

**ROADS (SCOTLAND) ACT 1984
GUIDANCE ON APPLYING FOR A ROAD CONSTRUCTION
CONSENT**

Notes for guidance for Developers in the City of Edinburgh on the issuing of Construction Consents for new roads and the subsequent taking over of such roads as public [under the terms of the Roads (Scotland) Act 1984]. Copies of the application forms referred to below follow these notes.

These notes are intended for guidance and assistance only and should not be regarded in any way as an authoritative statement of the law. The relevant statutory provisions relating to the requirements imposed on any person to obtain consent of a roads authority for the construction of a new road or the extension of an existing road and the authority's powers in connection with applications made to them in this respect are set out in Sections 21, 22 and 23 of the Roads (Scotland) Act 1984.

GENERAL

1. Developers are advised to consult officers in the Development Control section of the Transport Division of the City Development Department on any road proposals prior to making a formal application for a Road Construction Consent.
2. Works on the Public Road Network associated with the Road Construction Consent (RCC) are not permitted without the prior approval of the Local Area Roads Manager. Prior to commencing works on or adjacent to a Public Road, permission, and the necessary permits, must be obtained from the Local Area Roads Manager (Services for Communities Department).
3. Approval and sign off of any street lighting design will be required before a final RCC will be issued (refer to appendix 1).
4. Approval and sign off of any Traffic Signals design will be required before a final RCC will be issued (refer to appendix 1).
5. Approval and sign off of any SUDs design will be required before a final RCC will be issued (refer to appendix 1).
6. Approval and sign off of any Structures (Bridges and retaining walls) supporting or affecting the road network will be required before a final RCC will be issued (refer to appendix 1).
7. It should be noted, to avoid possible abortive work, it is this Council's policy that Road Construction Consent shall not be granted until such time as

planning permission with associated conditions is granted. Therefore whilst an RCC application may be submitted in tandem with application for planning permission the RCC shall not be processed until the layout of the development has been agreed in principle by the Head of Planning.

8. A stage 2 Road Safety Audit of the full site layout and interface with the existing infrastructure shall be submitted with the application. A Stage 3 audit will require to be undertaken at the substantial completion stage. Unless otherwise agreed, night-time (hours of darkness) audit requires to be undertaken in addition to the standard audit at Stage 3. The council reserves the right to require a Stage 4 audit at the 'application for adoption' stage. The findings of the audits will have to be implemented to the satisfaction of the Development Control Manager prior to each stage progressing.
9. The roads designs proposals must be designed in accordance with the Council's Development Standards and also take cognisance of the Design Manual for Roads and Bridges.
10. The developer must ensure that the scheme proposal accords with the Construction (Design & Management) Regulations 2007. Prior to construction commencement the name and address of the CDM co-ordinator and the Health and Safety plan must be submitted. A copy of the Health and Safety File which covers all aspects of the roadworks must be submitted at the end of the project prior to adoption taking place. A copy of recommended maintenance regimes for SUDS infrastructure is also required prior to adoption proceeding.
11. The Council will approve all applications for Road Construction Consent where the proposed roads conform in all respects to the design requirements and specifications adopted by the Council. The Council expect that the Developer will apply for all roads within an RCC to be added to the List of Public Roads. Where the road(s) in an RCC are not put forward for adoption, then the means of maintenance should be submitted to the Council to ensure that there is no liability to the Council on subsequent failures (e.g. overland flooding resulting from blocked gullies on adjacent estate roads that have not been put forward for adoption). This assurance would be required prior to release of the final road bond.
12. The Council will generally make a decision on Road Construction Consent within three months of the receipt of a valid application as outlined above. The Developer will be informed of the decision by letter to the address given on his application.
13. It should be noted that it is not the Agent who accepts the terms and any conditions of the Draft Road Construction Consent. It must be accepted by the Developer using Form CC4.
14. The granting of a Road Construction Consent does not imply that the City of Edinburgh Council accepts any responsibility for the accuracy of the design

APPLICATION STAGE

7. A Developer, or his appointed agent, must make application to the Development Control Manager, City of Edinburgh Council, City Development Department, Transport Planning, Waverley Court, 4 East Market Street Edinburgh FORM CC1 for a Road Construction Consent. This is required for any new vehicle or pedestrian access way which links an existing road to 3 or more dwellings or commercial properties under separate ownership.

Two paper copies of the following drawings unless shown otherwise shall accompany the form: -

1. Site location plan
2. Neighbour notification plan
3. Proposed road layout (with colour key indicating all proposed roads for adoption by Council and private parking courts to be maintained by residents/factors)
4. Proposed setting out
5. Drainage layout, including SUDS.
6. Utilities layout
7. Longitudinal sections
8. Construction details
9. Road signs and road marking details
10. Street lighting layout including wiring diagrams (3 Copies).
11. Structural details (3 copies)
12. Traffic Signals (3 copies)

Each drawing must be signed by the agent or developer as being the relevant DWG no. referred to in the RCC application for <name of development> by <name of developer> on <date>.

