

# Scaffold Licence – Guidance

## 1.0 Completing the Application Form – General Information

1. The scaffold company must specify the exact site address
2. The scaffold company operator must specify the start and end date and time of operation – this is often dependant on the bay suspensions and road closure notice periods so they should be contacted as early as possible where required.
3. The scaffold company must specify the reason for the operation, e.g. development, roof replacement?
4. The scaffold company must specify the dimensions of the entire scaffold including width, length, proximity to kerb line and traffic/pedestrian clearances.

### Licence Duration

Licences are issued in increments of calendar months. Licence extensions must be applied for at least five working days before the expiry of the licence. Any request to amend the date or extend licence within 5 days of or following expiry of the licence will be declined and a new application and payment must be made.

### Health & Safety

We will require a signed letter of indemnity and a copy of your insurance liability for each operation, regardless of size. Please note that no scaffold company can carry out any type of scaffold operation on the public highway without agreeing to provide up to Five Million Pounds indemnity (please see pro forma attached below).

In addition we will require a clear and exact site plan including the position and location of all safety barriers and information signs. If you need to carry out work at several points within close proximity we may licence these under one application, although this will be at our discretion.

Southwark Council may inspect the site at any time during the operation. If the operation does not adhere to the agreed conditions and traffic management requirements, the inspector may instruct the Scaffold supervisor/applicant to safely shut down the operation until the problem is resolved.

In cases where the agreed scaffold set up or traffic management plan differs grossly from that which was agreed and/or poses a potential danger to person or property, an officer of Southwark Council will instruct the operation supervisor to immediately and safely close down the operation and leave the site. Discussions will then be held between the Scaffold company/applicant and the Council at a later date to reschedule the operation.

Southwark Council requests that only qualified and competent staff are to be used on site during the erection and taking down of any licensed scaffold.

It is the scaffold company's responsibility to ensure that all relevant checks have been carried out regarding statutory undertaker underground apparatus.

## **Scaffold Guidance**

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

### **The Law and planning for safety**

- Health and Safety at Work Act 1974
- Construction (Health, Safety and Welfare) Regulations 1996
- Management of Health and Safety at Works regulations 1999
- Control of Substances Hazardous to Health 2002
- Construction (Design and Management) Regulations 2007

This guidance is not designed to explain the above legislation detail, however, it is important to remember that a wide range of people 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.

### **Scaffold Conditions**

A licence is required from Southwark Council before a scaffold can be erected on a public highway. All conditions attached to the scaffold licence application must be adhered to during the operation and use of licensed scaffold.

### **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 or street closure whilst operations are carried out;
- undertaking operations in “quiet hours” i.e. early morning, at night or at weekends;
- incorporating fans, crash decks and tunnels as early as possible into a scaffold;
- erecting barriers and signs diverting the public away from operations;
- storing scaffold clips and other loose materials safely on the scaffold;
- not raising or lowering materials over members of the public or other site workers; and
- provision of proper access along pavements during hoarding operations to meet disabled persons need.

### **Scaffolders working at height**

Scaffolders must follow safe systems of work to prevent people or objects 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 guardrails and toe boards
- a minimum 3 board working platform together with a single guardrail 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 onto 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 guardrail 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 a scaffold should remain boarded out as 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.

### **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 to a scaffold are suitable for the base material and that they are installed correctly;
- Scaffold anchors or ties are installed as the 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 tub and fittings, during erection or dismantling operations.

### **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 scaffold contractor. Clients, principal 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 those who will supervise them on site
- Site monitoring of scaffolders to ensure they follow proper safety standards

### **Damage to the Highway**

Southwark Council reserves the right to inspect the site before, during and after the operation has been completed. If we feel that your scaffold has damaged or altered the public highway in any way we will carry out repairs and recharge all reasonable costs to the operator. If no inspection has been carried out to confirm the existing state of the highway prior to the operation, you must agree to pay any reasonable charges specified by this council if we feel the highway has been damaged. We suggest that you take photos of the site prior to your operation for your records.

