

SOUTH AYRSHIRE COUNCIL

ROAD OCCUPATION PERMIT CONDITIONS

Roads (Scotland) Act 1984, Section 58
Road Traffic Regulation Act 1984, Section 65
Transport (Scotland) Act 2005, Section 19

For the purposes of these conditions:

- (i) "road" shall include footway, footpath or verge;
- (ii) "Operations Manager" means the Operations Manager of Ayrshire Roads Alliance and/or his representative on behalf of South Ayrshire Council.

GENERAL REQUIREMENTS

1. No road occupation shall remain after the period specified in the permission unless an extension is granted by South Ayrshire Council. Ayrshire Roads Alliance on behalf of South Ayrshire Council enters notices for road occupations into the Scottish Road Works Register as required under Section 19 of the Transport (Scotland) Act 2005.
2. Any person who occupies a road without the permission of South Ayrshire Council commits an offence under Section 58(1) of the Roads (Scotland) Act 1984 and is liable for a penalty fine of £ 120.
3. The permission does not relieve the Applicant (or Contractor) of their duties to comply with any other enactments.
4. The permit and these conditions shall be kept on site and shall be shown on demand to any police officer or official from Ayrshire Roads Alliance on behalf of South Ayrshire Council.
5. The holder of the permission shall indemnify and keep indemnified South Ayrshire Council against all actions, claims, demands, costs, charges, damages, losses and expenses of whatsoever kind or nature which may be brought or made against or incurred by the Council in respect of the negligence, omission or default of the holder of the permission or those for whom the holder of the permission is responsible arising in respect of any operations authorised by the permission unless due to the negligence or other breach of legal duty on the part of the Council or of any person for whom the Council are responsible.
6. The permission does not carry with it the right to:
 - (i) close any public road or to reduce the available carriageway width; unless specifically authorised.
 - (ii) park vehicles on any part of the footway or carriageway.
7. Occupation of any part of the carriageway within a parking restriction area, required in connection with the work, must also be agreed with the police who must be provided with at least 48 hours notice of commencement of use.
8. If deemed appropriate by the Operations Manager a pre-inspection of the road(s) shall be carried out in conjunction with a member of the Ayrshire Roads Alliance staff, to agree the existing condition of such road(s) and to indicate any special requirements he/she may have in relation to the protection of existing road surfaces.
9.
 - (i) The mixing of materials, particularly concrete, grout and mortar on the road surface 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 road surfaces must be prevented.
 - (ii) Gully gratings shall be covered and protected during the occupation and a channel shall be kept clear to allow surface water to drain away. No materials shall be discharged into gullies during cleaning operations (e.g. washing out concrete mixers/ready mixed concrete vehicles) or otherwise.
 - (iii) Tracked vehicles shall not be driven on the road.
10.
 - (i) On completion of the works, the permit holder shall ensure that all materials are cleaned from the road (including gullies) which shall be left in a clean and tidy condition, to the satisfaction of the Operations Manager.
 - (ii) Any damage caused to the road during occupancy will require to be made good, at the expense of the permit holder, to the satisfaction of the Operations Manager.

