



The Environment Service

ROADS (SCOTLAND) ACT 1984 – SECTION 56

**Application for
*Consent to Execute Works in a Road (Sect. 56)**

**(Excluding Work Connected with Building Operations,
e.g. Deposition of Building Materials, Hoardings, Staging or Scaffolding)**

**APPLICATIONS MUST BE COMPLETED BY THE CONTRACTOR
PLEASE CAREFULLY READ THE 'NOTES FOR GUIDANCE' ON THE REVERSE**

1. Name and address of contractor carrying out the works (See point 2 of Notes For Guidance)
.....
..... Tel. No.

2. Location of works* / operations in road and proposed start date
.....
.....

3. Description of works* / operations in the Road (See point 4 of Important Notes below)
.....
.....

4. Payment of fee (£58.00) attached £..... (cheque /cash / card)

5. Contractors Signature (See point 7 of Notes For Guidance)
Date
Print Name Company.....

*Delete where applicable (Notes for Guidance P.T.O.)

Important Notes:

1. Failure to comply with the requirements of Roads (Scotland) Act 1984 Section 56 Constitutes an offence which may result in prosecution and a fine not exceeding £1000
2. The contractor **MUST** provide proof of their Public Liability insurance Cover (minimum level of cover required is £5 million) (See point 2 of Notes For Guidance)
3. There must be one person on site holding NRSWA accreditation as a supervisor and at least one other person holding NRSWA accreditation as an operative. (proof of accreditation must be submitted with this application) before permission is granted and must be available on site)
4. Permission will not be granted to install any apparatus which will become the responsibility of a Statutory Undertaker (Utility Company).

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Application – Notes for Guidance

1. Section 56(2) puts a duty on the Roads Authority to inform the applicant of those statutory undertakers whose apparatus is, in their opinion, likely to be affected by the Works. The relevant companies are listed below :-

Scottish & Southern Energy, Inveralmond House, 200 Dunkeld Road, Perth, PH1 3QA. Tel 01738 453 082

Scottish Gas Networks Ltd, 95 Kilbirnie Street, Glasgow, G5 8GD. Tel 0141 418 4093

B.T. Openreach, Incoming Notices, National Notice Handling Centre, PP404B, Trinity House, Stoke On Trent, ST1 5ND. Tel 0800 169 3849

Scottish Water, Bullion House, Mill Road, Invergowrie, DD2 5BB. Tel 01382 563 100.

Atkins Global Plant Enquiry Team, Utilities Centre, Pavillion 1, 1-2 Berkeley Square, 99 Berkeley Street, Glasgow, G3 7HR. Tel 0141 220 2000.

Virgin Media, Plant Enquiries Team, Scimitar Park, Courtland Road, Basildon Essex, SS13 1ND. Tel: 0870 888 3116 (option 2)

It is the responsibility of the applicant to inform those undertakers, in writing, that an application has been made.

This can be done by using the Plant Information Request service provided by Symology – call 01582 842626 or visit www.symology.co.uk for further details

2. **The applicant shall agree to indemnify Perth and Kinross Council**, as Roads Authority, **from 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 in respect of the negligence, omission or default of the holder of this permission or those to whom the holder is responsible arising in respect of any operation authorised by this consent 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. Therefore we suggest that the applicant should be the contractor appointed to carry out the works.

The contractor who will be carrying out the work MUST provide proof of current Public Liability Insurance cover to the value of £5 million.

3. **Qualifications of Supervisors and Operatives**

Whilst works are taking place there must be one person on site holding NRSWA accreditation as a supervisor and at least one other person holding NRSWA accreditation as an operative.

Each application MUST be accompanied by proof of relevant accreditation for the staff who will be on site.

Proof of accreditation may also be asked for during any site inspections carried out whilst the work is undergoing.

4. The applicant will be responsible for providing traffic & pedestrian safety measures in accordance with Chapter 8 of the Traffic Signs manual and in particular with the Code of Practice Safety at Street Works and Road Works.

Where a Road Closure is required a further application will be required. Please note that the lead in time to promote a Road Closure is 28 days.

