

MANCHESTER CITY COUNCIL
TEMPORARY WORKS CONSENT
TERMS AND CONDITIONS

- C1 – Upon the issuing of the consent, the applicant will become the person to whom the consent is issued in terms of Highways Act 1980, New Roads and Street Works Act 1991 or Road Traffic Regulation Act 1984 and will be referred to in the consent as “the consent holder”.
- C2 – The company undertaking the work must hold relevant qualifications for undertaking temporary works in the highway and the works must be undertaken by suitably qualified personnel.
- C3 – The temporary works shall comply with the requirements of all relevant legislation and any additional requirements imposed by the highway authority. Consent to undertake temporary works within the City Centre or in the vicinity of the Etihad Stadium or other major public venue may be subject to additional restrictions, conditions and costs.
- C4 – Any provision for providing a safe route for pedestrians shall be in accordance with the current Safety at Street Works and Road Works Code of Practice.
- C5 – Traffic Management shall be in accordance with the current Safety at Street Works and Road Works Code of Practice and Chapter 8 of the Traffic Signs Manual.
- C6 – The temporary works must not commence prior to the date specified on the consent and must be removed from site before the end of the specified period.
- C7 - The consent holder must implement any measures that the Highway Authority or undertaker (under the meaning of s48 of the New Roads and Street Works Act: 1991) reasonably requests for the purpose of protecting or giving access to any apparatus belonging to or used or maintained by them.
- C8 – The consent holder is responsible for contacting undertakers (under the meaning of s48 of the New Roads and Street Works Act: 1991) to establish whether or not their apparatus may be affected by the temporary works.
- C9 – The Highway Authority shall have the right to revoke the consent at any time.
- C10 – The consent holder shall indemnify and keep indemnified the Highway Authority against any claim in respect to injury damage or loss arising out of:
- The undertaking or presence in the highway of the temporary works associated with the consent; or
 - the execution by any person of any of works associated with the consent.

Copies of the relevant insurance certificates covering the period of the consent shall be presented to and held by the Highway Authority.

GUIDANCE NOTES

These guidance notes have been produced to assist applicants when applying to undertake temporary works on the Public Highway and to draw attention to their legal obligations to meet the required standards as indicated within this document.

GENERAL

This application is for a consent (referred to as “a consent”) to undertake temporary works which obstruct the highway. The consent is for the occupation of the highway only.

UNDERTAKING THE WORKS

1. The consent holder must implement any measures that the Highway Authority or Statutory Undertaker reasonably requests for the purpose of protecting or giving access to any apparatus belonging to or used or maintained by them.
2. Suitable and sufficient measures must be taken to prevent any highway user from being struck by falling debris, material or objects. The footway shall be kept clear for pedestrians and properly protected both day and night, so as not to cause risk of damage or injury to the public.
3. The temporary works must be adequately lit from half an hour before sunset to half an hour after sunrise amber warning lights.
4. The issuing of the consent does not exempt any vehicle from any existing traffic regulation order during the course of undertaking the works or other activity. Where appropriate an application to suspend the traffic regulation order should be made to the highway authority.

PEDESTRIANS

5. If proper provision cannot be made for pedestrians to pass safely past the works on the existing footway, then an adequately signed and guarded walkway shall be erected outside the area of the works, to the satisfaction of the local Highway Authority. A joint site inspection will be required and additional conditions applied.
6. Measures shall be taken to distance/segregate/minimise the public interface from the area of work.
7. All reasonable precautions must be taken to ensure the safety of the public/pedestrians during the works. Particular consideration should be given to the needs of children, elderly people and people with disabilities, having particular regard for the visually impaired. For example, the provision of appropriate ramps for wheel chairs and tapping boards to warn the visually impaired of approaching hazards are useful aids. In order to do this, consideration must be given to suitable barrier systems, which safely separate the pedestrians from any hazards and provide sufficient access for people using wheelchairs and those with prams or pushchairs.