### **Bay Suspensions / Road Closures**

Please note - All bay suspensions and road closures need to be advertised in advance and it is recommended that the applicant contacts the relevant team as soon as possible in order to confirm crane operation start date. It is the applicant's responsibility to ensure this is in place prior to the licence being required.

If operation requires the suspension of parking bays, the applicant must submit an application to the Council's Parking Bay Suspensions Team at least two weeks in advance of the proposed start date.

Parking suspensions: [parking@southwark.gov.uk](mailto:parking@southwark.gov.uk)

If operation requires a road closure or yellow line suspension, the applicant must submit an application to the Council's Traffic Orders Team a minimum of eight weeks in advance of the operation.

Highway temporary traffic orders: [TTMO@southwark.gov.uk](mailto:TTMO@southwark.gov.uk)

In addition, payment for any bay suspensions or traffic orders must be paid in advance. If your operation requires the suspension of a bus lane or a bus stop, please contact London Buses in advance to arrange this.

### **Site Visits**

A site visit from a council inspector to assess your criteria will only be carried out following receipt of the completed crane licence application form, proposed traffic management plan and payment. Should a further site visit be required to discuss additional requirements a charge will be made of £35. This will be payable prior to the meeting being carried out.

## **2.0 Please submit your signed application form to our office by post or email, including the following documentation:**

### **Letter of Indemnity**

The London Borough of Southwark requires a signed letter of indemnity before any scaffold operation can commence.

Southwark Council recommends that the scaffold company/applicant use the attached pro-forma when submitting your letter of indemnity. If you intend to issue your own letter of indemnity, please allow at least one month for the Southwark Council's legal team to check and approve it. We advise that the indemnity be dated for one year.

### **Insurance Liability**

Insurance of at least five million pounds is required and a copy of your insurance liability should be provided as proof of the indemnity statement.

### **Traffic/Pedestrian Plan**

All scaffold operations on the public highway require a traffic/pedestrian management plan. Your site and traffic/pedestrian management plan must adhere to the regulations set out in Chapter 8 of the Traffic Signs Manual 1991, and the Safety at Street Works and Road Works Code of Practice.

Officers of the London Borough of Southwark will examine your proposals, and may amend them if there are any areas of concern. If amendments are necessary, the scaffold operator will be responsible for resubmitting the revised plan.

## **3.0 Sending Application**

### **Once my application is completed where do I send it?**

Once you have completed the Scaffold Licence Application you are required to send it to the Highways Licensing Team by the following methods:

- 1) By Post
- 2) By Email

## **Once I have sent my application, what happens next?**

Upon receipt of a completed application and payment, Southwark's Highway Licensing Team, will perform a site inspection to assess the application requirements, condition of public highway and co-ordination requirements on the licensing database to ensure road and foot space is available.

Over the fourteen days your application will be assessed and either issued or declined. If an application is declined the reasons will be explained as to why it was not issued at that time.

## **Once my licence application has been accepted how do I receive my licence?**

All licences will be sent by post ready laminated for the purpose of being displayed outside. All licences are required to be displayed for the purposes of informing council officers and members of the public the nature of the works, licence conditions and contact details in case of an emergency.

If required an electronic version of the licence can be sent to you by email.

No activity shall be performed on site until a valid licence has been authorised and displayed on site. Unlicensed activities or activities waiting for consent will be treated as illegal works and will be dealt with through the enforcement process.

## **Licence and Deposit Fees**

Scaffold Licence Applications must be paid before any site inspections or issue of licence is performed. All applications require payment for licence and deposit for potential damages.

Deposits are required to be held by the London Borough of Southwark in order to protect the highway authority's assets in the cases where damages are found due to licenced activities being performed. Deposits received by the London Borough of Southwark are refundable after site inspection confirms on completion and removal of the scaffolding that no damage has been sustained to the highway.

## **How much will a scaffold licence cost**

- Scaffold licences (up to 10 metres in length) – per month - £341.00
- Scaffold licence (over 10 metres in length and up to 50 metres) per month - £390.00
- Scaffold licence (over 50 metres in length) per month - £510.00

## **How much will a deposit for a scaffold licence cost**

To cover any costs of potential damages the level of deposit will be advised on application.

