

**APPLICATION FOR PERMISSION TO OCCUPY THE ROAD WITH
GOODS FOR SALE
Roads (Scotland) Act 1984 Section 59**

Schedule of Charges: There is no charge for permission to occupy the road with goods for sale.

Applicants and Business Name			
Address			
Post Code			
Tel No			
Mobile No			
E-Mail			
New Application (Y/N)		Renewal (Y/N)	

Address or Location of Proposed Sign/A Frame			
New Application – Please sketch on reverse proposed location of display relative to business premises.			
Planning Consent ref is applicable			
Start Date		End Date	
Proof of Public Liability Insurance must be provided at time of application. Failure to provide this will result in the application being rejected.			
Insurance Co. Name	Policy No.	Renewal Date	Attach copy of Certificate of Insurance

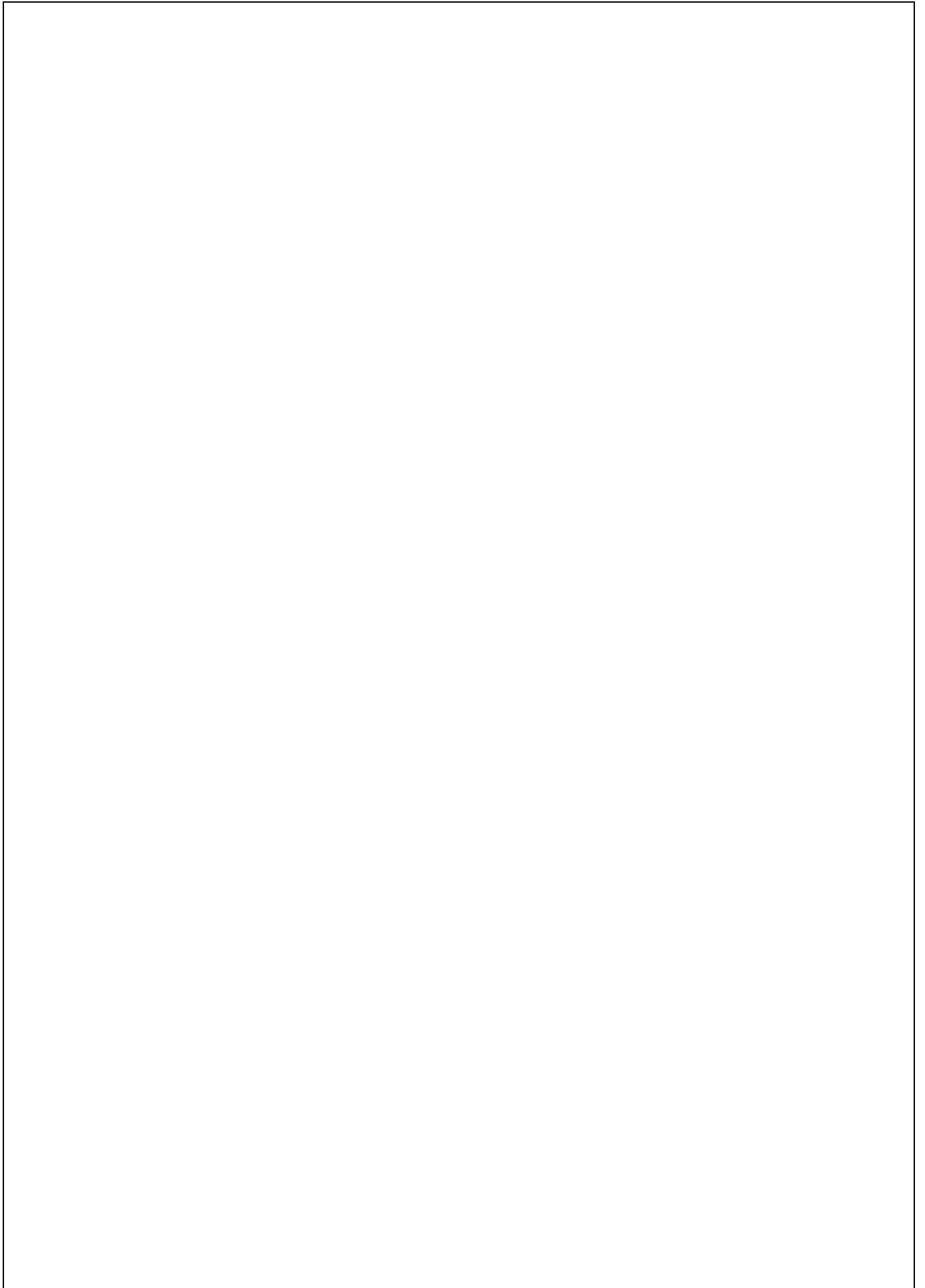
IMPORTANT: NO OCCUPATION SHOULD COMMENCE UNTIL YOU RECEIVE OFFICIAL PERMISSION FROM THE HIGHLAND COUNCIL

Declaration – I hereby apply for permission to occupy part of the adopted road as detailed above. I confirm that I have read and understood the Guidance Notes and Conditions for Granting of Permission relevant to this application and agree to be bound by these should this application be successful. I have in place Public Liability Insurance and will continue to have this in place throughout the duration of any permission granted. I have attached a copy of the current Public Liability Insurance Certificate.

Applicants Signature		Date	
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Please return completed application form to the relevant Area Roads and Infrastructure Office as detailed below in the Guidance Notes.

