

Interim Amendments 6th December 2019

Standards for Roads Construction Consent and Adoption – Issue C.01

Page 9, Section 3 Policy regarding Adoption and Maintenance
Append new sub-section (to be effective from 1st February 2020):

3.10. Apparatus in the Road

At the time of adoption, all apparatus in the road that is not included in the assets transferred to the roads authority must be in the ownership and control of either:

- (i) an undertaker with a statutory right to place and maintain the apparatus concerned in the public road; or
- (ii) a person with permission granted by the council as road works authority to place and maintain the apparatus concerned in the public road.

At least three months before the surface course is laid on a carriageway, footpath, footway or cycle track, a notice of substantial works for road purposes must be placed on the Scottish Road Works Register (SRWR). This will allow all statutory undertakers the opportunity to undertake works before the surface course is laid and will restrict the execution of works during the twelve months following completion of the laying of the surface course.

In order to achieve the above, the following steps must be taken:

- (a) The Council will make a declaration that the road is a prospective public road from the date that the binder course is completed. This will be done by entering the road on the SRWR Gazetteer. The SRWR Gazetteer is currently updated quarterly, so applicants will need to give three months' notice to the Council of the proposed date for laying the base course.
- (b) Once the declaration has been made that the road is a prospective public road, the provisions of Part IV of the New Roads and Street Works Act 1991 will apply in the same way as they apply to a public road. Among other things, this means that all subsequent works other than minor works without excavation must be entered on the SRWR with the prescribed notice period for the appropriate category of works.
- (c) Statutory undertakers installing apparatus following the declaration will be able to give notice of their works themselves through the SRWR.
- (d) Other persons wishing to install apparatus in the road that will not be included in the assets transferred to the roads authority on adoption must apply to the Council for permission to place and maintain the apparatus in the road. It will be a requirement for such permission that a plan is provided showing the proposed location of the apparatus in the road. Application, accompanied by a location plan, must also be made to retain any apparatus in the road that was placed prior to the declaration. This must be approved if the apparatus is to be retained following adoption. Applicants are strongly advised to discuss their proposals

with the Council before any such apparatus is placed to avoid the risk of abortive works. Permission may not be granted for apparatus that could reasonably be placed outwith the road.

- (e) Applicants will not need any further permission from the Council to construct the road itself in accordance with the approved Road Construction Consent. However, following the declaration on completion of the binder course, further works in the road except for minor works without excavation will need to be registered on the SRWR with the appropriate notification period. The applicant will not have direct access to the SRWR, so will need to notify relevant works through the Council who will enter them in the SRWR on behalf of the applicant. This will include the laying of the wearing course which will, as indicated above, require at least 3 months' notice period as substantial works for roads purposes.
- (f) The Council and the applicant will both have duties in the co-ordination of works in the prospective public road following the declaration. The SRWR is the statutory register for co-ordination purposes. The applicant cannot access the SRWR but the council can set up an e-mail notification system so that the applicant will automatically receive details of all registered works in the prospective public road. The applicant will need to provide the council with an e-mail address for this purpose. The Council will notify statutory undertakers of new prospective public roads at the regular co-ordination meetings for roads authorities and utilities.

Page 155, Section 38.5 Access Auditor
Replace Sub-section 38.5 with:

38.5. Access Auditor

Access Audits shall be carried out by a trained Access Auditor independent of the design team for the project.

Access Auditors shall be pre-approved by Aberdeenshire Council or registered with The National Register of Access Consultants (www.nrac.org.uk) either as Access Auditors or Access Consultants.

Where more than one stage of Access Auditing is required, the same Auditor shall, where possible, carry out all the stages.