



**PERMISSION TO OCCUPY A PORTION OF A ROAD TEMPORARILY  
IN CONNECTION WITH BUILDING OPERATIONS**

**General Conditions**

1 Application for Permission

At least 5 working days notice is required (preferably 10) for road occupations prior to permission being given. A Fixed Penalty Notice (FPN) will be issued against scaffolding/building companies for any of the following offences:

- Failure to apply for a permit for erecting scaffolding or staging on or over a road.
- Allowing scaffolding or staging to remain on or over a road after expiry of the permit.
- Failure to comply with conditions specified in the permit.  
[This also relates to permit extensions where the works are not completed within the period of the permit.]

2 Duration of Permission

The permission hereby granted shall, unless extended by the Traffic Team, expire at the termination of the period stated. The fee for this permission, for scaffolding and hoardings shall be £78.00 for up to 7 days, £150.00 for up to 14 days, £220.00 for up to 21 days, £290.00 for up to 28 days, £370.00 for up to 35 days and £440.00 for up to 42 days.

Builder's materials and scaffold mobile towers shall be £60.00 per week. Crane & Cherry Picker permits shall be £135.00 per week.

3 Permit to be Shown

A copy of the permit and conditions shall be kept on site and shall be shown on demand, to any Police Officer or Officer from the Traffic or Building Control Team.

4 Compliance with Other Enactments

This permission does not relieve the applicant of their duties to comply with any other enactments.

5 Indemnity

The holder of this permit shall indemnify Moray Council as Roads Authority for and against all actions, claims, demands, costs, charges, damages, losses and expenses of whatsoever kind or nature which may be brought or made against them or incurred by them in respect of the negligence, omission or default of the holder of this permit or those for whom the holder of this permit is responsible arising in respect of any operations authorised by this permit 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 Road Closure

This permission does not carry with it the right to close any public road or roads.

7 Use of Builders' Skips

This permission does not carry with it the right to deposit a builders' skip on the road. Separate permission must be sought from the Transportation Manager in this case.

8 Pre-Inspection of the Road

A pre-inspection of the footway and carriageway shall be carried out in conjunction with the Traffic Team prior to occupation. Inspections can be arranged by contacting Moray Council.

9 Protection of Road

(i) The mixing of materials, particularly concrete, grout and mortar on the surface of the carriageways and footways 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 the surface of the road must be prevented. The cleaning of the site and the mixing boards must be done in such a manner that none of the mixed material reaches a gulley, and any damage caused shall be made good at the expense of the permit holder responsible.

(ii) No tracked vehicle is to be driven on the road, footway or verge.

10 Re-Instatement of Site

(i) All materials shall be cleared from the road, which shall be left in a clean and tidy condition (including gully's) at the termination of the works.

(ii) Any damage caused to the footway and carriageway during occupancy will require to be made good to the satisfaction of the Traffic Team.

11 Health and Safety Executive

Moray Council will report to the Health and Safety Executive any failure which may come to their attention on the part of the applicant, or those for whom he is responsible, to ensure either the safety of employees engaged in the building operations, or the safety of the general public.

12 Needs of the Disabled

The Applicant shall make all necessary provision to ensure that the needs of disabled people are met in the vicinity of the works by forming ramps if necessary and by giving clear visual warning to partially sighted pedestrians. All openings or obstruction on carriageways and footways should be barricaded off with a continuous rail strong enough to offer the necessary resistance should a blind person walk into it. The rail should be one metre above ground level.

13 Safe Access for Pedestrians and Vehicles

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 access must be provided for entrance to all properties in use, unless the consent of the occupier of the

premises has been obtained. All necessary coning, barricades, signing and lighting shall be in accordance with current guidelines and to the satisfaction of the Transportation Manager. Published guidance can be found in Chapter 8 of the Traffic Signs Manual (HMSO), and in "Safer Roadworks Ahead" (HMSO).

14 Surface Water Drainage

The gratings of gully's are to be covered and protected and a channel kept clear so that surface water may drain away.

15 Statutory Undertakers' Apparatus

Permission to occupy the road does not carry with it any right to interfere with any apparatus in or above the roadway, footway or verge and consequently, before occupation, the position of such apparatus should be determined by contacting:-

Scottish Water;  
Moray Council Roads Maintenance & Street Lighting Section;  
Scottish & Southern Energy;  
British Telecom;  
Cable & Wireless;  
Energis;  
United Utilities;  
Scotland Gas Networks.

**Conditions for Storing Materials on the Road**

16 Prohibition on Certain Types of Material

No material, standing on the road, shall be inflammable, explosive, noxious or dangerous or likely to putrefy or likely to become a nuisance to users of the road. No materials shall be deposited which have a deleterious effect on the road.

