

Application for a licence to erect and use a temporary structure on or over the highway (Highways Act 1980: Section 169)

Guidance notes

Email your completed application to traffordstreetworks@amey.co.uk.

This application must be returned to the above address at least 3 working days before the date required.

A licence, if granted, will give details of the required standard of signing and guarding to be provided and the clearances to be maintained on and over the highway. Note that if a licence is granted, the structure must not obstruct access to statutory undertakers' equipment and plant.

All scaffolds to be erected in accordance with TG 20:13 (BS EN 12811) and the Working at Height Regulations 2005.

Fees

The fee of either £176.40 (scaffolding / crane) or £180.26 (hoarding) per street (USRN), and an additional charge of the same, for every month thereafter, is required.

An invoice will be raised once the application has been submitted and issued.

Application

1a) State the full name and address of the applicant in whose name the permission is required (if a limited company, give the registered name and address, together with the name of the company secretary).

Contact number:

1b) State the full postal address of the property at which the works are to be carried out:

1c) State the names of the roads on or over which the structure is required:

Road:

1d) State the type of structure(s) to be used:

- Scaffolding (£176.40 every 28 days)
- Hoarding (£180.26 every 28 days)
- Access platform or crane (£176.40 every 28 days)

1e) Scaffold structures only

Identify what purpose the scaffold is to be used for:

- Inspection (0.75 kn/sq.m load on platform)
 - Light duty (1.50 kn/sq.m load on platform)
 - General purpose (2.00 kn/sq.m load on platform)
 - Heavy duty (2.50 kn/sq.m load on platform)
 - Special duty (3.00 kn/sq.m load on platform)
- All Scaffolds must be inspected every 7 days, and scaffolds must be tagged in accordance with the licence application.
 - A copy of the Scaffold Handover sheet from the Scaffold Company to the client must be submitted to the Streetworks Team before the structure is used.
 - Weekly Scaffold Inspection sheets should always be kept on site, should a Streetworks Scaffold Inspector wish to see such documentation.

1f) Access Platforms/MEWPS/Cranes

Identify what purpose the plant is to be used for:

- Inspection
 - Light duty working platform
 - General purpose working platform
 - Heavy duty working platform
 - Special lifting operation
- All plants must be inspected daily before use, and maintained in accordance with the HASWA 1974, LOLER and PUWER regulations.
 - A copy of the Plant Hire sheet from the Hire Company to the client must be submitted to the Streetworks Team before the plant is used.
 - Maintenance Inspection records should always be kept on site, should a Streetworks Scaffold Inspector wish to see such documentation.

1g) State the period over which the licence is required

From:

To:

2) Public liability insurance

State the name and address of your Insurance Company:

State the expiration date of the period covered by the last payment of premium:

3) Read the following statements and sign.

a) In consideration of a licence being given for the erection and use of the temporary structure(s) as aforementioned, I/we undertake to ensure that all necessary precautions are taken for the protection of the public against hazards arising directly or indirectly from the exercise of the said permission.

Further, I/we will indemnify and keep indemnified in the sum of £5,000,000 (Five Million Pounds) at least the Council, its servants or agents from and against all costs, claims and demands arising from anything done by virtue of this Agreement.

I/we will maintain in force during the life of this licence public liability insurance cover of not less than £5,000,000 (Five Million Pounds) and shall produce evidence that such insurance is in force on being requested to do so by the Council.

b) I/we accept that any damage to the highway or underground services or plant caused by the erection, presence or removal of the structure/s or by the works will be made good at my/our expense.

Signed:

Position or occupation:

Address:

Witness:

On behalf of:

4) Provide below or on a separate sheet of paper, a sketch or plan showing the proposed location of the structure(s), including the following:

a) The width(s), length(s) and height of the structure(s):

b) The width(s) of the footway(s):

c) The width(s) of the carriageway(s)

- d) The location of any road junctions or vehicle accesses within 15m of the proposed site:
- e) In the case of scaffolding or hoarding, the location of any hydrants, street lighting columns, bus stops, traffic signs or signals or other items of street furniture within the area of the proposed structure or within 5.0m of it.

If a separate sheet of paper is used, it must be securely fixed to this application.

