

**APPLICATION FOR ERECTING SCAFFOLDING WITHIN HIGHWAY BOUNDARIES**

Highways Act 1980 Section 169  
Road Traffic Regulation Act 1984  
Traffic Signs Regulations and General Directions 2016

Please read the conditions on the accompanying pages, complete and return this form to the Customer Services Centre, Leicestershire County Council, County Hall Glenfield, Leicestershire LE3 8ST. Ensure a copy of your insurance certificate is enclosed.

**THIS FORM IS TO BE COMPLETED BY THE SCAFFOLDING COMPANY. THIS IS NOT A PERMIT. PLEASE RETAIN THE CONDITIONS DETAILS FOR YOUR OWN INFORMATION.**

**SCAFFOLD COMPANY**

NAME:
ADDRESS:
TELEPHONE NUMBER:
FAX NUMBER:
EMAIL:

**PUBLIC LIABILITY INSURANCE DETAILS TO BE COMPLETED BY THE SCAFFOLDING COMPANY**

NAME OF INSURERS:	
ADDRESS OF INSURERS:	
POLICY NUMBER:	
AMOUNT OF LIABILITY: (Please note the minimum indemnity of <b>£5,000,000</b> is required as stated on the accompanying conditions forms).	
COMMENCEMENT DATE:	EXPIRY DATE:

I hereby accept the conditions set out on the accompanying forms and confirm that the above details are correct.

SIGNED:
PRINTED NAME:
COMPANY POSITION:
DATE:

## **CONDITIONS FOR ERECTING SCAFFOLDING WITHIN HIGHWAY BOUNDARIES**

HIGHWAYS ACT 1980 Section 169

ROAD TRAFFIC REGULATION ACT 1984

TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 2016

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Attention is drawn to the following conditions which form part of the Licence to erect or cause to be erected scaffolding within the limits of the public highway.

1. The structure shall not cause unreasonable obstruction of the highway.
2. The unobstructed width of footway shall not be less than one metre, unless specific permission is given.
3. Where possible scaffolding shall not be erected in the carriageway, but where this is necessary, the minimum unobstructed width of carriageway shall not be less than 5.5 metres, unless specific permission is given. In no circumstances will permission be given to restrict the carriageway width to less than 3 metres.
4. No excavation shall take place in the carriageway, verge or footway without specific permission.
5. The scaffold structure over a footway which will be continued to be used by pedestrians shall give a minimum clearance of 2.4 metres above the footway surface.
6. During the erection and dismantling of the scaffolding and at all times while the scaffolding is placed on the highway, the area occupied by it shall be guarded and lit in accordance with the following requirements:-
  - a) If the scaffolding physically obstructs the footway and/or carriageway, the ends shall be guarded with sign number 7105.
  - b) Where the carriageway is obstructed, the area occupied by the scaffolding shall be protected by traffic cones and the erection of sign numbers 610 and 7001, to the satisfaction of the County Council's Officers.
  - c) Where the footway is obstructed and pedestrians are compelled to use the carriageway, a protected area of the carriageway shall be coned off and protected by signs 7001, 7105 and 610 to the satisfaction of the County Council's Officers.
  - d) At night (between half-an-hour after sunset and half-an-hour before sunrise) the structure and any protected area in (a) to (c) above shall be adequately lit at all times to the satisfaction of the County Council's Officers. Orange or yellow lamps or flashing beacons complying with the Traffic Signs Regulations and General Directions 2016 shall be used.
7. Should it be necessary for the County Council to take remedial action to provide the necessary traffic management measures, the full cost of the remedial measures including the cost of any material losses shall be charged to the applicant.
8. The standards and diagonal bracing of the structure shall be painted white to a height of 2 metres above the level of the footway or carriageway surface, whichever is higher.
9. The applicant must comply with any directions given by the County Council's Officers with respect to the erection and maintenance of traffic signs and other temporary traffic management measures.
10. Timber/metal sole plates shall be used to protect the carriageway, verge and/or footway and these shall be of such dimensions and so arranged that the structure is stable at all times. In no circumstances shall poles be placed over or obstruct manholes, hydrant or other Public Utility's equipment.

