCT09d: Changes to traffic management arrangements

NCT09d - Changes to traffic management arrangements APPLIES TO ALL MAJOR PERMITS on Category 0, 1, and 2 streets only.

Condition Text

For the activities hereby permitted, it is a condition of this permit that, if there are planned and proposed changes to the traffic management arrangements, the works promoter must notify the authority a minimum of 3 working days before these changes are made.

Guidance

This condition applies to all major permits on reinstatement category 0, 1, and 2 streets only. The traffic management changes requiring prior notification will be an escalation or de-escalation of traffic management according to the hierarchy of traffic management set out in the table and text below.

NCT09d applies to all major permits on category 0, 1, and 2 streets. The permit application is not to be refused for the inclusion of this condition.

Where unexpected and unforeseen circumstances arise that materially affect the traffic management, a change request should be used.

This condition is to inform the authority prior to any planned and proposed significant changes being made on site. A traffic management change notification must be made to the authority informing them of this traffic management change (there will be no charge applicable to a traffic management change notification).

The list below is taken from the 'Street Manager list of hierarchy of types of traffic management' to determine whether the traffic management type needs to increase or decrease from that already on the permit. The list is in descending order of severity.

- Road closure
- Contraflow
- Lane closure
- Convoy working
- Multiway signals
- Two way signals
- Stop/go boards
- Temporary Obstruction 15 Minutes Delay
- Priority working
- Give and take
- Some carriageway incursion
- No carriageway incursion

NCT10a: Employment of appropriate methodology

NCT10a - Employment (as agreed) of appropriate methodology
Condition Text For the activities hereby permitted, it is a condition of this permit that, for the activities on this site, as agreed, the works methodology employed will be A, B, C [describe agreed methodology] throughout the duration of the works activity.
Guidance The methodology to be used must be agreed in advance with the works promoter as this may not be practical or suitable for the works that need to be undertaken. This condition should be used by exception, where the methodology to be used is important to the site conditions. The methodology should be specific to the circumstances of a particular works, for instance, it cannot be used as a standard condition to insist on first time reinstatements on permit applications [see section 3 of this guidance document]. If, once on site, it is clear that the agreed methodology cannot be used, then the promoter must contact the authority straight away during working hours or first thing the next working day to discuss an alternative as well as an agreed methodology. It should also be noted that more than one methodology may be listed.
Example shorthand text NCT10a – works methodology (where agreed) is likely to be hand dig

NCT11a: Display of permit number

NCT11a APPLIES TO ALL PERMITS - Display of Permit Number
Condition Text For the activities hereby permitted, it is a condition of this permit that activities shall not be carried out unless a site information board(s) displaying the permit reference number is on the site at all times for the duration of the works. This must be displayed in a prominent place at all times so that it may be read easily by the public, clearly displaying the correct permit reference number. For immediate works, the display of the permit reference number is required by 10.00am on the next working day after the works have started on site.
Guidance for use of condition This condition should apply to all permits. A prominent position is considered to be such that the board is placed so that it does not obstruct footways or carriageways but can be clearly read by pedestrians. The order in which the sign(s) are laid out should be as per the current safety code of practice. There may be occasions where a particular site will require more than one information board with the permit reference number displayed e.g. large sites, sites with multiple excavations or sites which impact both the footway and the carriageway. Where an authority considers that more than one information board is required to display the permit reference number, they should discuss and agree this requirement with the promoter if including it as a permit condition. The correct permit reference number should then be displayed on site on the additional information boards at all times for the duration of the works.

NCT11a applies to all permits. The permit application is not to be refused for the inclusion of these conditions.

NCT11b: Publicity for proposed works

NCT11b - Publicity for proposed works
Condition Text For the activities hereby permitted, it is a condition of this permit that activities shall not commence unless the promoter has publicised and/or advised all individual properties and businesses [on x roads] setting out where the works will take place; the nature of the works; the duration of the works; the intended start date [etc.] and contact details of a representative of the promoter.
Guidance This condition should be used by exception. It cannot be routinely applied to works. It may be appropriate at locations where it is vital that local residents/businesses are notified in advance of an activity due to the sensitivity of the location e.g. close to a school, hospital etc. or because of the times during which works will take place – e.g. night working.
Example shorthand text NCT11b – publicity/advice to be/has been provided to residents/stakeholders on High Rd

Accepted methods of publicity could include: advanced information signs; use of Variable Messaging Signs (VMS); social media; and letter drops etc. This should be most suitable to the circumstances and location of the works as agreed appropriate with the works promoter.

The application of this condition should be reasonable, proportionate and agreed with the works promoter and include the method and timescales required appropriate to the impact to the network. Due to the nature of advanced information, this condition cannot be applied to immediate permits and would only apply to minor works where minimum notice periods are not used.

NCT12a: Limit timing of certain events

<p>NCT12a - Limit timing of certain activities</p>
<p>Condition Text</p> <p>For the activities hereby permitted, it is a condition of this permit the following working methodology [insert methodology] shall only take place between [start time] and [end time] on weekdays and/or [start time] and [end time] on Saturdays and/or [start time] and [end time] on Sundays or Bank Holidays and must not continue beyond these times.</p>
<p>Guidance</p> <p>This condition should only be attached to permits where it is necessary to limit the time of day during which certain activities can take place. As an example, the works may be permitted to take place until 10pm. However, the element that involves slot cutting can only take place before 6pm.</p> <p>The reason for the restriction should be made clear e.g. residential area/directions from authority.</p>
<p>Example shorthand text</p> <p>NCT12a [breaking out] 10.00-20.00 weekdays, 09.00-12.00 Sat</p>

NCT13: Exceptional circumstance

There may be an exceptional circumstance where a specific circumstance means that an additional condition needs to be added to a permit that is not covered by the text of the conditions set out above. [It should be noted that wording has been provided where this condition is required for works that may impinge on entry and egress to transport hubs].

Any such condition should;

- First be agreed with the work promoter (in line with the respective duties imposed by s59 and s60 of the 1991 Act);
- Be specific to both the circumstances of the particular activity and the locality; falls within regulation 10 (2) (a–h);
- Comply with all primary and secondary legislation regulations and that the application of any constraint within a condition does not conflict with the activity promoter's obligations under separate legislation;
- Follow this and any further DfT statutory guidance;
- Have regard to the advice provided as the Highway Authorities and Utilities Committee (England) first issued as 2014 / 01 August 2014; and
- Be labelled under reference for condition 13.

****Note:** The text above for NCT13 has been taken directly from statutory guidance

NCT13 must not to be routinely used. It is only to be used where the site-specific requirements dictate. It is not a local condition that would apply over and above NCT01a - NCT12a, or a mechanism to apply previous conditions that are not covered in the statutory guidance.

This category can only be used in unique exceptional circumstances. It must only be used with approval and be discussed and agreed with the works promoter before application.

In December 2018, the DfT provided suggested wording for the use of a 'condition 13' in specific circumstances for those authorities whose roads provided vital links to significant transport hubs. The suggested wording is as set out below:

'In the event of there being abnormal traffic flow related to an exceptional nationally circumstance, the permit to undertake these works may be revoked. Should this be the case, the highway will need to be returned to full use within four hours with all spoil and any other works equipment removed. If agreed, a temporary reinstatement or plating with regular monitoring and maintenance may be used.'

Additional information to support the use of the specific condition was provided as follows:

Applicability: Short term. Only to be used by those authorities whose network contains roads that could be adversely impacted both on the entry to or egress from a seaport or airport (passenger or freight) or on routes from these international transport hubs to the strategic route network.