TRAFFIC MANAGEMENT

8. Traffic management issues such as the use of temporary traffic signals and temporary road closures must be discussed and agreed with the local Highway Authority. Extra restrictions may be imposed by the local Highway Authority on routes designated as traffic sensitive.
9. The consent holder shall comply with Chapter 8, of the Traffic Signs Regulations and General Directions 2002 (TSRGD), together with such other conditions as the local Highway Authority may require. A requirement when carrying out any work on the highway is that the works are adequately signed, guarded and lit as stipulated in the "Safety at Street Works and Road Works Code of Practice.
10. To meet the traffic management standards, personnel involved in traffic management must be trained and accredited in the "Signing, Lighting and Guarding" module as prescribed in the New Roads and Street Work Act 1991. For minor traffic management a company must have at least: (a) One Accredited Supervisor (who does not have to be permanently on site). For major traffic management all operatives engaged in actually setting the system up on the highway shall be Street Works Accredited in 'Signing, Lighting and Guarding'

MAINTENANCE

11. During the period in which the works are being undertaken, they shall be kept and maintained in good order and condition, and so as not to be injurious to the amenities of the neighbourhood and/or users of the highway. When chutes, lifting gear of other devices are used for the removal of materials all necessary precautions must be taken for the safety of all highway users. During this operation the lorry body must be sheeted down to minimise dust levels.

12. It is the responsibility of the consent holder to ensure that the area of highway around the works is clean and clear of debris.
13. At the expiration of the time for which the consent is granted, or when the work for which this consent is granted, is completed, or if the consent is revoked, whichever is first, the works shall be immediately removed .
14. The consent holder is responsible for ensuring that the works area is kept free from fly posting and graffiti. Any occurrences must be removed within 48 hours.
15. A duplicate copy of the consent should be kept at all times during which the works are being undertaken and must be readily available for inspection by authorised officers upon demand.

REMOVAL OF THE WORKS

16. Upon removal of the works, the pavement will be inspected and any damage to the highway will be made good by the local Highway Authority at the expense of the consent holder in accordance with the provisions of Section 133 of the Highways Act 1980. To enable any damage to the highway to be assessed the local Highway Authority may undertake a dilapidation survey prior to the works at the expense of the consent holder.
17. The local Highway Authority shall have the right to revoke the consent at any time by appropriately served notice if any of the conditions subject to which the consent is granted are not complied with and the consent holder shall forthwith remove the works. In default, and after giving notice, the Council may themselves remove the works, and any reasonable expenses incurred by the Council in doing so shall be recoverable from the consent holder. Also it should be noted that failure to comply with conditions set by the local Highway Authority may lead to a fine being imposed under any relevant legislation.