The Local Network manager must be consulted to agree detailed, site specific arrangements at least one working week prior to commencement of work

5. The applicant is required to give at least 7 days notice of their proposed start date to the Local Network Manager (for co-ordination purposes). In some cases (Traffic Sensitive Roads) the lead in period is extended to 1 month – this will be confirmed by the Local Network Manager upon receipt of each application.
6. Further Terms and Conditions will be attached to the permission – please read these carefully before commencing any work on site.
7. The Contractor **MUST** complete the application form and return it with the relevant fee, to:-

Perth & Kinross Council, The Environment Service, Construction & Maintenance Manager's Office,
The Atrium, No 137, Glover Street, PERTH. PH2 0HY. Tel 01738 477200. Fax 01738 477210.



ROADS (SCOTLAND) ACT 1984 – SECTION 61

Application for Permission to Place and Maintain Apparatus In / Under a Road (Sect. 61)

**PLEASE CAREFULLY READ THE ENCLOSED
'NOTES FOR GUIDANCE' BEFORE MAKING AN APPLICATION**

1. Name and address of firm, house or property owner to whom this consent may be issued

.....
..... Tel. No.

2. Name and address of Agent acting for owner, if applicable

.....
..... Tel. No.

3. Location of works / operations in road & proposed start date

.....
.....

4. Purpose and description of works / operations in Road

.....
.....

5. Signature Date

Print Name

Notes –

- This application **does not** permit any work to take place without relevant permission under the terms of Roads (Scotland) Act 1984 Section 56 (Consent to Execute Works in a Road) being in place – a separate application will be required by the contractor who will be carrying out the works.
- Permission will not be granted to install any apparatus which will become the responsibility of a Statutory Undertaker (utility company). Please see enclosed draft letter for further information.
- Please carefully read the enclosed Notes For Guidance (on separate sheet) before making an application.

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Application – Notes for Guidance

1. In the case of excavations in the road, this application must be accompanied by **10 drawings of a readable scale** indicating the location and showing, marked in red, the position or approximate route of the opening.
2. Where permission is required under Section 61 of the Act, **to Place and Maintain Apparatus**. It is the duty of the Roads Authority, under subsection (3), to give **not less than 28 days notice** of their intent to grant permission to any other person whose apparatus is, or plans to install apparatus are likely to be affected by the Works. This should be taken account of, both when applying for consent / permission and when programming the Works.
3. Permission under Section 61 does not include permission to execute the works. **A separate application must be made under Section 56 for Consent to Execute Works in a Road. No Works can take place until this permission has been granted.**
5. Where possible, **the owner of the property concerned should make application**, when Section 61 permission is sought.
6. The permission will be valid for a period of 3 months from the date that the permit is issued.
7. Permission is give to the placing and maintenance of the said apparatus and therefore for access to break open the road for maintenance, repair or reinstatement of the said apparatus by the permit holder subject to obtaining further permission under the terms of the Roads (Scotland) Act 1984 Section 56 (Consent to Execute Works in a Road) upon each and every occasion the road requires to be broken.
8. The permission may cease or be withdrawn if the apparatus is affected by alterations to the road by the Roads Authority or any works carried out by Statutory Undertakers (under the terms of New Roads and Street Works Act 1991). Following such notice the permit holder will be instructed to alter or remove the apparatus from in/under the road within 28 days and to restore the road to the satisfaction of the Roads Authority.
9. Should the apparatus come in to disuse (for any reason) the Roads Authority must be notified by the permit holder and arrangements made to remove the apparatus from in/under the road. Consent to Execute Works in a Road (R(S)A sect 56) **MUST** be obtained before any work can take place for this purpose.
10. **Indemnity**
The holder of this permission shall indemnify Perth & Kinross Council, as Roads Authority, from 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 in respect of negligence, omission or default of the holder of this permission or those to whom the holder is responsible arising in respect of any operation authorised by this consent 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.
11. Application should be returned to :- Perth & Kinross Council
The Environment Service
Roads Maintenance Manager's Office
The Atrium
137 Glover Street
PERTH
PH2 0HY