

# Scaffold Regulations

## For Erecting/Retaining and Removing Scaffolding (Hereinafter Referred to as a Structure) on the Public Highway

1. The licence holder shall ensure that the structure is adequately lit at all times between half an hour after sunset and half an hour before sunrise.
2. The licence holder shall comply with any directions given in writing by the Director with respect to the erection and maintenance of traffic signs in connection with the structure.
3. The licence holder shall if required by the Director of Environmental Services provide and adequately sign post a covered footway and handrail for use by pedestrians outside the structure and ensure that it is adequately lit at all times between half an hour after sunset and half an hour before sunrise.
4. The licence holder shall do all such things in connection with the structure as any statutory undertakers reasonably request for the purpose of protection or giving access to any apparatus belonging to or used or maintained by the undertakers.
5. The licence holder shall take all necessary steps to ensure that the structure does not cause any unreasonable obstruction of the Highway.
6. The license holder shall display their name with a 24 hour telephone number on the structure. The structure must be kept clear of any other advertising. In addition, the licence holder will provide the name of a member of staff together with a telephone number for the Council's emergency call out team in order that the company can be contacted outside office hours.
7. The licence holder shall ensure that no staining of the Highway is left after the structure is removed and all debris, spoils, etc., are cleared away. The licence holder agrees to the Council any reasonable costs incurred by the Council in undertaking any cleaning of the highway required as a result of any failure by the licence holder to clear the Highway of all debris/spoils etc. The Council will allow seven days written notice to undertake such work unless such debris etc is a danger to Highway users.
8. The licence holder shall pay to the Council expenses incurred in carrying out any reinstatement of the Highway required as a result of any damage caused by the structure or its use. the Council will provide a written notice of any required

remedial work, the licence holder shall be allowed seven days to comply, unless such damage is a danger to Highway users.

9. A suitable width of footway must be retained for public use, which should be properly guarded and kept free from obstruction at all times. The licence holder shall ensure that the structure is whitened (ground level to a minimum height of 2.3 metres).
10. The licence holder shall carry public liability insurance for a minimum of £5m pounds.
11. The licence holder shall indemnify and keep indemnified the Council and accept full responsibility for any claim or liability which may arise from any injury or damage caused to any person or property in respect of the erection, use, presence, or removal of the structure or any temporary footing provided in accordance with condition 3 aforesaid.

## Note:

1. The minimum width of footway (clear of any furniture, etc) to be retained should never be less than 1 metre wide and, wherever possible, they should be 1.5 metres in width.
2. Where it is not possible to retain a suitable width of existing footway, there should be provided a convenient platform and handrail to serve as a footway for pedestrians outside the structure. Portable pedestrian barriers should be used to mark out any temporary footway. A portable pedestrian barrier, which may include mesh, should be reasonably rigid and have:
  - a handrail fixed at between 1.0 and 1.2 metres above ground level, which should be reasonably smooth and rigid for pedestrians to hold to obtain guidance and some measure of support: and a visibility panel at least 150mm deep which may be integral with the handrail or if separate must be fixed so that its upper edge is a minimum of 0.9m above ground level. Visibility panels of yellow, white or orange colours are best for detection by partially sighted people.
  - a tapping rail (or equivalent reasonably rigid area if the barrier is a vertically continuous one) of minimum depth 150mm with a lower edge at ground level or up to a maximum height of 200mm above the ground. Flashing amber road danger lamps must be placed at the ends of these barriers and at a maximum of 200mm above the ground. Flashing amber road danger lamps must be placed at the ends of these barriers and at a maximum of 1.8 metre intervals.
3. No part of the structure shall project within 500mm of the kerb face (to allow for vehicle's overhang) unless portable pedestrian barriers are used as mentioned in note in note (b) above.

4. Particular attention must be given to No 1 and to ensure that warning lights are fixed to the outer edge at each of the structures and at a maximum of 1.8 metres along its length.

Applicants are advised to comply with the Department of Transport, Chapter 8, Code of Practice, Safety at Street Works and Roadworks Manual, which will explain the types of pedestrian protection to be used, i.e. type of lamp, barriers etc.

### **Important Note to Applicants:**

1. Neither this licence nor any site inspections carried out by the Council will affect the legal obligations or responsibilities with Regulations made thereunder.
2. Under Section 169(5) of the Highways Act 1980, if a person fails to comply with the terms or the licence, he is guilty of an offence and liable to a fine not exceeding level 5 on the standard scale.

Please ensure that the above terms and conditions are strictly adhered to at all times since failure to comply may in Highways staff being called out, for which a charge will be made.

Finally, in the event of repeated failure on your part to comply with the terms and conditions, the Council reserves the right to terminate membership without any refund of fees, and to disassemble any scaffolding which is proven to be a danger. Any costs incurred to the council will be recharged to yourselves.