INSURANCE – PUBLIC LIABILITY

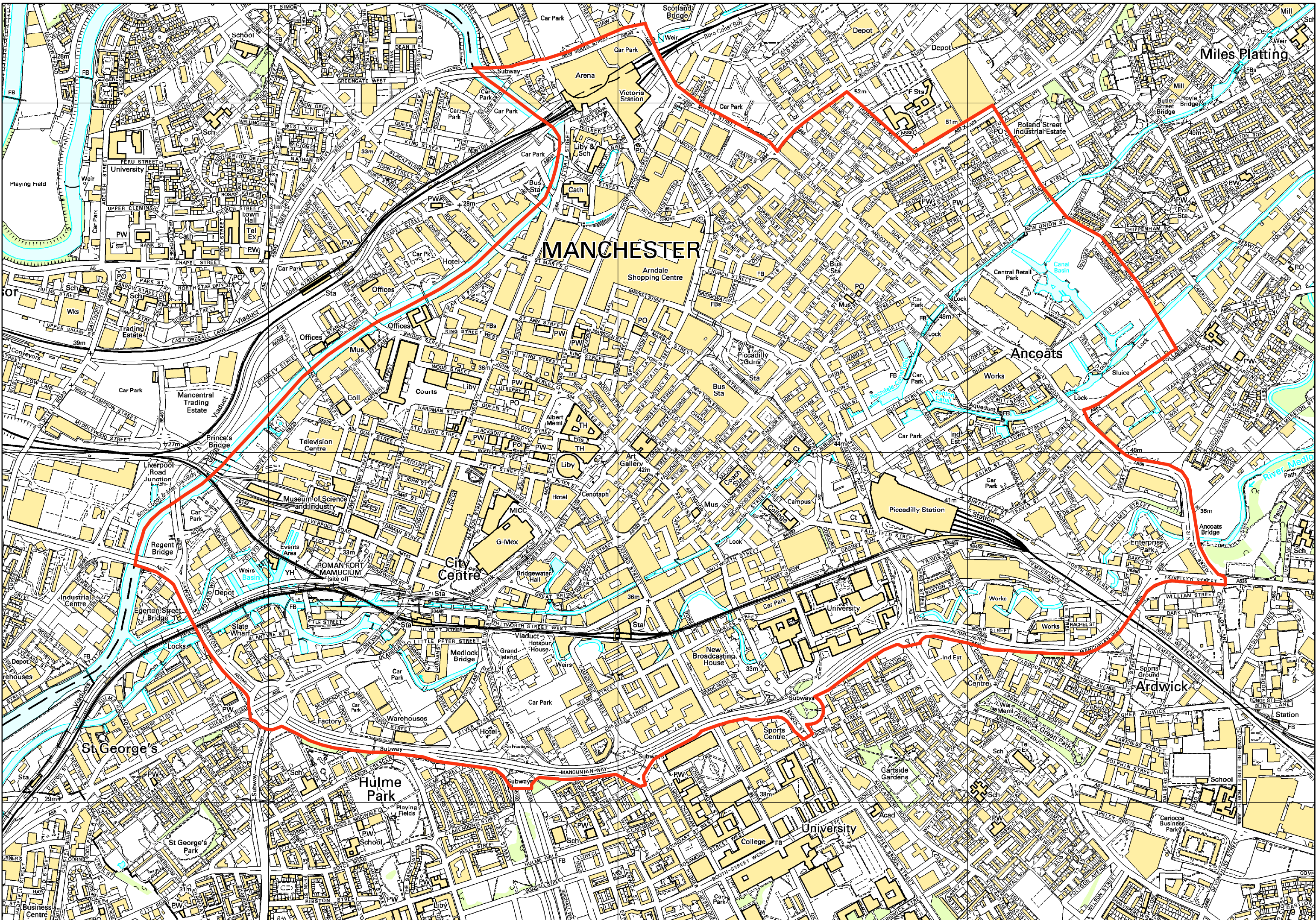
18. Public Liability Insurance giving minimum cover of £5M for the works is required. However, it may be noted that the Council reserves the right to increase these amounts if it is considered that the site location requires a higher degree of cover. You will be notified if this is the case and proof of increased cover will be required before the consent is granted.

MISCELLANEOUS

19. Unique Street Reference Numbers (USRNs) are obtained from the National Street Gazetteer. The Highway Authority will provide these numbers on request.
20. Where the Highway Authority is also a Permit Authority in respect to Part 3 of the Traffic Management Act: 2004, a further permit may be required.
21. Further separate licences or permits must be applied for where the consent holder intends to erect hoarding or scaffolding, deposit a skip and/or place building materials on the highway outside the area of the works.

REFERENCES

- Highways Act 1980
- New Roads and Street Works Act 1991
- Traffic Management Act 2004
- Safety at Street Works and Road Works Code of Practice:
- Chapter 8 Traffic Signs Manual



MANCHESTER

Miles Platting

Ancoats

City Centre

Ardwick

Hulme Park

University

St George's

St George's Park

Arndale Shopping Centre

Poland Street Industrial Estate

University

Mancentral Trading Estate

Liverpool Road Junction

Regent Bridge

Edgerton Street Bridge

St George's

St George's Park

Business Centre

Playing Field

Trading Estate

Mancentral Trading Estate

Industrial Centre

Warehouses

St George's Park

Business Centre

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