

Conditions for erecting scaffolding on the highway

HIGHWAYS ACT 1980 SECTION 169

1. Work may not commence until the date specified.
2. The scaffolding to be to BS5973: 1993 (access and working scaffold and special scaffold structure in steel).
3. The siting of the scaffolding, together with the safety precautions necessary, shall be to the approval of the council.
4. The competent person designated to inspect scaffold to be named.
5. The scaffolding shall be painted white or wrapped in reflective tape up to at least 1.8m and shall comply with chapter 8 regulations of the traffic signs manual. It shall have a minimum of 2.05m between standards dependant on design loadings, and a minimum of 2.4m headroom. When newly painted '**WET PAINT**' signs shall be erected.
6. Vertical and horizontal highway sight lines shall be maintained at all times.
7. No unreasonable obstruction of the highway is caused. Scaffolding must be erected so that no ties or braces obstruct the highway below a height of 2.3 meters.
8. Where there is potential for encroachment onto the highway the applicant will comply with all the directions issued by the Council with respect to the erection and maintenance of traffic signs in connection with the structure. Traffic management details must be submitted and approved prior to the issue of a licence.
9. The structure will be signed and adequately lit at all times during the hours of darkness, to the approval of the council.
10. To ensure the effective width of the footway a minimum of 1.2m pedestrian walkway must be provided, to the satisfaction of the council.
11. The applicant will afford and protect the rights of the statutory undertakers, to have access as and when reasonably required to that plant or apparatus, and will ensure that no damage is caused to such plant or apparatus.
12. Adequate maintenance of the scaffolding shall be carried out and precautions taken, to the satisfaction of the council, to prevent materials, or anything whatsoever, falling from the scaffolding onto the highway.
13. The applicant will complete the work and remove the scaffolding in the minimum time necessary to carry out the works, making good any damage to the highway.
14. The scaffolding shall be removed forthwith upon request by the council if urgent works to the highway are necessary and the council shall not be liable for any costs incurred by the applicant in consequence of the removal.
15. The applicant will fully indemnify South Gloucestershire Council against all claims, demands, costs and expenses which may arise out of the erection, existence or removal of the scaffolding, the subject of the licence, and to support this indemnity, will furnish proof of adequate insurance cover of £5,000,000 in respect of any one claim.

NOTES:

1. The erection or retention of scaffolding on the highway without a licence issued by the highway authority is an offence. (Penalty not exceeding level 5 on the standard scale - see Section 169 Highways Act.)
2. If any of the terms or conditions of this licence are not complied with the Council reserves the right to require the structure to be removed forthwith at the expense of the applicant without prejudice to any claim or right that may have arisen.
3. If the Council refuses to issue a licence or issues a licence on terms to which the applicant objects, the applicant may appeal to the local Magistrates Court against the refusal or the terms.
4. The applicants attention is drawn to the Health & Safety at Work (etc.) Act 1974, the construction (Working Places) Regulations 1996 (SI 1966 No 94) and Sections 168 and 169 of the Highways Act 1980.