Document	QUALITY PROCEDURES	Rev	3
ISF09402C	Page 1 of 4	Date	July 2010

- (iii) If the permit holder fails to comply with the requirements of Clauses 9(i) or 9(ii) of these conditions, the Operations Manager may undertake such work as he considers necessary in terms of the Clauses and may recover, from the permit holder, such expenses as are reasonably incurred in doing so.
11. The Applicant shall make all necessary provision to ensure that the needs of disabled people are met in the vicinity of his works by forming ramps if necessary and by giving clear visual warning to partially sighted pedestrians. Any openings or obstructions on the road should be barricaded off with a continuous rail, which is strong enough to offer the necessary resistance should a blind person walk into it. The rail should be 1 metre above ground level.
12. Where scaffolding or other temporary structures must be erected on or adjacent to a footway, it is essential that their presence is made clear to visually handicapped people. Each tubular support should be provided with a white band 150 mm 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 at the same height above ground level in the immediate vicinity. Scaffolding and temporary structures adjacent to a footway should be lit during the hours of darkness.
13. A safe passage must be maintained along all footways for pedestrians, or if this is not possible, a safe alternative means of passage around the works must be provided. A safe passage must be maintained for all vehicles round the works. A safe access must be provided for entrance to all properties in use, unless the consent of the occupier of the premises has been obtained. The holder of the permission must provide all necessary traffic signs, cones, barriers and lighting in accordance with the requirements of the Code of Practice for "Safety at Street Works and Road Works" (published by TSO) and any amendments thereto.
14. Permission to occupy the road does not carry with it any right to interfere with or to obstruct access to any apparatus in or above the road and consequently, before occupation, the position of such apparatus should be determined by contacting the Statutory Undertakers via the Office of the Scottish Road Works Commissioner Dial before you Dig service on 08000 231251 and the Scottish Fire and Rescue Service (for fire hydrants) if required.
15. (i) No material placed on the road shall be flammable, explosive, noxious or dangerous or likely to putrefy or likely to become a nuisance to the Public. No material shall be deposited which has a deleterious effect on road surfaces.
(ii) All materials and any other items or equipment introduced onto the road by virtue of this permission must be kept neatly stacked, and all materials shall, where appropriate, be "damped down" to prevent dust or other nuisance. Materials must be confined to the minimum area of road and in such a manner as to obviate spillage.
16. The permit holder will be responsible for ensuring that all necessary measures are taken to deter unauthorised access to electric apparatus and cables (including overhead cables) which are adjacent to scaffolding, staging, ladders, climbing aids, hoarding, huts, portacabins, containers, trailers, vehicles, plant, materials and the like.
17. **Prior to commencement of work, the Ayrshire Roads Alliance Street Lighting Section must be contacted by the Permit Holder, to establish protective measures required in relation to overhead lighting cables or associated apparatus.**

ADDITIONAL REQUIREMENTS RELATING TO SCAFFOLDING AND HOARDINGS

- 18 (i) All scaffolding shall comply with the current edition of British Standard Code of Practice BS5973.
(ii) The minimum headroom provided for pedestrians shall be 2.3 metres.
(iii) The outer scaffolding or the outer face of the hoarding shall not be less than 450mm behind the kerb face, otherwise a timber baulk must be placed outside the scaffolding/hoarding.
(iv) A protection fan giving a minimum clearance height of 5.41 metres above the carriageway must be provided on scaffolding, except where such is totally enclosed to the satisfaction of the Road Manager.
(v) Hoardings must be splayed at 45 degrees at:
(a) road junctions to provide adequate sight lines; and
(b) each end to provide safe passageway for pedestrians.
(vi) The Applicant will be responsible for ensuring that the scaffolding/hoarding is adequately supported and in doing so shall check for the presence of cellars 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 Roads Manager.

Document	QUALITY PROCEDURES	Rev	3
ISF09402C	Page 2 of 4	Date	July 2010

19.
 - (i) Scaffolding structures shall be erected immediately prior to commencement of work and dismantled immediately on completion of work.
 - (ii) Prior Police consent must be obtained for erection and dismantling times for scaffolding work.
 - (iii) Scaffolding (including that used for building support purposes) shall be inspected by a competent person appointed by the applicant in accordance with the requirements of the Construction (Health Safety and Welfare) Regulations 1996.
 - (iv) Within two working days of scaffolding being dismantled, the Operations Manager must be advised of such in writing on the tear off slip attached to process control form [ISF09402A](#).

