

HIGHWAYS ACT 1980: Section 169
NEW ROADS AND STREET WORKS ACT 1991: Section 59

LICENCE TO ERECT AND RETAIN SCAFFOLDING ON THE HIGHWAY

CONDITIONS

The **Carmarthenshire County Council** (hereinafter referred to as “the Council”) hereby grant a licence to the applicant (hereinafter referred to as “the licensee”), to erect and retain scaffolding (hereinafter referred to as “the relevant structure”) at the location specified in the licence, on the highway in accordance with Section 169 of the Highways Act 1980, subject to the following conditions:

1. It will be the responsibility of the licensee to ensure that all relevant legislation is complied with.
2. The licensee will indemnify and keep indemnified the Council against all distress, actions, proceedings, claims, demands, cost, damages and expenses which may be levied, brought, or made against it by reason of any matter which is carried out under the grant of licence. Evidence of £5million Public Liability Insurance shall be submitted to the Council.
3. The licensee shall take all reasonable care and precautions to ensure the safety and guidance of persons using the highway, having regard, in particular, to the needs of people with a disability. The attention of the licensee is drawn to the requirements of the Health & Safety at Work etc Act 1974. A copy of the Safety Policy and/or Statement shall be submitted to the Council on request.
4. The licensee shall ensure that the relevant structure is adequately lit at all times between half an hour after sunset and half an hour before sunrise.
5. The footway must be kept open at all times including erection and dismantling of scaffolding. In circumstances where the footway cannot be kept open an alternative 1.2m wide walkway must be provided in accordance with the Safety at Street Works and Road Works Code of Practice. (Refer to Part 2 Footway and footpath works – look after pedestrians page 28).
6. The licensee shall comply with any directions given to him by the Council or Police Authority with respect to the erection and maintenance of the relevant structure and to traffic signs in connection with the grant of licence.
7. The licensee shall do such things in connection with the relevant structure as any Statutory Undertakers or a Licensee under a Street Works Licence reasonably request him to do for the purpose of protecting or giving access to any apparatus belonging to or used or maintained by Statutory Undertakers or a Licensee under a Street Works Licence.
8. The licence does not dispense the licensee from obtaining any other consent, licence or permission which may be required and it does not authorise installation of the relevant structure unless and until that licence has been granted.
9. Baulks - brightly coloured plastic water filled traffic baulks or timbers (at least 300mm Sq.) painted white and illuminated at night shall be placed to the satisfaction of the Councils Street Works Inspector, and fixed together on the road for the length of the scaffolding to prevent vehicles striking the scaffold (required only when the scaffold is closer than 0.5m from the kerb edge or as agreed).

10. The relevant structure must not encroach onto the highway carriageway. Any cantilevered section of the relevant structure must not be below the height:
at any point over a street 5.8m;
on a bus route 6.1m;
on designate high load routes 6.4m;
or as directed by the Highway Authority.
11. The Scaffolding shall not have any sharp ends or unprotected nuts/bolts within 2.5m of ground level.
12. All upright poles must be wrapped in protective foam material to a height of 2m and conspicuously marked (i.e. red/white markings).
13. No diagonal braces at footway level.
14. Provide a first lift double boarded platform with a membrane between, debris netting to all elevations of the relevant structure together with protective close boarded fanning with a membrane (minimum heights as in item 10 above), so as to protect users of the highway from falling debris.
15. The highway must be kept free of all building materials and equipment and no concrete or mortar shall be mixed on the highway.
16. The relevant structure should be removed as expeditiously as possible.
17. Any costs of damage or remedial works necessary as a consequence, will be recharged to the licensee.
18. Any request for extension of time will have to be made in writing to the Council.
19. Traffic control must be used if the carriageway is reduced to less than 5 metres. All Traffic Management shall be in accordance with the current Safety at Street Works and Road Works Code of Practice and Chapter 8 of the Traffic Signs Manual. (Refer to Section 3, notes 17 - 19 inclusive).
20. In accordance with The Traffic Regulations and General Directions, the use of Portable Traffic Signals must be notified to the Highway Authority at least seven days prior to erecting the relevant structure.
21. If the licensee fails to comply with the above conditions, the Highway Authority may request the immediate removal of the relevant structure and recover the expenses reasonably incurred by them in so doing.
22. The scaffolding company shall notify the Council by or email within two hours of dismantling the scaffold. Failure to do so will result in additional charges.
23. The scaffold should display a plaque clearly stating the scaffold company name and telephone number.

Cliff Cleaton

Street Works and Adoptions Manager