Refer to appendix 1 with respect to drawings 9-12

8. The Developer shall also give notice on FORM CC3 of the application to all owners of land which will front, abut or be comprehended by the proposed road. Notification shall also be served upon the statutory undertakers and any other person or body who might have a material interest in the application such as The Scottish Government, the Civil Aviation Authority, the Scottish Environmental Protection Agency etc informing them where the plans may be seen. FORM CC2 shall be submitted to the Council detailing those parties upon whom notice has been served. The serving of such notice must be done by Recorded Delivery. Note the previous, or coterminous, advertising of a planning application does not negate the requirement to advertise for the RCC.
9. Receipt of the application will be acknowledged in writing within 5 working days and such receipt will detail the application reference number and the Transportation Officer who will be dealing with the application.
10. Those persons notified of the application have a period of 28 days to view the plans and make any comments. The application will not be processed until this notification period has expired. Should any objections to the application be received, the Council will attempt to address the concerns raised with a view to the objections being withdrawn. In the event the objection is

maintained, the application will be referred to the Director of City Development for decision. The Council will keep the Developer fully informed in such circumstances.

11. A stage 2 Road Safety Audit, with the scheme designers responses to any issues raised therein, is required as part of the application. The need for this will be waived if it has already been submitted as part of the planning application and the appropriate measures have been incorporated into the design to resolve the issues raised in the audit.
12. The details of the CDM Co-ordinator must be provided as part of the application.

DRAFT STAGE

13. The details of the application will be assessed and a Draft Road Construction Consent will be prepared together with a list of comments detailing any amendments required to the submitted drawings and any further information which is necessary.

Please note that the issue of the draft Road Construction Consent does not authorise the commencement of work on site. Also the indicative Road Bond value given at this stage may change if subsequent design changes are made.

14. The Developer (not the agent) must confirm in writing their acceptance of the Draft Road Construction Consent (Please complete Form CC4.) Two paper copies * and one plastic copy of all drawings (including any amendments) listed in the Draft Consent together with an electronic copy (AUTOCAD 2006) should accompany this. * an additional paper copy of any lighting and structural drawings are required
15. Upon receipt of this documentation the Final Road Construction Consent will be prepared for the signature of Director of City Development (or that of his designated deputy). The Final Road Construction Consent document and 1 set of all the drawings duly signed will be returned to the Developer for their retention.
16. If the developer is unable to meet the Councils requirements or if an objection is being maintained, the application will be referred to the Director of City Development. The referral will also contain a recommendation to either grant with specified conditions or refuse the Consent. A Developer may, on request, be heard by the Council (Regulatory Committee).

CONSTRUCTION STAGE

17. As noted in paragraph 2 above the contractor must obtain the necessary permits to occupy and work on the public road. Contractors must contact the Local Area Roads Manager to book a time slot to undertake the necessary works and to discuss his requirements for a dilapidation survey of the

surrounding roads and footways. The scope of the survey will be at the discretion of the Area Roads Manager and once complete will be produced on CD with a copy sent to him and the Development Control Manager. The council requires a minimum of 2 weeks notice of any work on the RCC, or work associated with the RCC on the public road, commencing.

18. Road construction can not start until the Council has granted the Final Road Construction Consent. Where the development is for residential use, security in accordance with the 1985 Security for Private Road Works (Scotland) Regulations (as amended) must be lodged with the Council prior to house building operations commencing. Note a copy of the Bond is not acceptable and the original should either be hand delivered or sent by recorded delivery to the specified address. No security is required for industrial/office/retail development or for residential developments carried out by a registered Housing Association or Government Agency.
19. A new road must be constructed in accordance with the details provided by the Developer and the Full Road Construction Consent as approved and granted by the Council. Unforeseen conditions on-site may however require changes to these. If these are minor changes (e.g. to detail) they may be mutually agreed between the Developer and the Development Manager but where the changes are of a larger scale (e.g. to layout) then an application for an Amendment to the Road Construction Consent must be made by the Developer. No works involved in such changes should be undertaken until the Development Control Manager gives written confirmation.
20. The Developer must complete the construction of a road covered by Road Construction Consent within three years of the date of issue of the Consent. If substantive construction has commenced on site, but has not been completed, by the end of the three year period then the Developer shall apply in writing to the Council to agree a period of continuation of the Consent. If no substantive construction has commenced on site by the end of the three year period then the Developer must apply for a new Road Construction Consent as outlined above. No road construction shall be undertaken without an operative Road Construction Consent.