Sketch of Sign Location Relative to Business Premises



DISPLAY OF GOODS FOR SALE

NOTES FOR GUIDANCE AND CONDITIONS FOR GRANTING OF PERMISSION

Displays or goods for sale on public footways can add vitality, colour, life and interest to the street scene and they can also be good for business. However, it is also important that they are properly administered and managed to ensure that they meet the high standards expected in the Highlands. They should not obstruct the footway or create a hazard for pedestrians, especially for blind, visually impaired and other disabled people. The purpose of the following guidelines is to ensure that goods displayed for sale are done so in a safe manner and are attractive additions which enhance the quality of the area.

Permission to use any part of the adopted road, including the footway and in rural areas the verge, for the display of goods or wares for sale is granted by the issue of a permit by the Highland Council as the Roads Authority under Section 59 of the Roads (Scotland) Act 1984. Any racking, shelving stalls or barriers and associated signage (referred to below as furniture) placed on any part of the adopted road or footway without permission constitute an obstruction and the Council will take enforcement action in such cases. The granting of permission under Section 59 of the Act only relates to occupation of the road and applicants will need to ensure that they obtain all other necessary permits and permissions eg planning consent, alcohol licensing etc. The granting of other relevant permits/consents should not be taken as an indication that occupation of the road will be permitted.

General Display of goods will be considered on footways, carriageways and other areas where there is public access. The minimum width of unobstructed space between the carriageway and the front of the display must be maintained at no less than 1.8m. On streets with high pedestrian usage, and in pedestrianised areas, the minimum width will be greater, as shown in the table below. Each application will be judged on its merits and the unobstructed space will be set according to the street type and frequency of pedestrian usage. If the display is directly in front of the applicant's premises then a 1.5 metre wide, unobstructed access corridor to the premise's entrance must be maintained at all times.

Minimum Standard	1.8 m clear width between the carriageway and the front of the display.
Streets with High Pedestrian Usage	2.75 m clear width between the carriageway and the front of the display.

Pedestrianised areas 4.5m clear width must be available for permitted traffic (eg emergency and delivery vehicles) between any form of obstruction placed on either side of the road.

The display must be surrounded by a physical barrier of not less than 0.6m in height to guide people with disabilities around the area and this should include a low level kick board or similar which can be detected by the visually impaired using a stick. Gaps in barriers are permissible where customers are able to penetrate eg between racks of goods. These barriers must not be fixed to the ground and must be of a design agreed by the Council. There should be no free standing signs or other impediments placed out with this barrier. Furniture and associated barriers must be removed from the area promptly after trading hours.

It is a condition of consent that applicants agree to the removal, at short notice, of all furniture at any time that they are requested to so do by the Council, any Statutory Undertaker or by the emergency services. Applicants should also note that consent may be suspended by the Council at any time to allow for street works or for any other competent reason.

Permission for a display or of goods for sale will normally be granted for a 12 month period to allow the Council to monitor the operation of the facility and to ensure that these guidelines and conditions are being adhered to. Applicants should reapply on an annual basis confirming that the area to be occupied has not changed.

It is a condition of the granting of permission that applicants have in place public liability insurance in the sum of £5 million. Applicants will be required to provide to the Roads Authority a copy of their certificate of public liability insurance with cover up to £5 million for any one event prior to the placement of any goods for sale on the footway, footpath, carriageway or public space. Applicants are required to maintain such cover throughout the duration of any permission and must provide a copy with all subsequent applications to renew permission, at the time of renewal of cover and at any other time as requested by the Roads Authority. In the event that the Roads Authority establishes that such cover is not in place all permissions in terms of this agreement will be rescinded and the applicant will require to remove the goods for sale forthwith.

There is no charge for an application.

The applicant should be aware that it may take up to 28 days to process the application and provide written confirmation of approval or otherwise. It is therefore essential that applications to renew are received a minimum of 28 days prior to renewal date to ensure continuity of permission.

The completed application form should be submitted to the Area Roads & Infrastructure Office covering the location of the proposed occupation.

The Highland Council, Roads & Transport, Caithness House, Market Place, Wick KW1 4AB. Tel 01955 609584 email: Roads.caithness@highland.gov.uk

The Highland Council, Roads & Transport, Drummuie, Golspie KW10 6TA. Tel 01408 635306 email: Roads.sutherland@highland.gov.uk

The Highland Council, Roads & Transport, Diriebught Road, Inverness, IV2 3QN. Tel 01463 644188. Email: Roads.inverness@highland.gov.uk

The Highland Council, Roads & Transport, Unit 4C, Dalfaber Ind Estate, Aviemore, PH22 1 ST. Tel 01463 644698. Email: Roads.LNBS@highland.gov.uk

The Highland Council, Roads & Transport, Balblair Road, Nairn, IV12 5LT. Tel 01463 703630. Email: Roads.LNBS@highland.gov.uk

The Highland Council, Roads & Transport, Carrs Corner, Fort William, PH33 6TL. Tel 01349 781095. Email: Roads.LNBS@highland.gov.uk

The Highland Council, Roads & Transport, Area Office, High Street, Dingwall, IV15 9QN. Tel 01349 868440. Email: Roads.rossandcromarty@highland.gov.uk

The Highland Council, Roads & Transport, Area Office, Dunvegan Road, Portree, IV51 9HF. Tel 01463 644724. Email: Roads.skyeandlochals@highland.gov.uk