11. No loose materials are to be stored on the structure and precautions are to be taken to ensure there is no danger to pedestrians and road users at any time from the works carried out from the structure.
12. The structure shall not be used in any way that results in materials, tools or equipment falling into the highway or that there is an escape of dust onto the highway.
13. On completion of all work, all obstructions must be cleared away and the surface of the carriageway, verge and/or footway left in a condition satisfactory to the County Council Officers.
14. The cost of reinstating any damage to the carriageway, verge or footway to the satisfaction of the County Council shall be charged to the applicant.
15. Under the Highways Act 1980 and following the introduction of the local authorities (Transport Charges) Regulations 1998 and further requirements imposed by the Traffic Management Act 2004, which has reinforced the importance which Highway Authorities place on relieving congestion and ensuring the safety of temporary obstructions on the highway, it is now the practice for Highway Authorities to charge Scaffold companies for consideration of applications to place scaffolds on the highway. Leicestershire County Council has revised the fee from the 1<sup>st</sup> April 2024 to a non-refundable minimum charge of £110 covering a 2 week period.
16. As highway officers time will be spent on assessing the application all fees are non-refundable. These include.
  - a) The cancellation of a permit by the applicant.
  - b) Refusal of the permit by the highway authority.
  - c) Change of information to the permit by the applicant. For example change of dates or location. In this instance the original permit will be cancelled and be chargeable and any new permit issued with the correct information also charged.
17. Extensions may be permitted at the discretion of the County Council, these will incur a further minimum fee of £110 for a 2 week period. The licence may cover a maximum period of 28 days i.e. 2 x fortnightly charges. If the scaffolding is to remain in place beyond the period of the licence, a renewal must be applied for.
18. Any scaffolding found on the highway without permission of Leicestershire County Council, the owner of the scaffold will incur a charge of £145 to cover costs. A Licence will also be required at the standard fee plus any weekly costs for the period of the illegal scaffold.
19. Any scaffolding which is on the highway for any period after your Licence has expired will also incur a charge of £145. An extension from the end date of the original Licence will also be required. Any subsequent over run will result in condition 18 applying.
20. The Licence may be revoked at any time by the Highway Authority in the event of
  - i) Failure to remedy any defects brought to the attention of the Licensee,
  - ii) Non-compliance with any of the conditions.
21. Revocation of the licence will be reported to the Police and the Health & Safety Executive as appropriate and refusal to issue any more Licences until payments are made. Any scaffolds placed on the Highway during this period will result in condition 18 applying.
22. Should it become necessary for Leicestershire County Council to take action to remedy a particular breach, the full cost of remedial measures will be charged to the owner / hirer regardless of whether he has fulfilled their obligations.
23. The Licensee has a right of appeal to a Magistrates Court against any conditions imposed under section 169 of the Highway Act

## **For your Information**

Invoices will be based on a calendar month and will show the permit number and location of each scaffold and the period the charge relates to.

Non-payment of fees will result in future permit requests being refused

**Please Note – Non refundable charges have increased from the 1<sup>st</sup> April 2024 to £110 per fortnight with any illegal scaffold charged at £145 plus the weekly cost of the scaffold.**

It is your responsibility to check that the dates and details are correct. Any anomalies must be reported to Leicestershire County Council before placing the scaffold on the highway.

### **PLEASE NOTE THAT:-**

a) All traffic signs, cones and lamps must comply with the Traffic Sign Regulations and General Directions 2016.

b) Section 169(4) of the Highways Act requires the applicant to:-

i) Ensure the structure is adequately lit at all times between half-an-hour after Sunset and half-an-hour before sunrise.

ii) Comply with directions given by the authority with respect to the erection and maintenance of traffic signs.

iii) To do such things in connection with the structure as any statutory undertakers reasonably request for the purpose of protecting or giving access to any apparatus belonging or maintained by the undertakers.

Conviction of an offence under this section renders the applicant liable to a fine not exceeding £5000.

c) Section 169(7) of the Highways Act provides that the highway authority does not incur any Liability by reason of the issue of this Licence. Proof of the applicant's public liability Insurance (minimum £5 million) is required before any Licence is issued.

d) Attention is drawn to the requirements of the Health and Safety at Work Act 1974, the Working at Height Regulations 2005 and also to Guidance NASC TG20 and SG4:10, also any successive or complementary information published by the Health and Safety Executive.