



PERTH & KINROSS COUNCIL

The Environment Service

# Perth & Kinross Council The Environment Service

## APPLICATION FOR PERMISSION TO OCCUPY A PORTION OF ROAD(S) TEMPORARILY IN CONNECTION WITH BUILDING OPERATIONS (AND TO ERECT STAGING OR SCAFFOLDING) ROADS (SCOTLAND) ACT 1984 SECTION 58

**PLEASE NOTE APPLICATION CAN ONLY BE MADE BY THE COMPANY / PERSON(S)  
ERECTING OR DEPOSITING THE APPARATUS OR MATERIALS**

### Applicant Details

Name/Company			
Address			
Phone Number – Business Hours		Phone Number – Out of Hours Emergency Contact	
Email			

### Particulars of Agent/Hirer – Delete as appropriate

Name/Company	
Address	
Phone	
Profession	

I/We hereby apply for permission under Section 58 of the Roads (Scotland) Act 1984 to occupy temporarily, for the purpose of depositing materials, or otherwise in connection with operations for the \*construction / maintenance / demolition of the \*(proposed) building at;

### Location of Apparatus

Address	
<b>Sketch Plan must be attached showing location of apparatus with this application</b>	

\*(in respect of which an application for building warrant was lodged with Perth & Kinross Council on

.....  
The portion of the road(s) adjacent to the building or site being clearly identified on the plan produced herewith; \*(and for the same duration, for permission under the said Section 58 to erect staging or scaffolding so as to project over the portion of the said road(s)

.....

## Apparatus Information

Description of apparatus (e.g. hoist, hoarding, scaffold, etc.)			
From (date)		To (date)	
<b>These dates are subject to approval</b>			

## Charges

Payment of fee £ .....

### **CONDITIONS FOR CHARGES**

A fee will be paid by the applicant, or owner, for inspections associated with the occupation of space on the road.

- Payment of fee £55.00 per week, or part thereof £ .....(a week is defined as Monday to Sunday)
- If, for any reason, your works extend beyond the removal date given you **MUST** inform the Roads Authority (within 2 working days) of your revised completion date. **Any extension permits will be charged at a cost of £55 per week, or part thereof.**
- **Payment must be made prior to the issue of the permit.**

## Signature

Signature		Date	
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Further copies of this form may be obtained from

Perth & Kinross Council  
The Environment Service  
Roads Network Management  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

Telephone 01738 475000  
Emergency Tel No 01738 476476  
[roadsnetworkmanagement@pkc.gov.uk](mailto:roadsnetworkmanagement@pkc.gov.uk)

# NOTES FOR GUIDANCE FOR APPLICANT

1. **Any person occupying any part of any road or building operations, without the permission of the Roads Authority commits an offence.**
2. 'Road' means any way (other than a waterway) over which there is a public right of passage, (by whatever means), and includes the road's verge or footway and any bridge (whether permanent or temporary) over which, or tunnel through which, the road passes; and any reference to a road includes a part thereof.
3. An application may only be made by the owner(s) or person(s) occupying the road / footway to Roads Network Management, TES, Perth & Kinross Council, Pullar House, No 35 Kinnoull Street, Perth, PH1 5GD. Applications must be received at least **five working days** before the desired commencement date of permission.
4. Permission granted under Section 58 of the above Act does not allow the applicant to place a builder's skip on any road. Separate permission is required, and application should be made on Form BS1
5. **Temporary Road Closure**  
If a temporary road closure is to be requested, consultation with the Roads Authority must take place at least **6 weeks in advance** of the works.
6. **Parking Bays**  
If any part of the operation affects a metered parking zone or Council car park, parking bays will be suspended, and the Parking Operations Manager will issue an account for lost revenue. Details of current car park charges are available from the Parking Operations Manager, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD tel. 01738 475000.
7. **Removal of Apparatus**
  - i) The onus is placed upon the applicant to inform the Roads Authority of the actual removal date of the apparatus. This must be done within 3 working days of the removal date.
  - ii) No refund for early removal of the apparatus can be made.
8. **Public Liability Insurance**  
A copy of the current public liability insurance certificate must be provided with this application. A minimum of £5 million coverage is required.