INSPECTIONS

21. Council officers shall have access at all times in connection with the construction of roads covered by Road Construction Consent. The officers will be permitted to take samples and to measure the thickness or quantity of materials used, or take any dimensions or level in order to satisfy themselves that the design requirements and specifications adopted by the Council from time to time are being, or have been, complied with. The testing of all materials which are to be laid or inserted within or on the prospectively adoptable carriageway and footways is a statutory requirement and must be carried out, by a NAMAS accredited laboratory and all at the developer's expense. The results of all tests are to be forwarded to the Development Control Manager. In addition the Developer must inform the appropriate Council officers, giving a minimum of 2 working days notice, of the following stages of work. It should also be noted that the developer will be charged in respect of the inspection of these works.

Carriageways and Footways, Footpaths or Cycleways

- (a) Intention to commence work. This includes commencement on or adjacent to a Public Road.
- (b) Setting Out.
- (c) Commencement of excavation (inspect sub-soil conditions).
- (d) Commencement of laying capping layer and or sub-base.
- (e) Commencement of installing concrete log
- (f) Completion of kerbing.
- (g) Commencement of laying base.
- (h) Commencement of laying binder course to carriageway.
- (i) Commencement of laying surface course to carriageway.
- (j) Commencement of laying sub-base to footways/footpaths.
- (k) Commencement of laying binder course to footways/footpaths.
- (l) Commencement of laying surface course to footways/footpaths.

Road Drainage

- (a) Setting Out.
- (b) Breaking into existing pipe runs – before installation of saddle connection or inspection chambers.
- (c) Completion, bedding and haunching, but before concrete surrounding or haunching, and completion of inspection chambers – before backfilling (tests where applicable).
- (d) Completion of backfill (tests where applicable).

Traffic Signals, Road Lighting and Illuminated Traffic Signs

- (a) Intention to commence.
- (b) Determination of exact location of plant by Developer on site (Street Lighting officer to be in attendance).
- (c) Commencement of column and sign erection.
- (d) Commencement of cable laying.
- (e) Commencement of electrical work (N.B. no connections allowed to existing Council supplies except by Street Lighting officer).
- (f) Commencement of electrical testing and commissioning of installation (actual connection dates must be noted).

Traffic Signs and Road Markings

- (a) Commencement of installation of signs.
- (b) Verification of position of signs in accordance with the approved drawings.
- (c) Completion of all road markings

Outstanding Works Defined By Council Officers After Formal Inspections

- (a) Completion of each item of outstanding works as a result of non-conforming works identified on the daily inspection sheets.

Structures

- (a) Intention to commence.

ADOPTION

22. The Developer shall give notice of his intention to make application to the Council for the roads in his RCC to be entered on a 12 month pre adoption period by means of FORM CC5. This should only be submitted once all of the roads associated with the Road Construction Consent are substantially constructed. The stage 3 road safety audit must be submitted with this form together with a maintenance methodology for any SUDS materials or infrastructure to be adopted. Note that staged adoption of an RCC will only be considered in exceptional circumstances.
23. The Council will formally inspect the road and provide the Developer with a list of any outstanding works related to the Road Construction Consent. These must be completed within an agreed timescale (6 weeks of the date of notification) The formal one year pre adoption period will not commence until all remedials are completed to the satisfaction of the Development Control Manager
24. One month prior to the end of the maintenance period, the Developer may make formal application for the road(s) to be added to the List of Public Roads on FORM CC6. The application shall be accompanied by two "as-built" copies of the coloured road infrastructure and road drainage adoption drawings coloured together with one electronic copy of each in AutoCAD 2006 format and a stage 4 road safety audit.. Additionally as built copies of all other drawings as listed in the Road Consent consent should be submitted in AutoCAD 2006 format. Correspondence from the Street Lighting Engineer and Structures Manager (where prospectively adoptable structures formed part of the Road Construction Consent) confirming that they have adopted all of their respective apparatus should also accompany FORM CC6.
25. Upon receipt of the application for adoption, a further inspection will take place. The addition of the road to the list will be held in abeyance until completion by the Developer of any works, defined by the Council, related to defects which appear during the Developer's maintenance period. The Council will add the road to its List of Public Roads on the satisfactory completion of any additional outstanding remedials.

**Development Control
Transport
City Development Department
City of Edinburgh Council**

Appendix 1

Additional Consents/Requirements

The council is currently updating its Movement and Development guidelines and it is proposed that full specifications for road design and associated infrastructure is included in this document. Interim roads and traffic signals specifications are included on the council's website. Contact details for council officers in transport who will be signing off/approving the Street Lighting design or any Structures and Traffic Signals in your RCC, or on the existing public road network, are also listed on the contact information document on the RCC page of our website. Early contact with these officers is advised to clarify or discuss the council's requirements.

