

Form TOR2

CONDITIONS FOR THE TEMPORARY OCCUPATION OF A PORTION OF ROAD IN CONNECTION WITH BUILDING OPERATIONS

Roads (Scotland) Act 1984, section 58 and Road Traffic Regulation Act 1984, section 65

For the purposes of these conditions:

- (i) "road" shall include footway;
- (ii) "Area Manager" means the Area Manager and/or his representative of Operational Services.

General Requirements

1. Permissions are issued on the understanding that Argyll and Bute Council has granted a Building Warrant in respect of the operations.
2. The permit and these conditions shall be kept on site and shall be shown on demand, to any police officer or official from Operational Services or Development Services (Building Control).
3. The permission does not relieve the Applicant (or Contractor) of their duties to comply with any other enactments.
4. The holder of the permission shall indemnify and keep indemnified Argyll and Bute Council against all actions, claims, demands, costs, charges, damages, losses and expenses of whatsoever kind or nature which may be brought or made against or incurred by the Council in respect of the negligence, omission or default of the holder of the permission or those for whom the holder of the permission is responsible arising in respect of any operation authorised by the permission 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.
5. The permission does not carry with it the right to:
 - (i) close any public road or roads or to reduce the available carriageway width;
 - (ii) park vehicles on any part of the footway or carriageway.
6. Any part of the carriageway within a parking restriction area, required in connection with the work, must be agreed with the Police who must also be provided with at least 48 hours notice of commencement of use.
7. Prior to occupation of the road(s) a pre-inspection shall be carried out in conjunction with a member of the Area Manager's staff, to agree the existing condition of such road(s) and to indicate any special requirements the Area Manager may have in relation to the protection of existing road surfaces.
8.
 - (i) The mixing of materials, particularly concrete, grout and mortar on the road surface 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 road surfaces must be prevented.
 - (ii) Gulley gratings shall be covered and protected during the occupation and a channel shall be kept clear to allow surface water to drain away. No materials shall be discharged into gullies during cleaning operations (e.g. washing out concrete mixers/ready mixed concrete vehicles) or otherwise.

- (iii) Tracked vehicles shall not be driven on the road.
- 9. (i) On completion of the works, the permit holder shall ensure that all materials are cleared from the road (including gullies) which shall be left in a clean and tidy condition, to the satisfaction of the Area Manager.
- (ii) Any damage caused to the road during occupancy will require to be made good, at the expense of the permit holder, to the satisfaction of the Area Manager.
- (iii) If the permit holder fails to comply with the requirements of Clauses 9(i) or 9(ii) of these Conditions, the Area Manager may undertake such work as he considers necessary in terms of the Clauses and may recover, from the permit holder, such expenses as are reasonably incurred in doing so.
- 10. The Applicant shall make all necessary provision to ensure that the needs of disabled people are met in the area of his works by forming ramps if necessary and by giving clear visual warning to partially sighted pedestrians. Openings or obstructions on the road should be barricaded off with a continuous rail which is strong enough to offer the necessary resistance should a blind person walk into it. The rail should be 1 metre above ground level.
- 11. A safe passage must be maintained along all footways for pedestrians, or if this is not possible, a safe alternative means of passage around the works must be provided. A safe passage must be maintained for all vehicles round the works. A safe access must be provided for entrance to all properties in use, unless the consent of the occupier of the premises has been obtained. The holder of the permission must provide all necessary traffic signs, cones, barriers and lighting which shall be in accordance with the recommendations contained in Chapter 8 of the "Traffic Signs Manual" (published by Her Majesty's Stationery Office) and any amendments thereto.
- 12. Permission to occupy the road does not carry with it any right to interfere with or to obstruct access to any apparatus in or above the road and consequently, before occupation, the position of such apparatus should be determined by contacting the Firemaster and Statutory Undertakers including Mercury, British Relay, Clyde Cable and Cable North.
- 13. (i) No material placed on the road, shall be flammable, explosive, noxious or dangerous or likely to putrefy or likely to become a nuisance to the Public. No material shall be deposited which has a deleterious effect on road surfaces.
- (ii) All materials and any other items or equipment introduced onto the road by virtue of this permission must be kept neatly stacked, and all materials shall, where appropriate, be "damped down" to prevent dust or other nuisance. Materials must be confined to the minimum area of road in such a manner as to obviate spillage.
- 14. The Permit holder will be responsible for ensuring that all necessary measures are taken to deter unauthorised access to electric apparatus and cables (including overhead cables) which are adjacent to scaffolding, staging, ladders, climbing aids, hoarding, huts, portacabins, containers, trailers, vehicles, plant, materials and the like.

