

ANGUS COUNCIL

CONDITIONS ATTACHED TO PERMISSION TO OCCUPY A PORTION OF ROAD(S) TEMPORARILY IN CONNECTION WITH BUILDING OPERATIONS (AND TO ERECT STAGING OR SCAFFOLDING) ROADS (SCOTLAND) ACT 1984 SECTION 58

General conditions

1. **Duration of Permission**
The permission hereby granted shall, unless extended by the Roads Authority, expire at the termination of the period stated.
2. **Permit to be Shown**
A copy of the permit and conditions shall be kept on site and shall be shown on demand, to any Police Officer or Official from the Roads Authority or Building Authority.
3. **Compliance with Other Enactments**
This permission does not relieve the holder, (or contractor), of his duties to comply with any other enactments.
4. **Indemnity**
The holder of this permission shall indemnify Angus Council, as Roads Authority, for and against all actions, claims, demands, costs, charges, damages, losses and expenses of whatsoever kind of nature which may be brought or made against them or incurred by them in respect of the negligence, omission or default of the holder of this permission is responsible arising in respect of any operation authorised by this permission unless due to the negligence or other breach of legal duty on the part of the Council or any person for whom the Council is responsible.
5. **Road Closure**
This permission does not carry with it the right to close any public road.
6. **Use of Builders Skips**
This permission does not carry with it the right to deposit a builder's skip on the road. Separate permission must be sought from the Roads Authority in this case.
7. **Remedial Works and Pre Inspection of the Road**
The permit holder will be required to carry out any remedial works required as a result of his occupation of the road.

The permit holder may request a joint pre-inspection of the footway and carriageway to be carried out with the Roads Authority prior to occupation. Inspections can be arranged by emailing Roads@angus.gov.uk including the subject title Section 58.
8. **Protection of Road**
 - i) The mixing of materials, particularly concrete, grout and mortar on the surface of carriageway and footways is not permitted. Where such mixing is essential for work on the road, it must be carried out on properly constructed mixing boards or steel trays and spillage on the surface of the road must be prevented. The cleaning of the site and the mixing boards must be done in such a manner that none of the mixed material enters the road drainage system, and any damage caused shall immediately be made good by the permit holder to the satisfaction of the Roads Authority.
 - ii) No tracked vehicle is to be driven on the road.
9. **Reinstatement of Site**
 - i) All materials shall be cleared from the road, which shall be left in a clean and tidy condition at the termination of the works.
 - ii) Any damage caused to the footway and carriageway during occupancy shall be made good by the permit holder, to the satisfaction of the Roads Authority without delay.
10. **Safety of Building Operations**
The duration of the permission shall terminate immediately upon written notification that the building operation is considered to be endangering the safety of road users. Thereupon continued occupation will be considered an offence.

Angus Council will report to the Health & Safety Executive and/or Building Authority any apparent failure on the part of the applicant, or those for whom he is responsible, to ensure either the safety of employees engaged in the building operations, or the safety of the general public.
11. **Needs of the Disabled**
The permit holder shall make all necessary provision to ensure that the needs of disabled people are met in the vicinity of his works by forming ramps (max. gradient 1:12) if necessary and by giving clear visual warning to partially sighted pedestrians (for scaffolding see also condition 20). Any opening or obstruction on a carriageway or footway should be barricaded off in accordance with the code of practice 'Safety At Road Works And Street Works'.
12. **Safe Passage of Pedestrians & Vehicles**
A safe passage of a minimum of 1.2m in width must be maintained along all footways for pedestrians, or if this is not possible, a safe means of passage around the works must be provided. A safe passage must be maintained for all vehicles around the works. A safe access must be provided for entrances to all properties in use. All necessary coning, barricades, signing and lighting shall be in accordance with 'Safety At Road Works and Street Works' code of practice and to the satisfaction of Angus Council.

The above conditions also apply during erection and dismantling periods.
13. **Surface Water Drainage**
Gully gratings and other drainage inlets are not to be covered and protected and a channel kept clear so that surface water may drain away.
14. **Statutory Undertakers Plant**
Permission to occupy part of the road does not carry with it any right to interfere with any apparatus in or above the carriageway or footway, and consequently, before occupation the position of such apparatus should be determined by contacting:- Plant Information Request Service provided by Symology, T: 01324 682170 for further details.

