

This is Document “Schedule 8 Part 5” referred to in this Contract

SCOTTISH MINISTERS’ REQUIREMENTS

SCHEDULE 8 PART 5

SIGNING

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SCOTTISH MINISTERS' REQUIREMENTS

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1 REQUIREMENTS

1.1 General

1.1.1 To ensure a consistent national approach the authorisation of all signs on Trunk Roads shall be the responsibility of the Director with the exception of the responsibilities of the Operating Company as referred to in this Part 5 of this Schedule 8.

The Operating Company shall provide advice and recommendations to the Director on the suitability or otherwise of all signing proposals which shall be

- (i) submitted directly to the Operating Company or
- (ii) referred to the Operating Company by the Director.

Such advice and recommendations shall be provided to the Director within 14 days of the Operating Company's receipt of any such proposals.

1.1.2 The Operating Company shall keep an electronic register of all applications received and shall provide a category specific record to the Director in a weekly report of all

- (i) correspondence
- (ii) drawings
- (iii) schedules
- (iv) notices and
- (v) documentation

subject to the fulfilment of the obligations referred to in this Part 5 of this Schedule 8.

The records shall be cross-referenced to the register entry.

1.1.3 The Operating Company shall ensure that the Director and Performance Audit Group shall have direct remote access at all times to all electronic registers and records referred to in this Part 5 of this Schedule 8.

Each entry in each register shall be geographically referenced such that the records can be identified from a digital map.

1.1.4 The Operating Company shall designate an officer to deal with each application in the register and with all correspondence associated with each application.

1.2 Tourist Signposting

1.2.1 The Director's policy on tourist signposting shall be as contained within the version current at the time of use of the "Trunk Road and Motorway Tourist Signposting Policy" published by the Scottish Office in May 1998.

This document shall be read in conjunction with Scottish Office Development Department Circular 27/1995 and the Scottish Office Industry Department Circular 3/1992.

Should either of these documents be superseded the Operating Company shall undertake its duties based on the most recent version.

1.2.2 The Operating Company shall undertake the duties of the Trunk Road operator as described in the Trunk Road and Motorway Tourist Signposting Policy.

The Operating Company's duties shall include but shall not be limited to

- (i) providing full advice on each application under the headings set out in paragraph 11.2 of the Trunk Road and Motorway Tourist Signposting Policy
- (ii) considering the relevant local authority's tourist signposting policy when making recommendations to the Director on applications and
- (iii) inspecting and recording the tourist operator's credentials.

1.2.3 The Operating Company shall implement the process set out in the flow chart shown in paragraph 11.4 of the Trunk Road and Motorway Tourist Signposting Policy.

1.2.4 When responding to applicants the Operating Company shall use the model letter set out in

- (i) annex C(1) to the Trunk Road and Motorway Tourist Signposting Policy along with the schedule at annex C(2) to that policy or
- (ii) annex D to that policy

whichever shall be appropriate.

The response shall be suitably amended to reflect the change of responsibility from Secretary of State for Scotland to the Scottish Ministers. The Operating Company shall issue to the Director a copy of the signed letter of agreement duly completed by the applicant.

Details of each sign and associated road restraint system shall be added to the inventory as referred to in Annex 4.3/B of Part 3 of Schedule 4.

1.3 Temporary Traffic Signs to Special Events

1.3.1 The Operating Company shall undertake the authorisation of temporary traffic signs to special events including but not limited to

- (i) major sporting events
- (ii) special exhibitions and
- (iii) other public gatherings and
- (iv) the like.

1.3.2 Where special events require carriageway or road closures the Operating Company shall follow the procedures referred to in Part 1 of Schedule 9.

1.3.3 When making a decision on authorisation of temporary traffic signs the Operating Company shall follow

- (i) the "Provision of Temporary Traffic Signs to Special Events" issued by the Department of Transport in May 1993 or any subsequent update thereof and

(ii) any advice issued by the Director.

1.3.4 A decision on each application shall generally be given to the applicant within 14 days of receipt of the application.

1.3.5 Temporary traffic signing for special events shall be erected for a limited period to guide traffic to public events.

1.3.6 The Operating Company shall ensure that temporary traffic signs shall be removed as soon as practicable after conclusion of the public event to which they relate.

If such signs shall not be removed within 48 hours of the end of the public event they shall be treated as unauthorised signs as referred to in paragraphs 1.4.1 to 1.4.7 of this Part 5 of this Schedule 8.

1.4 Unauthorised Signs

1.4.1 The Operating Company shall identify and advise the Director of the details of any unauthorised signs outside the Trunk Road boundary which may be causing a distraction to drivers in order for the Director to notify the local planning authority responsible for authorising such signs.

