

Please detach and return front page only with necessary documents specified in the attached guidance.



Form MW1 – 2017/2018

Receipt Number

**ROADS(SCOTLAND) ACT 1984 – SECTION 56
APPLICATION FOR**

**CONSENT FOR WORKS OR EXCAVATION, INCLUDING MINOR ROADWORKS TO
CONSTRUCT ACCESS(ES) OR VEHICULAR CROSSINGS IN THE PUBLIC ROAD**

To: Executive Manager, Shetland Islands Council, Roads & Transport Network, Gremista,
Lerwick, Shetland, ZE1 0PX

**Applications MUST be completed by the CONTRACTOR as AGENT for the APPLICANT
Please read the Guidance Notes carefully**

Name, address and e-mail address of APPLICANT

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

Location of the works / operations in road

Proposed Start Date.....

.....

Proposed End Date.....

.....

Purpose of works / operations in road and description

.....

.....

Payment of fee (£160.75) attached Cheque or Cash (delete as appropriate) including inspection fees.

Contractors Signature Print Name

Company Date

Symology PIR Reference :.....Planning Application Ref:

Notes:

1. The Contractor **MUST** provide proof of their Public Liability Insurance Cover (minimum level of cover £5 million) (see point 2 in Notes for Guidance)
2. There must be one person assigned to the site holding NRSWA accreditation as a Supervisor and at least one other person holding NRSWA accreditation as an Operative on site at all times during the works. Proof of accreditation must be submitted with this application before consent will be granted.
3. Failure to comply with the requirements of the Roads (Scotland) Act 1984 Section 56 constitutes an offence which may result in prosecution and a fine up to £1000

Office Use - Checklist

Location Plan & Layout _____

NRSWA Operative/Supervisor Details _____

Plant Information

Dial Before You Dig - PIR Reference No.....

Or Plans attached. _____

Fee (£160.75) _____

Proof of Public Liability Insurance _____

Notes for Guidance:

1. Section 56 (2) of the Roads (Scotland) Act 1984 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:
 - Scottish & Southern Energy
 - B.T. Openreach
 - Scottish Water
 - Vodafone (Thus)

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

This can be done using the Plant Information Request service provided by Symology via Dial before you dig FREE service Tel: 08000231 251 or by using the interactive web site www.national-one-call.co.uk/selfplan.asp

2. The Contractor shall agree to indemnify Shetland Islands Council, as Roads Authority, from and against all actions, claims, demands, costs, charges, damages, losses and expenses of whatever 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 be the Contractor appointed to carry out the works.
3. Qualifications – Whilst works are in progress, there must be at least one person on site at all times holding NRSWA accreditation as an Operative and another named accredited Supervisor allocated to the works and available to attend if required.

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

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

If a Road Closure is required, a further application will be required at least 21 days in advance.

5. The Contractor is required to give at least 14 days notice of their proposed start date (for coordination purposes). In addition the applicant must also advise the Roads Network Section on the day works start on site and on the date works are completed.
6. Further terms and conditions will be attached to the Permit – please read those carefully before commencing works on site.
7. The Contractor must complete the application form and return it with the relevant fee, to:- Shetland Islands Council, Roads Service, Gremista, Shetland, ZE1 0PX

Tel: 01595 744866

e-mail: roads@shetland.gov.uk

Quick Reference Guide:

Step 1

Send Application for consent to Roads Authority (include Plans, Evidence of Utility Consultation, Contactor info. and give Proposed Start Date)

Step 2

Application Successful – receive Permit (valid for 3 months), Forms N and R1 (required to notify works)

Application Unsuccessful – SIC may require further details or enter into discussions.

SIC enter Intention to Issue Licence onto the Scottish Road Works Register –(SRWR)

Step 3

Notify SIC (using N Form) of proposed Start/End date in accordance with New Roads & Street Works Act 1991 (NRSWA) advance notification procedure.

SIC Enter Proposed Woks on SRWR

Step 4

Notify SIC of Actual Start Date (on the day work starts)

SIC enter Works in Progress on SRWR

Step 5

Notify SIC (using form R) of works end, either Temporary or Permanent reinstatement

SIC update SRWR to Works Clear or Works Closed within 24 hours.

Checklist

Plans _____

NRSWA Operative/Supervisor Details _____

Plant Information

Dial Before You Dig - PIR Reference No.....

Or Plans attached. _____

Fee (£160.75) _____

Conditions

The **Standard Conditions** attached to any minor road-works consent granted are:

1. You shall be responsible for the provision of signs and barriers and ensure that all works shall, where appropriate, be signed in accordance with Chapter 8 of the Traffic Signs Manual.
2. The consent-holder shall assume responsibility for claims against Shetland Islands Council as a consequence of the works, both during the time that work is in progress and for a period of twenty-four months after the date of completion of the works.
3. The consent is valid for a period of **three months**, during which the works must begin, but this may be extended at the discretion of the Head of Roads.
4. Reinstatements to be carried out in accordance with the 'Specification for the Reinstatement of Openings in Roads'
5. Where a ditch or drain is required to be piped under the access, the minimum diameter will be determined by the Roads Authority.

Additional Information:

Conditions applicable to standard vehicular crossings from classified roads. (A, B and Class III)

1. Planning permission must be obtained
2. A vehicle turning space must be provided and maintained within the site.

General Roads Conditions for Vehicular Crossings

1. There shall be no obstruction over 0.9m in height above carriageway level within 2.5m of the carriageway edge along the frontage of your garden ground to the public road.
2. There shall be no obstruction to visibility over 1m in height above carriageway level within the visibility splay onto the public road.
3. The gradient of the access shall not exceed 1 in 20.
4. The access shall be constructed at right angles to the public road.
5. Any garage shall be erected at least 6.0m back from the heel of the footway.
6. Any Boundary fence should be kept back a minimum of 2 metres from the edge of the carriageway. (This may be greater depending on relevant planning consent).
7. The hard standing shall be of a sufficient length to ensure that the gates may open inwards when a vehicle is parked on the hard standing.
8. At least the first 6.0m of the access shall be finished in hot bitmac.
9. Drainage must be arranged to prevent shedding water onto the public road.

As each site is unique you may wish to consult a Roads Officer regarding feasibility and any other relevant conditions, which may apply.

Construction

You should ensure that your chosen Contractor is tendering in full knowledge of the specifications and conditions. For your own protection, you should advise your Contractor that you will not pay him until the work is approved by the Council. The actual number of Contractors you ask to tender for the work is a matter of your own discretion but they must all be accredited contractors under the New Roads and Street Works Act (1991)(the 1991 Act).