20.
 - (i) Premises made vulnerable to attack by housebreakers, thieves or vandals shall be warned, by the holder of the permission, at least two weeks prior to the commencement of work by distribution of the advice leaflet "Vulnerability Due to Scaffolding" which is issued by Police Scotland (refer to Appendix to these conditions).
 - (ii) All ladders and climbing aids should be removed nightly from the scaffold structure and securely locked away, or, if this is not possible, these should be chained and locked in the horizontal position.
 - (iii) 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.
 - (iv) 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.

21. Corner poles must be clearly indicated by warning tape or sleeves. Warning signs must be provided at ends and external corners. Warning lamps must be provided during the hours of darkness (that is, between half-an-hour after sunset and half-an-hour before sunrise).

22. Any material being discarded from the upper floors of the building must be fed directly into a skip or lorry by means of a chute, capable of being retracted to give a minimum clearance height of 5 metres above the carriageway. Note separate permission is required before any skip may be placed on the road.

23. Posters, bills or advertisement shall not be permitted on any scaffolding, with the exception of such relating to the building contract or to the business carried out or to be carried on in the premises under construction or repair.

ADDITIONAL REQUIREMENTS RELATING TO HUTS/POROCABINS/CONTAINERS/TRAILERS

24. The Contractor's name and his day-time and night-time numbers must be clearly displayed on the side of huts, portacabins, lockfast containers and demountable trailers. In addition, where these units are sited on the carriageway, they must carry obligatory retro-reflective rear markings as specified in the Road Vehicles Lighting Regulations, 1989.

25.
 - (i) Huts and the like shall not be sited on main roads or adjacent to junctions/pedestrian crossings or where traffic signs will be obstructed.
 - (ii) If it is necessary to locate huts and the like on the road, these shall be placed adjacent to the property undergoing building work. Where this is not possible, local residents should be consulted to ensure that there are no objections.

ADDITIONAL REQUIREMENTS RELATING TO THE USE OF MOBILE CRANES AND HYDRAULIC PLATFORMS

26. The hours and method of operations of mobile cranes and hydraulic platforms must be discussed and agreed with the Operations Manager.

27. If traffic conditions are such that the operations are likely to lead to congestion, traffic arrangements must be agreed with the Operations Manager, Police Scotland and, in the case of bus routes, with Strathclyde Partnership for Transport. If a temporary road closure is required, consultation must take place a minimum of six weeks in advance to allow the necessary procedures to be followed. A charge will be made for processing the road closure application.

28. The proposed use of tile lifts, or other form of mechanical lifting apparatus, must be shown on the plan(s) submitted with the application, to ensure that the full extent of road encroachment can be assessed for approval.

Document	QUALITY PROCEDURES	Rev	3
ISF09402C	Page 3 of 4	Date	July 2010

POLICE SCOTLAND

VULNERABILITY DUE TO SCAFFOLDING

IN A SHORT TIME SCAFFOLDING WILL BE ERECTED IN THE VICINITY OF YOUR PREMISES IN ORDER TO CARRY OUT ESSENTIAL WORK.

POLICE SCOTLAND ADVISE THAT YOUR PREMISES COULD BE MORE VULNERABLE DURING THIS TIME.

WHILE THE CONTRACTOR WILL TAKE EVERY PRECAUTION TO LIMIT THIS HAZARD PLEASE CONSIDER THE SECURITY OF YOUR PREMISES.

WINDOWS ARE PARTICULARLY VULNERABLE AND IT IS SUGGESTED THAT KEY OPERATED WINDOW LOCKS ARE FITTED.

IT MAY ALSO BE ADVISABLE TO INFORM YOUR INSURANCE COMPANY THAT SCAFFOLDING IS BEING ERECTED.

IF ANY FURTHER INFORMATION OR CLARIFICATION ON CRIME PREVENTION IS REQUIRED, PLEASE CONTACT YOUR POLICE CRIME PREVENTION OFFICER THROUGH YOUR LOCAL POLICE OFFICE.

CHIEF CONSTABLE

Document	QUALITY PROCEDURES	Rev	3
ISF09402C	Page 4 of 4	Date	January 2015