

**Highways Act 1980 – Section 169**  
**Application for a Licence to Erect Temporary Scaffolding or Hoarding On or Over the Highway**

A scaffolding/hoarding licence is required if the scaffolding/hoarding is to be placed on the public highway. Scaffolding/hoarding licences are not required if the scaffolding/hoarding is to be placed on private property.

The scaffolding/hoarding must not be placed until permission has been received.

Failure to observe this statutory requirement is an offence and a charge of £200 for unlicensed scaffolding/hoarding will be made and a retrospective licence application will be required.

A permit will only be issued to the owner of the scaffolding/hoarding. Applications from users will be accepted provided that the scaffolding/hoarding owner is clearly identified and the owner indemnifies Telford & Wrekin Council and meets with its insurance requirement as set out below.

Applications must be submitted 10 clear working days in advance of erection. Scaffolds/hoardings must be removed immediately on completion of works.

If the time period is likely to be exceeded then the applicant must advise the Streetworks team at least 5 clear working days in advance of the expiry. Penalties for a licence exceeding the allowed dates may apply.

**Applicable regulations**

The following regulations apply to this licence:

- Health and Safety at Work Act 1974
- Construction (Design & Management) Regulation 2007
- Management of Health and Safety at Work Regulations 1999

**Charges**

There is a non-refundable charge of £100 to cover the administrative cost in processing the licence. We will not begin to process the application without payment

**Appealing against an unsuccessful application**

If your application is unsuccessful please contact us to discuss it via [streetworks@telford.gov.uk](mailto:streetworks@telford.gov.uk)  
If you are still unhappy with the decision you may appeal to Telford Magistrates Court.

**Complain about scaffolding or hoarding on the highway**

If you wish to make a complaint about the location or safety of a scaffolding or hoarding on the highway please contact us.

**Important**

The Local Authorities (Transport Chargers) regulations 1998 allows Local Authorities to make reasonable charges to recover the costs of administration associated with issuing licences for scaffolding erected on the highway.

The scaffold must be erected and dismantled on a Sunday unless previously agreed by the Authority.

The scaffold erector must be qualified and fully conversant with HSE Regulations.

A sketch plan of the scaffold site must accompany this application.

A copy of applicants Third Party Liability Insurance Certificate for a minimum of £5,000,000 must be provided with your application.

Approval of your application will only be sent on receipt of payment.

### **Conditions of Licence to Erect Scaffold/Hoarding on the Highway**

1. The Hoard or Scaffold shall not encroach on the Footway any more than that stated in the application above.
2. The Licensee shall adequately fence off a portion of the adjacent carriageway as may be directed to provide a safe passage for pedestrians, such as fence or barrier to be adequately lit at all times between half an hour after sunset and half an hour before sunrise. All to the satisfaction of the Streetworks team.
3. All scaffolding shall be properly secured and erected and all necessary precautions shall be taken during the erection and dismantling to prevent any material, tools or equipment falling onto the footway or carriageway. Such hoard or scaffold shall be provided with a safety sheet or other safeguard at a height of not less than 2.5 metres (8 feet) from the ground, which shall effectively prevent any materials, tools, water or other liquid falling into the footway or carriageway during the course of the work.
4. Every hoard or scaffold support which rests on the footway or carriageway shall be painted white up to a height of 2.5 metres (8 feet) from the ground, and the positions of such supports shall be clearly indicated by sufficient warning lamps at all times between half an hour after sunset and half an hour before sunrise.
5. No bar, rail or other obstruction shall be erected over the footway at a height less than 2.5 metres (8 feet).
6. The said hoard or scaffold and all other objects shall be removed by the Licensee and the highway shall be left clear and unobstructed on or before the proposed end date stated above and the Licensee shall bear the cost of restoring the highway if damaged as a result of the erection of the hoard or scaffold or of work incidental thereto.
7. The period mentioned in Condition 6 must be strictly adhered to. If the period is likely to be exceeded, the Streetworks team must be advised at least ten working days before this permission expires.
8. If the hoard or scaffold is to be illuminated at night, the electrical installation must comply with The Electricity at Work Regulations 1989, Statutory Instrument 1989/635 and BS 7671 : 1992 Requirements for Electrical Installations (IEE Wiring Regulations 16th Edition) and be approved by Midlands Electricity Plc before it is made live.

9. In the event of any of the above conditions not being observed, this licence will be withdrawn and the Licensee shall bear the cost of restoring and making good the highway.
10. This Licence is invalid until such time as a copy bearing the Contractor's signature has been received.
11. Power Cables/Wires

It is the responsibility of the scaffold owner to contact the appropriate power supply company regarding any power cables/wires situated within the scaffold works area.

#### **NOTES**

- a) The Contractor is reminded of his responsibility for complying with the Health and Safety at Work Etc Act 1974 and other Regulations, particularly those relating to the safety of these structures.
- b) The Contractor is reminded that it is an offence to cause an obstruction on the public highway by the stacking of scaffold materials.
- c) Before erecting the board or scaffolding, the Contractor must receive formal approval from the Streetworks Team, and where required arrange an appointment with them on site.
- d) Notwithstanding the above, it is the duty of the Licensee by virtue of Section 169(4) of the Highways Act 1980:
  - i. to ensure that any structure is adequately lit at all times between half an hour after sunset and half an hour before sunrise;
  - ii. to comply with any directions given to him in writing by the Authority with respect to the erection and maintenance of traffic signs in connection with the structure;
  - iii. to do such things in connection with any structure as any statutory undertakers reasonably request him to do for the purpose of protecting or giving access to any apparatus belonging to or used or maintained by the undertakers.