15. **Restricted Parking Locations**
Consent to occupy part of the carriageway for operations specified in the permission, or for associated works, e.g. temporary storage of scaffolding materials, is subject to the following provisions:-
- i) where yellow lines are present (double, single or intermittent), 48 hours notice of the start of the works must be given to Angus Council.
 - ii) In parking zones and Council car parks, parking bays will require to be suspended and Angus Council will issue an account for lost revenue. Details of current charges are available by telephoning Angus Council.
16. **Special Traffic Arrangements**
If traffic conditions are such that the operations are likely to lead to traffic congestion, traffic arrangements must be discussed with Angus Council who will liaise with the Police.
17. **Prohibition of Certain Types of Materials**
No material standing on the road shall be highly inflammable, explosive, noxious, toxic or otherwise dangerous, likely to putrefy or likely to become a nuisance to road users or occupants of neighbouring properties. No materials shall be deposited which will have a deteriorating effect on the road surface.
18. **Materials to be Neatly Stacked**
All materials and any other items or equipment introduced onto the road by virtue of this permission shall be kept neatly stacked and all materials shall, where appropriate, be 'damped down' to the satisfaction of the Roads Authority to prevent dust or other nuisance. Materials shall be confined to the minimum area of road surface required to obviate spillage.
19. **Security of Property and Safety of Children**
- i) Scaffolding structures must be erected immediately prior to commencement of work and dismantled immediately on completion of work.
 - ii) Premises made vulnerable to attack by housebreakers, thieves or vandals should be warned at least 2 weeks prior to the commencement of work, by distribution of leaflets possibly available from Police Scotland.
 - iii) All ladders and climbing aids should be removed nightly from the scaffold structure and securely locked away, or, if this is not possible, they should be chained and locked in the horizontal position.
 - iv) On all sites where dwellings or business premises are unoccupied, consideration should be given to employing static guards or security patrols to provide security outwith working hours.
 - v) Consideration should be given to protecting the base of the structure to a height of 4 metres by means of sheet material securely bolted to the scaffolding to deter unauthorised access.
20. **Visual Training**
Corner and end poles must be clearly indicated by high visibility warning tape or sleeves. Warning signs must be provided at ends and external corners.
Warning lamps must be provided during the hours of darkness to the satisfaction of Angus Council. Each tubular support should be provided with a white band 150mm in depth, the lower edge of the band being about 1.6m above ground level. Temporary close-boarded structures delineating a footway should be provided with a continuous white band of the same depth and height above ground level. It is essential that consideration is made to visual impaired people as required by the Roads (Scotland) Act 1984 and the Disabled Persons Act 1981.
21. **Use of Chutes and Skips**
Any material being discarded from the building must be fed into a skip or lorry by means of an enclosed chute.
22. **Advertising**
No Bills or Advertising shall be permitted on any scaffolding, with the exception of such relating to the business carried out in the premises under construction/repair or in the immediately adjoining premises, as may be approved by the Planning Authority.
23. **Building Warrant**
This permission is granted on the understanding that any Building Warrant to which the operations/scaffolding/hoarding relates has been approved by the appropriate department of Angus Council.
24. **Scaffold Design Criteria**
- i) All scaffolding shall comply with British Standard Code of Practice BS 5973: 1981 and shall be erected by competent scaffolders. The responsibility for the design and structural safety of the scaffold rests entirely with the applicant and user.
 - ii) The minimum height of pedestrian walkthrough must be 2.3 metres and any joints below that height must be padded.
 - iii) The outer scaffolding or the outer face of the hoarding shall not be less than 450mm behind the kerb face, otherwise vehicle impact protection must be placed outside the scaffolding/hoarding.
 - iv) A fan or material guard must be provided on scaffolding. If a fan projects over the carriageway its minimum height shall be 5m above ground level.
 - v) Scaffolding/hoarding at junctions must be splayed unless otherwise agreed by Angus Council.
 - vi) The applicant shall be responsible for ensuring that the scaffolding/hoarding will be adequately supported and in so doing shall check for the presence of cellars, manholes and other buried structures under the road and shall design accordingly.
 - vii) A satisfactory level of lighting must be provided, subject to the agreement of the Angus Council.
25. **Street Lighting and Other Electrical Street Furniture**
Do not assume that if street lights are dark during daylight hours that the electrical supply is disconnected and it is safe to erect a scaffold or work adjacent to any electrical street furniture.
All Electrical Street Furniture within touching distance or enclosed within a scaffold must be electrically isolated before scaffold is erected and only re-energised after the scaffold is removed. Disconnection and re-connection shall only be carried out by Angus Council's nominated contractor.
The developer/permit holder must carry out a site risk assessment prior to erecting a scaffold and where necessary contact the Street Lighting Section for advice on whether the electrical street furniture requires to be disconnected (or removed in the case of wall mounted equipment).
Where cables are clipped to building walls within the scaffold area then these cables must either be removed or protected throughout the length of works area.
Damage to any Street Lighting equipment within the working area will be notified to Angus Council, damage will be assessed and repairs carried out by Angus Council's nominated contractor and all works shall be re-charged to the developer/permit holder. If you have any queries then contact Angus Council.

26. **Charges**
A fee will be paid by the applicant for inspections and occupation - **£266.00 / month (traffic sensitive) / £133.25 per month (non-traffic sensitive)**.
27. **Public Liability Insurance**
A copy of the current public liability insurance certificate must be provided with applications. A minimum of £5 million coverage is required.
28. **Notice for Scottish Road Works Register**
The applicant must inform Angus council of start before 11:30 am day of occupation and before noon of next day after completion.