**PERTH & KINROSS COUNCIL, THE ENVIRONMENT SERVICE**

**CONDITIONS ATTACHED TO PERMISSION TO OCCUPY A PORTION OF ROAD(S) TEMPORARILY IN CONNECTION WITH BUILDING OPERATIONS (AND TO ERECT STAGING OR SCAFFOLDING) ROADS (SCOTLAND) ACT 1984 SECTION 58**

**General conditions**

1. **Duration of Permission**  
The permission hereby granted shall, unless extended by the Roads Authority, expire at the termination of the period stated.
2. **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 Official from the Roads Authority or Building Authority.
3. **Compliance with Other Enactment's**  
This permission does not relieve the holder, (or contractor), of his duties to comply with any other enactment's.
4. **Indemnity**  
The holder of this permission shall indemnify Perth & Kinross Council, as Roads Authority, for and against all actions, claims, demands, costs, charges, damages, losses and expenses of whatsoever kind of 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 permission is responsible arising in respect of any operation authorised by this permission unless due to the negligence or other breach of legal duty on the part of the Council or any person for whom the Council is responsible.
5. **Road Closure**  
This permission does not carry with it the right to close any public road.
6. **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 Roads Authority in this case.
7. **Remedial Works and Pre-Inspection of the Road**  
The permit holder will be required to carry out any remedial works required as a result of his occupation of the road  
The permit holder may request a joint pre inspection of the footway and carriageway to be carried out with the Roads Authority prior to occupation. Inspections can be arranged by contacting the The Environment Service Roads Network Management Pullar House 35 Kinnoull Street Perth PH1 5GD Tel. 01738 475000.
8. **Protection of Road**
  - i) The mixing of materials, particularly concrete, grout and mortar on the surface of carriageway 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 enters the road drainage system, and any damage caused shall immediately be made good by the permit holder to the satisfaction of the Roads Authority.
  - ii) No tracked vehicle is to be driven on the road.
9. **Reinstatement of Site**
  - i) All materials shall be cleared from the road, which shall be left in a clean and tidy condition at the termination of the works.
  - ii) Any damage caused to the footway and carriageway during occupancy shall be made good by the permit holder, to the satisfaction of the Roads Authority without delay.
10. **Safety of Building Operations**  
The duration of the permission shall terminate immediately upon written notification that the building operation is considered to be endangering the safety of road users. Thereupon continued occupation will be considered an offence.  
  
Perth & Kinross Council will report to the Health & Safety Executive and/or Building Authority any apparent failure 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.
11. **Needs of the Disabled**  
The permit holder shall make all necessary provision to ensure that the needs of disabled people are met in the vicinity of his works by forming ramps (max. gradient 1:12) if necessary and by giving clear visual warning to partially sighted pedestrians Pedestrian barriers should be placed longitudinally along the full length of the scaffold or hoarding. They MUST have a handrail fixed at between 1 metre and 1.2 metres above ground level, which should be reasonably smooth and rigid to guide pedestrians and give them some measure of support; a visibility panel at least 150 mm deep, which may be integral with the handrail or, if separate, must be fixed so that its upper edge is a minimum of 0.9 metres above ground level and may contain the red and white barrier sign; and a tapping rail with a minimum depth of 150 mm and a lower edge at ground level or set at up to 200 mm above ground level.  
Any opening or obstruction on a carriageway or footway should be barricaded off in accordance with the code of practice 'Safety At Road Works And Street Works' (for scaffolding see also condition 20).
12. **Safe Passage of Pedestrians & Vehicles**  
A Safe passage of a minimum of 1.2m in width must be maintained along all footways for pedestrians, or if this is not possible, a safe means of passage around the works must be provided. A safe passage must be maintained for all vehicles around the works. A safe access must be provided for entrances to all properties in use. All necessary coning, barricades, signing and lighting shall be in accordance with 'Safety At Road Works and Street Works' code of practice and to the satisfaction of the Roads Maintenance Manager.  
  
The above conditions also apply during erection and dismantling periods.
13. **Surface Water Drainage**  
Gully gratings and other drainage inlets are to be covered and protected and a channel kept clear so that surface water may drain away.
14. **Statutory Undertakers Plant**  
Permission to occupy part of the road does not carry with it any right to interfere with any apparatus in or above the carriageway or footway, and consequently, before occupation the position of such apparatus should be determined by contacting: -

**Perth & Kinross Council**, The Environment Service, Street Lighting. Tel 01738 588065

**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.

15. **Restricted Parking Locations**

Consent to occupy part of the carriageway for operations specified in the permission, or for associated works, e.g. temporary storage of scaffolding materials, is subject to the following provisions: -

- i) where yellow lines are present (double, single or intermittent), 48 hours' notice of the start of the works must be given to the Parking Operations Manager.
- ii) In metered parking zones and Council car parks, parking bays will require to be suspended and the Parking Operations Manager will issue an account for lost revenue. Details of current charges are available by telephoning 01738 477200.

