



Officer decision record

Directorate

PLACE

Date

9th July 2018

Contact Name

Bill Murphy – Head of Contract Management

Telephone No

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Subject Matter

Highway Scaffolding Policy – Section 169 Highways Act 1980.

Decision Taken

To adopt the “Application for a license to erect a scaffolding structure on the highway (Highways Act 1980 – Section 169)” Policy, application process and conditions.

Relevant Background
Considerations risk
liabilities

To date the Council in partnership with Island Roads, the highway Service Provider have managed applications for the erection of scaffolding structures on the highway using a simplified application process that was adopted by the Authority many years before the onset of the Highways PFI Contract.

A number of high profile incidents has highlighted the deficiencies of the current process and the exposure of the Authority in regard to its liabilities to safely manage the local highway network.

The revised application process for a license to erect a scaffolding structure on the highway is designed to address the deficiencies of the current application process and introduces a number of additional controls in regard to the core skills and competencies of those involved in the designing, erecting or dismantling structures on the highway, and makes a requirement for the license, including any pre-agreed conditions, to be displayed on-site.

The process also provides further obligation on scaffolding contractors to ensure that both vehicle and pedestrian disruption is kept to a minimum and that alternative walkways are provide, where required. These requirements enable the Authority to comply with its Equality Act obligations.

Whilst the requirement for CISRS accreditation will be required with immediate effect, membership of the NASC is subject to a 12 month grace period with all contractors required to secure membership by 1st September 2019.

Consultation
Undertaken

Consultation was undertaken with the Local Safety Group. This group is made up of practitioners, safety experts, and individuals with related interests in improving the safety standards within the building industry.

Having reviewed the draft policy, the feedback received back from this group, has been incorporated into the Policy.

Options Considered
and Reasons for the
Decision

Three options were considered:

- 1) to adopt the Policy as proposed;
- 2) to adopt with amendments; or
- 3) to not adopt the Policy.

It is recommended to adopt the Policy as written, however the introduction of NASC membership for contractors will not be required during the first twelve months after Policy commencement.

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Legal Implications

The Policy aims to enable the Council, with its Highway Service Provider, Island Roads, to manage scaffolding on the highway network in accordance with the Highways Act Section169; and as per the best practice guidance provided by both the NASC and the HSE. The additional provisions in respect of providing appropriate alternative walkways also enable the Authority to fully consider any Equality Act implications at the application stage.

Advised by

Financial Implications

The licence fees set out within the Policy and application form will cover all the costs associated in implementing the Policy; for administering scaffold applications; and when inspecting scaffolding relative to the Highway safety. These fees would be increased annually by RPIx on 1st April.

Advised by
Delegation Being
Exercised

To adopt the Policy as proposed.

Signed: Bill Murphy

Date: 9th July 2018



I have consulted on the above decision, (for use if it is considered appropriate to consult the relevant Member in taking a decision).

Signature of relevant Cabinet Member (If required)

Signed: _____ Date: _____