Schedule of minimum conditions

General

1. The licence is issued for permission to occupy the public highway. It is the responsibility of the scaffolding company to design, construct and maintain the scaffolding in accordance with current standards (BS EN 12810, BS EN 12811 and TG20:13).
2. Section 169 of the Highways Act 1980 states that no person shall, in connection with any building or demolition work or the alteration, repair, maintenance or cleaning of any building, erect or retain on or over the highway any scaffolding or other structure unless they are authorised to do so by a licence in writing issued by the highway authority.
3. A licence to erect or retain a scaffold or other structure on a street will normally only be issued to the Company responsible for actually erecting the scaffolding or other structure.
4. If the licensee objects to any of the following conditions of the licence, the licensee may appeal to a Magistrates' Court within 21 days of the date of receipt of the licence.
5. The licensee is reminded that it is their responsibility to ensure that the scaffolding or other structure is structurally sound, is properly erected to current standards and maintained, and that adequate provision is made for the safe passage of highway users.
6. Work may not commence until the date specified and should be carried out within any specific limitations of time and date.
7. Before the erection of the scaffold or other structure, the licensee must inform their Client of the following conditions which may affect the way they conduct their works.

Construction

8. The scaffold must be designed, erected and dismantled safely and maintained in a safe condition in accordance with current standards (BS EN 12810, BS EN 12811 and TG20:13). On-site erectors must be competent to erect the type and form of scaffold and hold one or more of the following qualifications as appropriate:
 - CISRS Scaffolder Card (or for more complex scaffold structures, The Advanced Scaffolder Card), or OSAT NVQ (of the appropriate level for the complexity of the scaffold)

and/or

- Certification of competence resulting from training under a recognised manufacturer or supplier scheme, e.g. SA-FE Manufacturers/Suppliers Specific Training Card. PASMA standard (or equivalent)

The erection, alteration and dismantling of all scaffolds must meet the requirements of the Work at Height Regulations 2005.

9. The scaffolding or other structure, or portion of, to be erected that day, shall be securely erected on the day of the delivery, in a safe and considerate manner, by or under the immediate supervision of a person competent and experienced in carrying out such work. Similarly, all scaffolding, hoarding, or other structures must be removed from the highway on the day it is dismantled, upon expiry of the licence, or when the need for the scaffold becomes redundant.
10. The licensee must do such things in connection with the scaffolding, hoarding or other structure that any highway authority or statutory undertaker reasonably requests for the purpose of protecting or giving access to any apparatus belonging to or used or maintained by them.
11. The scaffolding must be adequately secured to the adjoining structure or externally braced to prevent displacement. Scaffold standards shall be fitted with suitable base plates, with appropriate sole plates used where necessary to the satisfaction of the local highway authority. All scaffold standards shall either be painted white, or covered with approved white, or red and white material, for the first 2.5 metres above the footway/carriageway.

The scaffolding shall not have any sharp ends or unprotected nuts/bolts within 2.5 metres of ground level. No other equipment, ladders or materials may be kept on the footway or carriageway. All lower ladders must be removed when scaffolding is not in use to prevent unauthorised access. Adequate width and height must be maintained for the safe passage of footway users. Warning signs with the warning 'DANGER - MEN WORKING ABOVE' must be displayed at each end of the structure.

12. Suitable and sufficient measures must be taken to prevent any highway user from being struck by falling debris, material or objects. The first lift of each scaffold must be close boarded and sheeted to prevent debris, material or objects from falling onto any part of the highway. Covered traffic routes or passageways must be provided where necessary. Any spillages must immediately be removed from the highway.

The footway shall be kept clear for pedestrians and properly protected both day and night to prevent damage or injury to the public.

13. Unless otherwise agreed with the local highway authority, all elevations of each scaffold (unless access-only scaffolds) must be enclosed with either fine mesh netting or sheeting to prevent debris, material or objects falling onto any part of the highway. Fan guarding must also be provided where necessary. Where the pedestrian walkway continues under the scaffolding.
14. Wherever practicable, scaffolding shall be kept back 450mm from the carriageway edge, up to a height of 5.5 metres, measured from the gutter level.
15. If any part of the scaffold is closer than 450mm to the carriageway edge, or the proposed site of the scaffolding is considered to be particularly liable to impact damage by passing vehicles, then adequately secured and properly signed, guarded and lit barriers shall be provided along the face of the structure and approved by the local highway authority.

16. The scaffold must be lit during the hours of darkness at each end with red warning lights and at every 6m. All projections must have red warning lights. A gantry must have white lights under it for pedestrians.
17. The name, address and telephone number, including “out of hours” emergency contact number, of the scaffolder for the site, shall be legibly displayed on a board measuring 600 x 450 mm. No other notice, placard, advertisement or anything in an advertisement, shall be printed, posted, pasted, drawn, painted, shown or displayed in any way, on or from such scaffolding or other structure, without the written consent of the local planning authority (if required) and of the local highway authority, and then, only subject to the terms of such written consents.
18. No door forming part of any hoarding or scaffold shall be hung so as not to open outwards across any part of the public footpath.
19. Partially erected or incomplete scaffolds must have a name board affixed and a warning notice board indicating ‘Scaffold Incomplete – Not to be used’. If left overnight or unattended, the incomplete scaffold must be lit.
20. The issuing of the licence does not exempt any vehicle in connection with the erection or dismantling from any existing traffic regulation order.