17 Materials to be Neatly Stacked

All materials and any other items or equipment introduced onto the road by virtue of this permission shall be kept neatly stacked, and all materials shall, where appropriate, be "damped down" to the satisfaction of Moray Council to prevent dust or other nuisance. Materials shall be confined to the minimum area of road in such a manner as to obviate spillage.

**Conditions Relating to Scaffolding and Hoardings**

18 Security

- (a) Scaffolding structures should be erected immediately prior to commencement of work and dismantled immediately on completion of work;
- (b) Premises made vulnerable to attack by housebreakers, thieves or vandals should be warned at least 2 weeks prior to the commencement of work;
- (c) All ladders and climbing aids should be removed nightly from the scaffold structure, and securely locked away, or, if this is not possible, they should be chained and locked in the horizontal position;
- (d) 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;

- (e) 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.

19 Visual Warning

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.

20 Obscuring of Traffic Lights and Road Signs

Contact the Traffic Team to reposition any traffic lights or road signs.

21 Obscuring of Street Lights

Contact the Area Street Lighting Engineer to provide alternative street lighting arrangements if street lights are obscured by scaffolding/apparatus. Access to street lighting apparatus to be maintained at all times.

22 Use of Chutes and Skips

Any material being discarded from the building must be fed directly into a skip or lorry by means of a chute.

23 Certificate of Design and Completion of Scaffolding

A Design Certificate must accompany all applications for permission which involve the erection of scaffolding. On completion of the erection of scaffolding, a certificate signed by a competent person must be emailed to [roadspermits@moray.gov.uk](mailto:roadspermits@moray.gov.uk) to attest to the fact that the scaffolding is in good order and complies with BS EN 12811 -1: 2003.

24 Advertising

No Bills or Advertisements or Advertising shall 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/or in the immediately adjoining premises, as may be approved by Moray Council.

25 Hoardings, Material and Painting

All hoardings should be of a suitable material and painted a uniform neutral colour throughout to the satisfaction of the Transportation Manager.

26 Building Warrant

This permission is granted on the understanding that any Building Warrant to which the operations/scaffolding/hoarding relates has been approved by Moray Council.

27 Time of Working

Erection and dismantling of scaffolding may be restricted to certain hours at the discretion of the Transportation Manager.

## 28 Scaffolding Design Certificate

- (i) The scaffolding should be designed in accordance with the recommendations of British Standard Code of Practice, BS EN 12811, Part 1: 2003 *Temporary Work Equipment: Scaffolds Performance*. and any requirements specified by the Local Authority. The National Access and Scaffolding Confederation (NASC) has produced a new Technical Guidance Note TG20:08 – *Guide to Good Practice for Scaffolding Tubes and Fittings* which may provide additional information.
- (ii) The minimum height of pedestrian walk under must be 2.3 metres;
- (iii) The outer scaffolding or outer face of the hoarding shall not be less than 450 mm behind the kerb face, otherwise a timber baulk must be placed outside the scaffolding/hoarding;
- (iv) A fan must be provided on scaffolding. If it projects over the carriageway, its minimum height must be 5.0 metres;
- (v) The applicant shall be responsible for ensuring that the scaffolding/hoarding will be adequately supported and in so doing shall check for the presence of cellars and other buried structures under the highway and shall design accordingly;
- (vii) A satisfactory level of lighting must be provided, subject to the agreement of the Traffic Team.

### **Conditions Relating to Siting Huts/Portacabins on Road**

#### 29 Marking of Cabin

The name of the Contractor must be marked on the side of the cabin along with the day-time and night-time telephone numbers.

#### 30 Siting of Cabins

- (i) No cabins shall be sited on main roads, adjacent to junctions, pedestrian crossings or where traffic signs will be obstructed. Public Utility street furniture must not be obstructed;
- (ii) Where possible, the cabin must be sited on the road outside the property undergoing building work but if the cabin is sited outwith the confines of the property then the adjacent resident(s) must be consulted to ensure that there are no objections;

### **Conditions Relating to the Use of Mobile Cranes and Hydraulic Platforms**

#### 31 Hours of Working

The Traffic Team may restrict the hours of working of cranes and platforms.

#### 32 Special Traffic Arrangements

If traffic conditions are such that the operations are likely to lead to traffic congestion, traffic arrangements must be agreed with the Traffic Team and, in the case of a bus route, the bus operator(s). If a temporary road closure is required, consultation must take place well in advance to allow the necessary procedure to be followed.