Structures

Note that as economy of maintenance is a prime consideration in whether an RCC will be issued there is a presumption against the adoption of structures, and developers should make all reasonable efforts to identify a design which avoids the use of additional structures

Traffic Signals

Note that as the maintenance of traffic flow on the public road network is a prime consideration there is a presumption against introducing signals to serve individual developments. Developers should make all reasonable efforts to identify a design which avoids the use of new signal junctions onto the main network.

As outlined in paragraph 4 of the procedure any works on the public road network required as part of a development do not form part of the RCC and require separate authorisation/consent consents under section 56 of the roads Scotland Act 1984. All designs drawings will be required in this regard will however be processed by officers in the development control section and subject to additional checks/sign off by officers as detailed on the contact information document.

SUDs

The treatment of any carriageway water run off to be approved by the Scottish Environmental Protection Agency (SEPA), Scottish Water Authority (SWA) and the City Development Department (CDD). A letter of confirmation, from SEPA and WA, outlining that the scheme complies with the latest SEPA and SWA regulations and guidelines is required as part of the RCC application

Traffic Regulation Orders (TRO)

If the need for a TRO was identified when the development was considered by the council's Head of Planning the developer is required to supply drawings detailing the precise extents of the TRO to enable the City Development Department to consult on/promote the order

Details of the format of the required TRO drawings should be discussed with the officer identified on the contact information document.

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Street Naming

The developer is required to cover the costs of all street name plates at a new development. Details of costs are available from the Street Naming Section (see contacts)

If at the time of RCC application the street name is known appropriate labels should be included in the submitted road layout drawing. If names have not been allocated at time of allocation a number should be given to each road within an RCC with a clear language description of each included on the roads layout drawing.

The appropriate officer to advise on the street naming procedures for new developments is listed on the contact information document.

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Appendix 2
(key for prospectively adoptable roads and roads infrastructure to accompany forms CC1 and CC6)

1) Roads Layout Drawing

Pink to indicate Carriageways in Asphalt

Pink/Hatched black to indicate Carriageway in Setts or Blocks

AutoCad colour no – PANTONE 13-1310 TC



Red to indicate Footways/Footpaths in Asphalt

Red/hatched black to indicate Footways/Footpaths in Blocks or Flags

AutoCad colour no - PANTONE 16-1626 TP



NB shared surfaces (e.g. home zones) to be shaded as per carriageways.

Purple to indicate Cycle Tracks

AutoCad colour no - PANTONE VIOLET 0631



Traffic Calming to be indicated by feature outlined in black on carriageway with initials within/adjacent to each feature denoting each type as follows

RH- Road Hump

SC –Speed Cushions

RJ –Raised Junction

RT- Raised Table

Green to indicate soft landscaped Service Strip or Verge

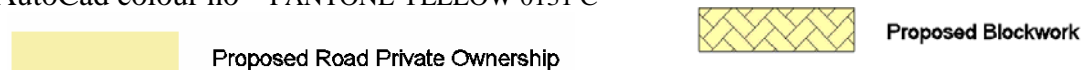
AutoCad colour no - PANTONE GREEN 0921 C



Yellow to indicate privately maintained car parking courts or access road

Yellow/Hatched black to indicate Carriageway in Setts or Blocks

AutoCad colour no – PANTONE YELLOW 0131 C



Yellow to indicate privately maintained Footways/Footpaths in Asphalt

Yellow/hatched black to indicate Footways/Footpaths in Blocks or Flags

AutoCad colour no – 51

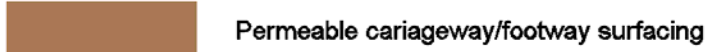


2) Roads Drainage Drawing

Black Square (solid) to indicate road gullies



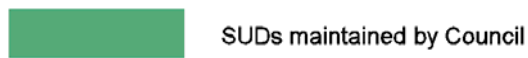
Brown to indicate areas of permeable carriageway/footway surfacing
AutoCad colour no – 33



Green (area or line as appropriate) to indicate drainage and SUDS infrastructure to be maintained by the Council

E.G Areas of Porous Paving, Swale, Filter Drain, Soakaway, Pond). Type to be clearly indicated on drawing next to feature

AutoCad colour no – 113



Green dashed line in bold to indicate Road Drain gully tail (to connection with Scottish Water sewer) maintained by council.



Blue (area or line as appropriate) to indicate drainage and SUDS infrastructure to be maintained by Scottish Water.

E.G Areas of Porous Paving, Swale, Filter Drain, Soakaway, Pond). Type to be clearly indicated on drawing next to feature

AutoCad colour no – 151



Blue dashed line in bold to indicate Drain or Combined Sewer gully tail (to connection with Scottish Water sewer) maintained by Scottish Water.

