

# Terms and Conditions for a Permit for a Scaffold, Hoarding or Cherry Picker on the Highway

## Introduction and Background

This document sets out Herefordshire Council's policy and conditions for issuing a permit to place a scaffolding, cherry picker or hoarding on the highway, in accordance with Section 169, 172 and 173 of Highways Act 1980

## Application for Permit

The application must be submitted a minimum of 10 days before the scaffold, cherry picker or hoarding needs to be placed. Where an A or B class road or where parking may be an issue, a longer period should be allowed (as on application form).

A permit costs £110 per month or any part thereof.

Payment can be made online

<https://www.gov.uk/apply-for-a-licence/occupation-of-the-road-in-connection-with-building-work/herefordshire/apply-1>

or by sending your application, together with a cheque for £110 made payable to Herefordshire Council to the following address

Licencing and Enforcement  
Balfour Beatty Living Places  
Unit 3  
Thorn Business Park  
Rotherwas Industrial Estate  
Hereford  
HR2 6JT

Placing a scaffold on the highway without a Permit is an offence. Herefordshire Council reserve the right to take legal proceedings. At its discretion, it may issue a retrospective Permit at a cost of £165 to cover the additional administration incurred.

## Standard Conditions

- All scaffolds must be designed, erected, modified and dismantled by a competent person and in accordance with the requirements of the Work at Height Regulations 2005 and BS EN 12811.
- All scaffolds must comply with Sections 169, 172 and 173 of the Highways Act 1980.
- Tacit consent does not apply. You must not assume that if you have not heard anything, that the permit has been granted. You must not erect the scaffold or hoarding or site a cherry picker until you know the permit has been granted.
- Foot base plates must be provided on all scaffold standards.

- All scaffold standards must be covered with high visibility foam padding for the first 2 m above the footway/carriageway. Scaffolds shall not have any sharp projections, edges or unprotected nuts/bolts for the first 2 m above the footway/carriageway.
- Scaffolding shall be adequately lit at all times between half an hour after sunset and half an hour before sunrise.
- Access for pedestrians shall generally be provided through the scaffolding. Where this is not practical a safe ramped, adequate route for pedestrians, prams and wheelchair users must be provided around the scaffolding/hoarding with a minimum width of 1.2 m. The contractor shall adequately fence or barrier off such portions of the adjoining carrier carriageway, in accordance with the Traffic Signs Manual Chapter 8.
- Where access through scaffolding is provided, tapping/toe boards for use by the blind and partially sighted shall be provided and fixed to the inside face of the outside row of standards of the scaffolding at ground level, for the full length of the scaffolding except for access areas. Handrails shall additionally be provided and fixed to the inside face of the outer standards for the full length of the structure. All in accordance with BS EN 12811.
- Where access through the scaffold is not provided, it will be necessary to guide the public, with particular reference to the blind or partially sighted, around the structure safely. Handrails and boards shall, therefore, be provided on all elevations where pedestrians may gain access. In these circumstances the handrails and toe boards should be fitted to the outside, or pedestrian side, of the scaffold structure. All in accordance with BS EN 12811.
- The licensee shall adequately fence off a portion of the adjacent carriageway as may be directed to provide a safe passage for pedestrians, such fence or barrier to be adequately lit at all times between half an hour after sunset and half an hour before sunrise.
- All scaffolds shall be properly and securely erected and all necessary precautions shall be taken during the erection and dismantling to prevent any materials, tools or equipment falling on to the footway or carriageway. Such hoard or scaffold shall be provided with a safety sheet/net or other safeguard, which shall effectively prevent any materials, tools, water or other liquid falling onto the footway or carriageway during the course of the work. Any spillage must be removed immediately.
- If hoarding is to be provided with a gateway/doorway or opening for general access purposes, the gateway/doorway shall open inward.
- The scaffold, cherry picker or hoarding shall be positioned so that it does not impede surface water drainage or obstruct access to any manhole or to the apparatus of any statutory undertaker.
- The provision of any scaffolding/hoarding or any other work carried out on the public highway must comply with the Traffic Signs Manual, Chapter 8 (Parts 1 and 2) and the Code of Practice for Safety at Street Works. A section that is particularly relevant is reproduced at the end of this guidance. Other parts are equally applicable.
- Any and all permits required for work affecting the highway i.e. Temporary Traffic Lights, Road Closure Orders, must be applied for, and the permits granted, before any work is commenced.

- The provision of any Temporary Traffic Lights which may be necessary will require separate approval. An application form can be obtained by telephoning (01432) 261800 or emailing [Hereford.streetworks@BBlivingplaces.com](mailto:Hereford.streetworks@BBlivingplaces.com)
- If a Road Closure Order is necessary, this will require a separate application and approval. An application form can be obtained by telephoning (01432) 261800 or emailing [Hereford.streetworks@BBlivingplaces.com](mailto:Hereford.streetworks@BBlivingplaces.com)
- The scaffold company/applicant must be insured for a sum of £5 million to cover Third Party Liabilities. A copy of the relevant insurance certificate must be provided upon request.
- Any damage to the highway must be repaired to the satisfaction of the Network Regulation Manager or his representative at the expense of the scaffold company.

## **EXTRACT FROM THE TRAFFIC SIGNS REGULATIONS CHAPTER 8, PART 2**

### *O3.28 SCAFFOLDING*

O3.28.1 Where scaffolding or other type of temporary structure, such as a scaffold tower, is to be erected on or adjacent to a roadway or highway, a risk assessment should be conducted to consider whether impact protection should be provided, particularly if part of the scaffold is on the carriageway or edge of the footway (see section O4.11 for guidance on types of barriers). The site of the structure shall be suitably signed and guarded in accordance with the appropriate principles of the design document and the safety clearances described in Section O3.2 should be adhered to at all times.

O3.29.2 Where scaffolding or other type of temporary structure is erected on or adjacent to a footway, or any other part of roadway or highway, it is essential that its presence is made clear to visually impaired people as required by the Highways Act 1980 and Chapter 43 of the Disabled Persons Act 1981. Each tubular support should be provided with a white band, 150 mm in depth, the lower edge of the band being about 1.6 m above ground level. Temporary close boarded structures delineating a footway should be provided with a continuous white band of the same depth and at the same height above the ground level in the immediate vicinity. Scaffolding and temporary structures adjacent to a footway should be lit during the hours of darkness.

O3.29.3 A scaffolding licence or other appropriate licence will need to be obtained from the local Highway Authority and the structure should display an emergency contact number.

### **Further Information**

The following websites may be useful sources of further information. There are other sources available.

Traffic Signs Manual, Chapter 8, Part 1 -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/203669/traffic-signs-manual-chapter-08-part-01.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/203669/traffic-signs-manual-chapter-08-part-01.pdf)

Traffic Signs Manual, Chapter 8, Part 2 –

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/203670/traffic-signs-manual-chapter-08-part-02.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/203670/traffic-signs-manual-chapter-08-part-02.pdf)

Health and Safety Executive (HSE) - <http://www.hse.gov.uk/index.htm>

HSE – Guidance on Protecting the Public - <http://www.hse.gov.uk/pubns/books/hsg151.htm>

TG20:13 - good practice guidance for tube and fitting scaffolding -

<https://www.nasc.org.uk/tg2013/>