



**APPLICATION FOR ROAD OPENING PERMIT
ROADS (SCOTLAND) ACT 1984, Section 56
NEW ROADS AND STREET WORKS ACT 1991, Section 109
TRANSPORT (SCOTLAND) ACT 2005, Part 2**

<u>Applicant Details</u>	<u>Contractor Details</u>
Full Name:	Full Name:
Address:	Address:
Post Code:	Post Code:
Tel No:	Tel No:
<u>Application Details</u>	
Road Name: (& town/village)	
Site Location (house no. etc)	
Start Date:	
For a Period of:	Day(s) / Week(s) * Delete as appropriate
For the Purpose of:	
Traffic Management Proposals:	
SWQR (Street Works Qualifications Register) No:	
Planning Application / Road Construction Consent No:	
I attach fee of £	<input type="checkbox"/> BACS/Credit/Debit Card (Please call 0300 1234565 during office hours for Card Payment) <input type="checkbox"/> Cheque
I/we agree to the conditions printed overleaf.	
Signature of Applicant or Agent:	
Date:	
Contact Telephone No:	(Day) (Night)
E Mail Address:	
Approved by:	
Date:	
Fee Paid £	BACS/Cheque/Card Payment No:
SRWR (Symology) Ref No:	LA

NOTES FOR GUIDANCE OF APPLICANT

1. Fees:
 - £143 Road Opening – Minor Works
 - £256 Road Opening – Standard Works
 - £673 Road Opening – Major Works
 - £30 Additional Inspection Fee for Installation of Plant

2. Definitions:
 - Minor Works: Of a planned duration of not more than 3 days.
Do not form part of a rolling programme.
Do not involve at any one time more than 30 metres of work.
Do not involve more than 20sq m of reinstatement.
Do not leave less than 3.25m of carriageway.
 - Standard Works: All works, which are not emergency works, urgent works, minor works or major works, which will take between 4 and 10 working days to complete.
 - Major Works: Those identified specifically in the annual operating programme, or at least normally planned at least 6 months in advance of work commencing.

3. **Moray Council should be contacted by the Contractor on THE DAY THE WORKS COMMENCE to allow an ACTUAL START NOTICE to be issued and ON COMPLETION OF THE WORKS to allow a WORKS CLOSED NOTICE to be issued and reinstatements to be inspected. Failure by the Contractor to inform Moray Council of the start and completion dates timeously will lead to penalties being imposed on the Contractor.**

4. Contractors wishing to notify Moray Council electronically of their commencement and completion of works should send them to:

roadspermits@moray.gov.uk

5. **THE FOLLOWING NOTICE PERIODS ARE REQUIRED FROM THE TIME THE APPLICATION ARRIVES WITH MORAY COUNCIL, P.O. BOX 6760 ELGIN IV30 9BX AND THE PROPOSED START DATE OF THE WORKS:**
 - MINOR WORKS: 7 WORKING DAYS MINIMUM**
 - STANDARD WORKS: 11 WORKING DAYS MINIMUM**
 - MAJOR WORKS: 3 MONTHS MINIMUM**

6. Please note that works in Traffic Sensitive Roads and Footways require longer notice periods than those given above. Please contact the Transportation Section at the above address for further guidance.

7. Please note where these works relate to a planning application Roads Construction Consent (RCC) may be required. Failure to satisfy these conditions may delay your consent.

8. Charges must be paid on application.

9. Applicants wishing to send their application forms electronically should send them to:

roadspermits@moray.gov.uk

10. Failure to apply for a permit may incur a Fixed Penalty Notice of £120.00 to be paid within a period of 36 days (discounted to £80.00 if paid within a period of 29 days).
11. Late applications will not be considered unless the works can be deemed to be emergency or urgent works.

Emergency Works are those “required to put an end to or prevent circumstances likely to cause danger to persons or property”. The term also includes works not falling within that definition which cannot be severed from those that do, such as road works not at the emergency site. Remedial works to dangerous defects are emergency works.

Urgent Works are those which fall short of emergency works, but are of sufficient urgency to warrant immediate action “to prevent or put an end to an unplanned obstruction of any part of the road and includes works which cannot reasonably be severed from such works”.

12. Submission of this application gives no authority for the work to commence. Applicants must be in possession of the necessary permit.
13. All Road Opening Permits will be issued to the Contractor as detailed on page 1 of the application form.
14. Please ensure that all requested information is completed on the application form. If any information has been omitted, this may delay the issue of the permit and affect the proposed start date of the works.
15. If the applicant wishes to postpone the work after submission of the application, this can only be done provided a permit has not been issued. The Council will hold the application and payment for a period of one month, after which the application and payment will be returned to the applicant for re-submission. If a permit has been issued, then the fee will not be returned and a further application along with the appropriate fee will be required for the new date for the work.
16. Permission to place and maintain private apparatus under a road is also required in accordance with the New Roads and Street Works Act 1991, Section 109 or Roads (Scotland) Act 1984, particularly Sections 61 and 61A. There is a separate application form for this permission.
17. In accordance with the New Roads and Street Works Act 1991, the Contractor will be liable for maintenance of the permanent reinstatement and will incur additional fee(s) to cover administration costs and inspections where defects come to light.
18. In the case of excavations to form a vehicular access or lay-by a layout plan should be submitted showing details of construction materials and depths.
19. The applicant 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.

NEW ROADS AND STREET WORKS ACT 1991

ROAD EXCAVATIONS

An abridged list of contractors, with personnel certificated to SWQR approved standards in all aspects of road openings and reinstatements, is available on our website

http://www.moray.gov.uk/moray_standard/page_79860.html

A full and up to date list can be obtained from the Street Works Qualifications Register, The Optima Building, 58 Robertson Street, Glasgow G2 8DQ, Tel. No. 0845 270 2720

The Symology 'Dial before you Dig' service, should be contacted free of charge on 08000 231 251 which should be contacted prior to any excavation work commencing. This is to ensure there is no damage to Public Utility apparatus and any risk to operatives is identified prior to excavation.