1.4.2 The Operating Company shall identify any unauthorised signs which shall be placed within the Trunk Road boundary.

The Operating Company shall take all reasonable steps to determine the ownership of any such unauthorised signs.

1.4.3 Where an unauthorised sign shall be located within the Trunk Road boundary and the ownership of the sign shall be known the owner shall be contacted by the Operating Company and requested to remove the sign within 2 days.

1.4.4 If this action shall not be successful the Operating Company shall within a further 5 Working Days provide the Director with sufficient information to allow the Director to issue to the owner a notice to have the sign removed under Section 87 of the Roads (Scotland) Act 1984.

A copy of any such notice shall be sent by the Director to the Operating Company.

If the owner of the unauthorised sign fails to remove it within the timescale stated in the notice the Operating Company shall remove the sign within 2 Working Days to a suitable storage area provided by the Operating Company to be available for collection by the owner.

1.4.5 The Operating Company shall pursue recovery of all costs associated with the removal of an unauthorised sign directly from the owner of such signs.

1.4.6 The Operating Company shall on receipt of payment for removal and storage costs from the owner of the sign notify the owner in writing of the location thereof and require the owner to collect such sign by a prescribed date which shall be not less than 14 days from the date of the letter.

Should the sign not be collected by the prescribed date stated in the letter the Operating Company shall dispose of the sign and inform the owner in writing thereof.

1.4.7 Where ownership of the sign cannot be determined the Operating Company shall remove the sign as soon as practicable to a suitable storage area provided by the Operating Company where it shall be held for 14 days before being disposed of by the Operating Company.

Should the owner identify himself during this time the process as referred to in paragraph 1.4.5 and 1.4.6 of this Part 5 of this Schedule 8 shall be followed.

- 1.4.8 The Operating Company shall keep records of all actions and transactions related to the requirements of paragraph 1.4.1 to 1.4.7 inclusive of Part 5 of this Schedule 8.

1.5 Election Advertisements on Trunk Roads

- 1.5.1 The placing of advertising material by political parties with respect to elections is permitted under the Town and Country Planning (Control of Advertisements) Regulations 1992 subject to permission being granted by the owner of the site or any other person with an interest in the site entitled to grant such permission.

- 1.5.2 The Operating Company shall undertake the authorisation of election advertisements and the like on Trunk Roads.

When considering requests and issuing conditional authorisation the Operating Company shall take into account the following requirements

- (i) no advertisement shall be permitted on motorways
- (ii) no advertisement shall be permitted on restricted sections of Trunk Roads
- (iii) no advertisement shall be permitted on any
 - (a) central reserve
 - (b) splitter island or
 - (c) roundabout
- (iv) no advertisement shall be attached to any
 - (a) traffic sign
 - (b) signal (including posts)
 - (c) bridge parapet or
 - (d) sign gantry
- (v) no advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign or signal
- (vi) no advertisement shall be sited or displayed so as to interfere with the visibility required for vehicles emerging from side roads or private accesses and the like
- (vii) advertisements may be permitted within speed restricted urban areas (30 mph or 40 mph limits, or exceptionally within 50 mph limits where approved by the Director) subject to the following considerations and conditions
 - (a) detailed proposals including but not limited to
 - the number of signs
 - locations
 - method of erection and
 - removal

- shall be submitted in writing by election agents for written approval to the Operating Company
- (b) care shall be taken to ensure that only a limited number of signs shall be approved for each political party to ensure all parties can be accommodated equally
- (c) notwithstanding any of the provisions of this Contract the Scottish Ministers shall be indemnified in writing by the election agents against claims arising from or in connection with
 - erection
 - display or
 - removal
 - of any advertisements
- (viii) any advertisement displayed shall be maintained by the election agents in a clean and tidy condition
- (ix) the maximum size of any advertisement shall not exceed 500mm x 500mm
- (x) any advertisement displayed shall be removed by the election agent within 14 days after the close of the poll for the election to which it relates.

1.5.3 Should the Operating Company become aware of election advertisements erected without permission action shall be taken immediately as follows

- (i) if the advertisements shall be acceptable the Operating Company shall contact the election agent to request submission within 48 hours of a retrospective request for permission failing which the advertisements shall be removed as described in (ii) and (iii) of this paragraph 1.5.3 of this Part 5 of this Schedule 8

The Operating Company shall also notify the election agent in writing that failure to follow the correct procedure in future shall result in the removal of the advertisements

- (ii) if the advertisements shall not be acceptable the election agent shall be contacted and notified in writing to remove the advertisements within 24 hours
- (iii) if the Operating Company shall consider it unsafe for the election agent to remove the advertisements the election agent shall be notified in writing that the advertisements shall be removed by the Operating Company and the costs shall be recovered from the election agents by the Operating Company.

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