A condition of this licence will be that the applicant agrees to hereby undertake to observe and perform all the above Conditions, to restore and make good the said streets and footways in the manner aforesaid, or pay the costs and expenses incurred by the Director in so doing, and also to indemnify the Authority against any claims whatever arising out of or in connection with the work hereby licensed.

#### **Control of Scaffolding on a Highway: Section 169 Highways Act 1980: Local Authorities (Transport Charges) Regulations 1998, Regulation 3**

#### **A Guide to the Safe Erection and Dismantling of Scaffolding**

##### **1. Introduction**

Erecting and dismantling scaffolds remains a high risk activity, not only to those carrying out the work, but to other workers and the general public. The following guide set out steps which need to be considered by anyone involved with such work. It is aimed not only at those directly working in the scaffolding industry but also to clients, planning supervisors

and principal contactors. Set out below are a number of key issues you will need to consider to ensure scaffolding operations are undertaken safely.

## 2. The Law and Planning for Safety

Health and Safety at Work Act 1974

Construction (Design & Management) Regulations 1994

Construction (Health, Safety and Welfare) Regulations 1996

Management of Health and Safety at Work Regulations 1999

This guide is not designed to explain the above legislation in detail. However, it is important to remember that a wide range of people, ranging from clients through to the self-employed, have legal responsibilities. In simple terms the law requires that scaffolding operations are properly planned and then, carrying forward the results of the planning, to ensure the work is carried out safely on site.

## 3. Scaffold Licences

**A licence from the local authority is required before a scaffold can be erected on a public highway.** An additional licence is usually needed if you plan to install a protective fan. A licence may set down standards on such matters as lighting or painting the scaffold, or for a fan it may restrict the height at which it is set. **For further advice you should contact your local highway authority.**

## 4. Protection of the Public

When scaffolding operations are in progress the public must be excluded from both the area of work and a sufficient area around it. Steps to ensure this will include

- Obtaining a temporary pavement of street closure whilst operations are carried out;
- Undertaking operations in “quiet” hours, ie early morning, at night or at weekends;
- Incorporating fans, crash decks and “tunnels” as early as possible into a scaffold;
- Erecting barriers and signs and diverting the public away from operations;
- Storing scaffolding clips and other loose materials safely on the scaffold; and not raising or lowering materials over members of the public or other site workers. Also consider that disabled persons need proper access along pavements covered by scaffolding.

## 5. Scaffolders Working at Height

Scaffolders must follow safe systems of work to prevent people falling. In particular.

- When lifting or lowering materials, scaffolders must be clipped on or working within a handling platform that is fully boarded, with double guard-rails and tow boards.
- A minimum 3 board working platform together with a single guard-rail is provided as erection or dismantling works progress.
- Safety harnesses to be worn at all times by scaffolders and fitted with a 1.75m length lanyard and a 55mm opening scaffold hook or similar for one-handed operation.
- Harnesses should be clipped on to a secure anchorage point where falls of 4 metres or more are possible. A secure anchorage point requires the following minimum conditions.
- The scaffold must be tied in to a sound structure as work progresses;
- Attachment can be made to a ledger, transom or guard-rail supported with load bearing couplers or a transom supported by ledgers in a lift above, fixed at both ends by single couplers.
- At least one bay of scaffold should remain boarded out of work progresses and this should be used for ladder access for the full height of the scaffold.
- Safe ladder access for scaffolders should be incorporated as early as possible into the erection process.

- Scaffolders should not be clambering up and down scaffolds without proper ladder access and safe working platforms provided on each lift being worked on.

#### 6. **Stability of Scaffolds**

Each year there are a number of scaffold collapses across the country. To make sure your scaffold does not collapse, you should ensure that:

- The anchors specified to tie a scaffold to a structure are suitable for the base material and that they are installed correctly.
- Scaffold anchors or ties are installed as erection work progresses. Conversely, they should not be removed too early during dismantling operations.
- More ties will be needed on a sheeted or netted scaffold to ensure its stability; and
- Scaffolds are not overloaded with equipment, especially tube and fittings, during erection or dismantling operations.

#### 7. **Training, Supervision and Monitoring**

Effective training of scaffolders is possibly the most essential factor in preventing accidents on site. In addition, do not forget the importance of monitoring the scaffolding contractor. Clients, principle contractors and others in control should take reasonable steps to ensure that any work being carried out on their site or premises is undertaken safely. Simple steps to take include:

- Checking the training levels of scaffolders and who will supervise them on site; and
- Site monitoring of scaffolders to ensure they follow proper safety standards.

#### 8. **References and Further Information**

Health and Safety in Construction HSG 150 HSE Books – Tel: 01787-881165.

Protecting the Public; Your next move HSG 151 HSE Books

National Access and Scaffolding Confederation (NASC) Guide SG4:00. The use of fall arrest equipment whilst erecting, altering and dismantling scaffolding. Construction Industry Publications – Rel: 0121-722-8200 (Available May 2000).

BS 5973:1993 Code of Practice for access and working scaffolds and special scaffold structures in steel. BSE publication – Tel: 020 8996-9001

**PLEASE NOTE: APPLICANTS MUST SUBMIT THE RELEVANT APPLICATION FORM FOR TEMPORARY TRAFFIC LIGHTS IF REQUIRED (Additional charges may apply)**