16. **Special Traffic Arrangements**

If traffic conditions are such that the operations are likely to lead to traffic congestion, traffic arrangements must be discussed with the Local Network Manager who will liaise with the Police and Perth & Kinross Council, Public Transport Section.

**ADDITIONAL CONDITIONS FOR STORING MATERIALS ON THE ROAD**

17. **Prohibition of Certain Types of Materials**

No material standing on the road shall be highly inflammable, explosive, noxious, toxic or otherwise dangerous, likely to putrefy or likely to become a nuisance to road users or occupants of neighbouring properties. No materials shall be deposited which will have a deteriorating effect on the road surface.

18. **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 the Roads Authority to prevent dust or other nuisance. Materials shall be confined to the minimum area of road surface required to obviate spillage.

**ADDITIONAL CONDITIONS RELATING TO SCAFFOLDING AND HOARDINGS**

19. **Security of Property and Safety of Children**

- i) Scaffolding structures should be erected immediately prior to commencement of work and dismantled immediately on completion of work.
- ii) Premises made vulnerable to attack by housebreakers, thieves or vandals should be warned at least 2 weeks prior to the commencement of work, by distribution of leaflets available from Tayside Police.
- iii) 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.
- iv) On all sites where dwellings or business premises are unoccupied, consideration should be given to employing static guards or security patrols to provide security out with working hours.
- v) 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.

20. **Visual Training**

Corner and end poles must be clearly indicated by high visibility warning tape or sleeves. Warning signs must be provided at ends and external corners. Warning lamps must be provided during the hours of darkness to the satisfaction of the Construction & Maintenance Manager. Pedestrian barriers should be placed longitudinally along the full length of the scaffold or hoarding. They MUST have a handrail fixed at between 1 metre and 1.2 metres above ground level, which should be reasonably smooth and rigid to guide pedestrians and give them some measure of support; a visibility panel at least 150 mm deep, which may be integral with the handrail or, if separate, must be fixed so that its upper edge is a minimum of 0.9 metres above ground level and may contain the red and white barrier sign; and a tapping rail with a minimum depth of 150 mm and a lower edge at ground level or set at up to 200 mm above ground level. Each tubular support should be provided with a white band 150mm in depth, the lower edge of the band being about 1.6m above ground level. Temporary close-boarded structures delineating a footway should be provided with a continuous white band of the same depth and height above ground level.

21. **Use of Chutes and Skips**

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

22. **Advertising**

No Bills or Advertising shall be permitted on any scaffolding, with the exception of such relating to the business carried out in the premises under construction/repair or in the immediately adjoining premises, as may be approved by the Planning Authority.

23. **Building Warrant**

This permission is granted on the understanding that any Building Warrant to which the operations/scaffolding/hoarding relates has been approved by the appropriate department of Perth & Kinross Council.

24. **Scaffold Design Criteria**

- i) All scaffolding shall comply with British Standard Code of Practice BS 5973: 1981 and shall be erected by competent scaffolders. The responsibility for the design and structural safety of the scaffold rests entirely with the applicant and user.
- ii) The minimum height of pedestrian walkthrough must be 2.3 metres and any joints below that height must be padded.
- iii) The outer scaffolding or the outer face of the hoarding shall not be less than 450mm behind the kerb face, otherwise a timber baulk must be placed outside the scaffolding/hoarding.
- iv) A fan or material guard must be provided on scaffolding. If a fan projects over the carriageway its minimum height shall be 5m above ground level.
- v) Scaffolding/hoarding at junctions must be splayed unless otherwise agreed by the Roads Network Manager.
- vi) 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, manholes and other buried structures under the road and shall design accordingly.
- vii) A satisfactory level of lighting must be provided, subject to the agreement of the Area Roads Engineer.
- viii) Scaffolding/hoarding and structures must not obstruct traffic signals/pedestrian crossings or road traffic signs etc.

**Note**

**OCCUPATION OF THE ROAD FOR MORE THAN 6 WEEKS**

The applicant is reminded that under the terms of the Factory's Act 1961, he is required to notify the relevant Health & Safety Executive Office (form F10) of all building operations or works of engineering construction which last more than six weeks.