

**MIDLOTHIAN COUNCIL**

**ROAD SERVICES**

Roads (Scotland) Act 1984 – Sections 56, 59 60 & 61

**APPLICATION FOR CONSENT TO EXECUTE WORKS, CONDUCT OPERATIONS,  
EXCAVATE, PLACE AND RETAIN APPARATUS IN ROAD**

(Excluding Work Connected with Building Operations eg Deposition of Building Materials, Hoarding, Staging or Scaffolding)

**1. Name and address of firm or property owner to whom this consent may be issued:**

\_\_\_\_\_  
\_\_\_\_\_  
Tel No: \_\_\_\_\_  
Email: \_\_\_\_\_

**2. Name and address of Agent acting for owner if applicable:**

\_\_\_\_\_  
\_\_\_\_\_  
Tel No: \_\_\_\_\_  
Email: \_\_\_\_\_

**3. Name and address of Contractor:**

\_\_\_\_\_  
\_\_\_\_\_  
Tel No: \_\_\_\_\_  
Email: \_\_\_\_\_

**4. Location of Works:** (See note 2)

\_\_\_\_\_

**5. Purpose of Works and Description.** If road opening is made to install apparatus complete 6:

\_\_\_\_\_  
\_\_\_\_\_

**6. Details of road opening** eg surface water drainage, foul sewer, water supply etc with size and type of pipe or apparatus if applicable:

\_\_\_\_\_  
\_\_\_\_\_

**7. Sewer Connection Permit No:** \_\_\_\_\_

**8. Underground Plant Information request reference:** (See Note 1) \_\_\_\_\_

**9. Planned Start Date:** (See Table 1) \_\_\_\_\_ **Planned Completion Date:** \_\_\_\_\_

**Signature of owner or agent:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**IMPORTANT NOTICE (SEE OVERLEAF)**

## CONSENT TO EXECUTE WORKS, CONDUCT OPERATIONS, EXCAVATE, PLACE AND RETAIN APPARATUS IN THE ROAD

In accordance with the New Roads And Street Works Act 1991 and Roads (Scotland Act 1984 as amended by the Transport (Scotland) Act 2005 all road works on the public road network require to be registered on the Scottish Road Works Register (SRWR). Minimum lead in times are required and are detailed below.

**Table 1. Minimum Notice Periods**

<b><u>Work Category</u></b>	<b><u>Definition</u></b>	<b><u>Non traffic Sensitive Roads</u></b>	<b><u>Traffic Sensitive Roads</u></b>	<b><u>Works Requiring Temporary Traffic Signals</u></b>
<b>Minor Works</b>	Planned duration not more than 3 working days, does not involve more than 30 metres of work or 20 square metres of reinstatement at any one time, and does not restrict traffic to less than one-way flow.	Permit must be issued and registered on the Scottish Road Works Register <b>by noon on the working day prior to works starting.</b>	Permit must be issued and registered on the Scottish Road Works Register <b>one calendar month prior to works starting.</b>	Permit must be issued <b>7 working days prior to works starting.</b>
<b>Standard Works</b>	Works with a planned duration of 4 to 10 working days.	Permit must be issued and registered on the Scottish Road Works Register <b>7 working days prior to works starting.</b>	Permit must be issued and registered on the Scottish Road Works Register <b>one calendar month prior to works starting.</b>	Permit must be issued <b>7 working days prior to works starting.</b>
<b>Major Works</b>	Works with a planned duration of more than 10 working days.	Permit must be issued and registered on the Scottish Road Works Register <b>3 calendar months prior to works starting.</b>	Permit must be issued and registered on the Scottish Road Works Register <b>3 calendar months prior to works starting.</b>	Permit must be issued and registered on the Scottish Road Works Register <b>3 calendar months prior to works starting.</b>

- Information on Statutory Undertaker's apparatus which may be affected by works under this consent will be ascertained by contacting Symology on 08000 231 251. This information will be sent to the applicant or his or her agent within 3 days of the initial enquiry. The applicant should indicate whether or not a plant information request has already been made for the works.
- In the case of excavations in the road this application must be accompanied by **2 No drawings** of a readable scale showing marked in red the position or the approximate route of the opening.  
**A traffic management plan must be provided.**

Should works require the use of temporary traffic signals **Form PLS-A** should also be submitted.

### 3. UNDER NO CIRCUMSTANCES

- (i) must the road be opened until consent has been issued. Any opening made without consent is an offence under Section 56 Roads (Scotland) Act 1984.
  - (ii) shall anything be placed or deposited on the road so as to cause an obstruction without consent. Any deposition or placement made without consent is an offence under Section 59 Roads (Scotland) Act 1984.
4. In the case of a speculative building, consent to place and retain apparatus in a road may be given to a developer or building contractor, with the understanding that a copy of the consent must be included in the deposition.
5. Sewer Connection Permit Number: Enter “Not Applicable” if the works are other than a sewer connection. Consent for such openings cannot be given without the applicant first being in possession of a sewer permit from Scottish Water.
6. “Road” means subject to subsection (3) below any way (other than the waterway) over which there is a public right of passage (by whatever means) and includes the road’s verge and any bridge (whether permanent or temporary) over which or tunnel through which the road passes and any reference to a road includes a part thereof:
- (3) This Act does not confer any power or impose any duty as regards a road or proposed road which:
- (a) being a footpath only is a public path created under section 30 of the Countryside (Scotland) Act 1967 (power of planning authority to create public paths by agreement):
  - (b) being a footpath only, forms part of a long distance route the proposals for which have been approved by the Secretary of State under section 40(1) of that Act (approval of proposals relating to a long-distance route): or
  - (c) forms part of land owned or managed by islands or Councils’ and used by them for the provision of facilities for recreational, sporting, cultural or social activities in the discharge of their duties under Section 14 of the Local Government and Planning (Scotland) Act 1982.

“Statutory Undertakers” has the same meaning as in section 214 of the Town and Country Planning (Scotland) Act 1997 except that it includes;

- (a) the Post Office
- (b) except in sections 133 and 140(4) of this Act, the operator of any telecommunications code system and
- (c) except in section 140(4) of this Act, the operator of any driver information system.

### IMPORTANT NOTICE

7. Following approval of the Council as Roads Authority and pursuant to Section 140 of the Roads (Scotland) Act 1984 all expenses reasonably incurred for site inspections associated with the issue of consents under Section 56 Roads (Scotland) Act 1984 will be recovered as from 1 January 1992. Recovery of expenses will be made by means of a charge payable by the applicant at the time of consent issue.

### General Data Protection Regulations

If you would like to know how Midlothian Council collects, uses, and shares your personal information please click [here](#) to access our online privacy notice.