

Highway licence

Conditions for erecting scaffolding on the highway

HIGHWAYS ACT 1980 SECTION 169

1. Work may not commence until the date specified.
2. The scaffolding is to be compliant with BS5973: 1993 (Code of practice for 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 the scaffold is to be named.
5. The name, address, office telephone number and "out of hours" emergency contact telephone number of the scaffolding contractor shall be prominently displayed on a sign measuring 600mm by 450mm and fixed to the scaffolding.
6. The scaffolding shall be painted white or wrapped in reflective tape up to at least 1.8 metres and shall comply with chapter 8 regulations of the traffic signs manual. It shall have a minimum of 2.05 metres between standards dependant on design loadings, and a minimum of 2.4 metres headroom. When newly painted, 'WET PAINT' signs shall be erected.
7. Vertical and horizontal highway sight lines shall be maintained at all times.
8. 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 metres.
9. Wherever practicable, scaffold shall be kept back 450mm from the carriageway edge up to a height of 5.5 metres measured from the channel level.
10. There may be occasions where 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 (this is a major factor on steeply cambered roads). In these circumstances adequately secured and properly signed, guarded, and lit barriers shall be provided along the face of the structure. Generally, minimum 300mm by 150mm baulk timbers painted red & white will be acceptable providing a suitably safe clearance for passing high-sided vehicles. All baulk timbers must be securely joined together to prevent displacement and have

reflective cones securely fixed to their top surface at 2 metre intervals. Water or sand filled plastic barriers shall be used on all main traffic routes or classified roads.

11. 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.
12. The structure will be signed and adequately lit at all times during the hours of darkness, to the approval of the Council.
13. Every hoist or pulley wheel shall be adequately fenced, and no load shall be raised or lowered over the highway unless there is adequate protection for the public.
14. All lower ladders shall be removed or boarded when scaffolding is not in use to prevent unauthorised access.
15. Scaffold standards shall be fitted with suitable metal base plates, with timber sole plates used where necessary to the satisfaction of the Highway Authority.
16. A minimum width of unobstructed footway of 1.5 metres shall be maintained in busy pedestrian areas. A minimum of 1.2 metres may be acceptable in less populated areas. The width is required to enable wheelchair users or those with guide dogs to pass safely through the scaffold.
17. 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.
18. Access to all underground apparatus and street furniture is to be accessible at all times and not be restricted.
19. During the period in which the scaffolding is erected, it shall be swept and maintained in good order to prevent materials, or anything whatsoever, falling from the scaffolding onto the highway. The highway around the scaffolding shall be swept and kept clean, the footway shall be kept clear for pedestrians and properly protected both day and night, so as to cause no danger or injury to the public or otherwise.
20. 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.
21. 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.
22. 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 £10,000,000 in respect of any one claim.

23. A duplicate copy of the licence must be clearly displayed on site at all times during which the scaffolding is erected, and must be readily available for inspection by authorised officers upon demand.

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 applicant's 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.