## **Licence Expiry – Deposit Return**

Once the licensed activity has been finished you must inform Southwark's Highway Licensing Team that the works have actually been completed on site either by letter or email.

An inspection will take place upon completion of the licensed activity and if site assessment shows no damages to highway then the deposit will be returned if the form of cheque payable to the individual or company who applied for the licence.

## **4.0 Additional Costs and Enforcement**

If Southwark Council is made aware of any complaints, failures of licence conditions or enforcement issues an inspection will be carried out by the Highways Licensing Team. If upon inspection the terms and conditions of the licence have been broken, an inspection charge of £35.00 will be deducted from the deposit in order to cover the costs of the inspection.

Where an invalid licence or failure of compliance to licence conditions is found Southwark Council can issue a Fixed Penalty Notice under the Local London Authorities Act 2003 and the Highways Act 1980. If a Fixed Penalty Notice is issued, the applicant will have 28 days to pay £50.00 at a discounted amount. If you fail to pay the discounted amount of £50.00 you then have an a further 14 days in order to pay the Fixed Penalty Notice at the full cost of £100.00. If you fail to pay the Fixed Penalty Notice within the 36 day period Southwark Council may wish to proceed with prosecution.

## **5.0 Licence Expiry – Deposit Return**

Once the licensed activity has been finished you must inform Southwark's Highway Licensing Team that the works have actually been completed on site either by letter or email.

An inspection will take place upon completion of the licensed activity. If the site assessment shows no damages to highway the licensee has the right to reclaim the deposit minus any charges levied during the licence period. The deposit will be returned in the form of a cheque payable to the individual or company who applied for the licence.

It should be noted that the deposits will be held for a maximum period of 6 months following the expiry date of the licence. No deposits will be claimable after this time.

### **What happens if the licensed activity has caused damage to the highway?**

Photographs taken before and after completion of licensed activity will be compared and assessed for damages to the highway. If the assessment shows damages to the highway the repairs will be completed and paid from the deposit. Any further costs required to repair highway will be invoiced to you. Any surplus money not used in repairing the highway will be returned to you.

## **6.0 Extending your Licence**

Scaffold highway licences will be issued for a term made up of increments of calendar months. Where licence extensions are required the Highways Licensing Team will consider and assess the application on a case by case basis for your requirements.

When applying for a highway licence the original duration of the activity should be realistic and take into account the works required. If an extension is required it is your responsibility to notify the Highways Licensing Team.

## **7.0 Transfer of Licence to another Company**

It is your duty to inform Southwark's Licensing Team if another company is going to take over the responsibility of the scaffold licence. A company which needs to take over a scaffold licence must apply for a new licence. If a new company does take over a scaffold licence it is still your

responsibility for all damages, conditions and liabilities until the Southwark Highway Licensing Team is informed.

Deposits held by Southwark Council will not be returned until a licence has been requested by the new company taking over the original highway licence.

You will legally be responsible until a new licence is in place.

Damages found on the highway between the end of your licence and the start of the new licence will remain with yourself. Any remedial works required on the highway will be paid for from monies retained as a deposit. Remedial works will not be performed until the existing licence expires.

## **8.0 Regulations and Related Acts of Law**

Southwark Council has followed government regulations, advisory notes and acts of law in producing its highway licensing guidance.

The main “Acts” and regulations used in producing the London Borough of Southwark’s Highway Licensing Guidance Notes include:

- Health and Safety at Work Act 1974
- Construction (Health, Safety and Welfare) Regulations 1996
- Management of Health and Safety at Works regulations 1999
- Control of Substances Hazardous to Health 2002
- Construction (Design and Management) Regulations 2007
- Highways Act 1980
- London Local Authorities Act and Transport for London Act 2003
- The Lifting Operations and Lifting Equipment Regulations 1998
- The Provision and Use of Works Equipment Regulations 1998
- British Standard Code of Practice for the Safe Use of Scaffolds 1989
- The Work at Height Regulations 2005
- Tower Scaffolds – Construction Information Sheet No 10 (Revision 4)
- Builders Skips (Markings) Regs 1984