PRIOR TO COMMENCEMENT OF WORK, THE AREA MANAGER'S LIGHTING STAFF MUST BE CONTACTED, BY THE PERMIT HOLDER, TO ESTABLISH PROTECTIVE MEASURES REQUIRED IN RELATION TO OVERHEAD LIGHTING CABLES OR ASSOCIATED APPARATUS.

Additional Requirements Relating to Scaffolding and Hoardings

- 15. (i) All scaffolding shall comply with the current edition of British Standard Code of Practice BS 5973.
- (ii) The minimum headroom provided for pedestrians shall be 2.3 metres.

- (iii) The outer scaffolding or the outer face of the hoarding shall not be less than 450 mm behind the kerb face, otherwise a timber baulk must be placed outside the scaffolding/hoarding.
 - (iv) A protection fan giving a minimum clearance height of 5 metres above the carriageway must be provided on scaffolding, except where such is totally enclosed to the satisfaction of the Area Manager.
 - (v) Hoardings must be splayed at 45 degrees at:
 - (a) road junctions to provide adequate sight lines; and
 - (b) each end to provide safe passageway for pedestrians.
 - (vi) The Applicant will be responsible for ensuring that the scaffolding/hoarding is adequately supported and in so doing shall check for the presence of cellars 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 Manager.
- 16.
- (i) Scaffolding structures shall be erected immediately prior to commencement of work and dismantled immediately on completion of work.
 - (ii) Prior Police consent must be obtained for erection and dismantling times for scaffolding work.
 - (iii) Within two working days of completion of scaffolding erection, a completed Form TOR4 must be submitted to the Area Manager to attest to the fact that the scaffolding and associated plant and equipment are in good working order and comply with the recommendations of BS 5973 and where appropriate BS 5974.
 - (iv) Scaffolding (including that used for building support purposes) shall be inspected and reported by a competent person in accordance with the requirement of the Construction (Working Places) Regulations 1966.
 - (v) Within two working days of scaffolding being dismantled, the Area Manager must be advised of such in writing.
- 17.
- (i) Premises made vulnerable to attack by housebreakers, thieves or vandals shall be warned, by the holder of the permission, at least two weeks prior to the commencement of work by distribution of the advice leaflet **Vulnerability Due to Scaffolding** which is issued by Strathclyde Police (refer to Appendix to these conditions).
 - (ii) All ladders and climbing aids should be removed nightly from the scaffold structure and securely locked away, or, if this is not possible, these should be chained and locked in the horizontal position.
 - (iii) On all sites where dwellings or business premises are unoccupied, consideration should be given to employing static guards or security patrols to provide security outwith working hours.
 - (iv) 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.
18. Corner poles must be clearly indicated by warning tape or sleeves. Warning signs must be provided at ends and external corners. Warning lamps must be provided during the hours of darkness (that is, between half-an-hour after sunset and half-an-hour before sunrise).

19. Any material being discarded from the upper floors of the building must be fed directly into a skip or lorry by means of a chute, capable of being retracted to give a minimum clearance height of 5 metres above the carriageway.
20. Posters, bills or advertisements shall not be permitted on any scaffolding, with the exception of such relating to the building contract or to the business carried out or to be carried on in the premises under construction or repair.

Additional Requirements Relating to Huts/Portacabins/Containers/Trailers

21. The Contractor's name and his day-time and night-time telephone numbers must be clearly displayed on the side of huts, portacabins, lockfast containers and demountable trailers. In addition, where these units are sited on the carriageway, they must carry obligatory retro-reflective rear markings as specified in the Road Vehicles Lighting Regulations, 1984.
22.
 - (i) Huts and the like shall not be sited on main roads or adjacent to junctions/pedestrian crossings or where traffic signs will be obstructed.
 - (ii) If it is necessary to locate huts and the like on the road, these shall be placed adjacent to the property undergoing building work. Where this is not possible, local residents should be consulted to ensure that there are no objections.

Additional Requirements Relating to the Use of Mobile Cranes and Hydraulic Platforms

23. The hours and method of operation of mobile cranes and hydraulic platforms must be discussed and agreed with the Area Manager prior to implementation.
24. If traffic conditions are such that the operations are likely to lead to congestion, traffic arrangements must be agreed with the Area Manager, the Police and, in the case of bus routes, with Strathclyde Passenger Transport Executive. If a temporary road closure is required, consultation must take place well in advance to allow the necessary procedures to be followed.
25. The proposed use of tile lifts, or other form of mechanical lifting apparatus must be shown on the plan(s) submitted with the application, to ensure that the full extent of road encroachment can be assessed for approval.