Pedestrians

21. If proper provision cannot be made for pedestrians to pass safely beneath the scaffold or other structure on the existing footway, then an adequately signed and guarded walkway shall be erected outside the scaffolding or other structure, to the satisfaction of the local highway authority. A joint site inspection may be required, and additional conditions applied.
22. Measures shall be taken to distance/segregate/minimise the public from the area of work where the scaffold materials are being deposited, handled and erected.

Traffic control

23. Traffic management issues, such as the use of temporary traffic signals and temporary road closures, must be discussed with the local highway authority. Additional fees may apply if positive traffic management is required. Extra restrictions may be imposed by the local highway authority on routes designated as traffic sensitive.
24. The licensee shall comply with Chapter 8 of the Traffic Signs Manual, together with such other conditions as the local highway authority may require. A requirement when carrying out any work on the highway is that the works are adequately signed, guarded and lit as stipulated in the “Safety at Street Works and Road Works Code of Practice.
25. To meet the traffic management standards, personnel involved must be trained and accredited in the “Signing, Lighting and Guarding” module as prescribed in the New Roads and Street Work Act 1991. A Company must have at least:

- One Accredited Supervisor (who does not have to be on site)
- A minimum of one Accredited Operative on site at all times when the work is being carried out.

Maintenance

26. During the period in which the scaffolding, hoarding or other structure is allowed to stand, the whole shall be kept and maintained in good order and condition, and so as not to be injurious to the amenities of the neighbourhood and or users of the highway. All scaffold material, and associated fixtures and fittings (including rubbish chutes, chains, ropes and lifting gear, etc.) must be of good condition, sound material, and adequate strength and free from patent defect.

When chutes, lifting gear or other devices are used for the removal of debris all necessary precautions must be taken for the safety of all highway users. During this operation, the skip or lorry body must be sheeted down to minimise dust levels.

27. Every hoist or pulley wheel must be adequately fenced.

28. Scaffold structures must be inspected daily before use by a competent person. In addition, they must always be inspected after bad or excessively dry weather or particularly high winds, which may have affected their strength and stability. The results of the inspections (including any faults found) should be recorded and made available.

29. At the expiration of the time for which the licence is granted, or when the work for which this consent is granted is completed, or if the consent is revoked, whichever is first, the scaffolding, hoarding or other structure shall be immediately taken down, and notice shall be given in writing to the local highway authority.

30. The licensee is responsible for ensuring that the scaffolding or hoarding is kept free from flyposting and graffiti. Any occurrences must be removed within 48 hours.

31. A duplicate copy of the licence should always be kept on site during which the scaffolding, hoarding or other structures are erected, and must be readily available for inspection by authorised officers upon demand.

Time extensions

32. When applying, if that application extends beyond the currency of the insurance certificate, the licence will be issued up to the end date of the certificate. A new certificate will need to be submitted before an extension will be considered to maintain the scaffold on site.

You will not be reminded that your certificate is due for renewal.

Removal

33. Upon removal of the scaffold, the pavement will be inspected, and any damages to the highway will be made good by the local highway authority at the expense of the licensee in accordance with the provisions of Section 133 of the Highways Act 1980.

34. The local highway authority shall have the right to revoke the licence at any time by appropriately served notice if any of the conditions subject to which the licence is granted are not complied with, and the licensee shall forthwith remove the scaffolding, hoarding or other structure. In default, and after giving notice, the Council

may themselves remove the scaffolding, or other structure, and any reasonable expenses incurred by the Council in doing so shall be recoverable from the licensee.

Also, it should be noted that failure to comply with conditions set by the local highway authority may lead to a fine of up to £2000 being imposed (Section 169 (5) of the Highways Act 1980).

Public liability

35. Public Liability Insurance giving minimum cover of £5M for Scaffolding is required. However, it may be noted that the Council reserves the right to increase these amounts if it is considered that the site location requires a higher degree of cover. You will be notified if this is the case, and proof of increased cover will be required before the licence is granted.

Additional conditions

36. The licensee is required to provide temporary ramping where pedestrians are required to follow walkways within the carriageway to facilitate the movement of disabled pedestrians and wheelchair users.
37. The licensee is required to provide a minimum headroom of 2.4 metres for walkways which pass under scaffolds.
38. The licensee is required to provide a clear unobstructed height of 5.5 metres for any scaffold erected over a carriageway.
39. Where a scaffold will occupy any part of a carriageway, then applicants should consult the local highway authority regarding temporary traffic management measures.
40. If a road closure is required, then a minimum of 6 weeks' notice will be required.
41. Work cannot start on site until you have a signed licence from One Trafford.