



ROADS AUTHORITIES & UTILITIES COMMITTEE
(SCOTLAND)

ADVICE NOTE 28

ABOVE GROUND APPARATUS

Version 1.1
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ABOVE GROUND APPARATUS

Version History

Version	Date	Notes
1.0	December 2015	1 st Draft by RAUC(S) Working Group
1.1	March 2016	Amendments following consultation. Approved by RAUC(S) on 1 June 2016.

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Introduction

This Advice Note has been developed by RAUC(S) to address the requirement identified by its members for general guidance on the use of above ground apparatus. Its intent is to:

- Provide an engagement framework for undertakers and roads authorities, providing certainty and clarity for the deployment of above ground apparatus;
- Seek to avoid and then minimise adverse impacts associated with the provision of new and replacement above ground apparatus; and
- Support the dissemination of good practice through consultation and communication which leads to co-operation.

1.0 Scope

1.1 This Advice Note has been written in accordance with the relevant current legislation and codes of practice and any amendments thereto.

1.2 The purpose of this document is to provide guidance to roads authorities and undertakers entitled to be notified of the proposed and replacement of above ground apparatus on the siting, keeping, maintenance and use of the above apparatus, including but not limited to telemetry cabinets, poles and masts. This Advice Note is given in the context of this apparatus being 'street furniture'. It is not given as guidance as to how such apparatus should be used as part of a network or service, or what legal consents are required for that use.

1.3 For the purposes of this document, the extents of a public road may include but is not limited to carriageway, footway/footpath and verge.

1.4 Agreement will be required from the owner and/or occupier as appropriate of the land (whether public or private) where apparatus is to be installed, which does not form part of a publicly maintained road.

2.0 General Principles

2.1 Relevant authorities to be consulted or notified will vary depending on the location of the above ground apparatus. This will involve the local planning authority, the roads authority and the appropriate undertakers.

2.2 It is important to establish with the local planning authority at the outset whether the above ground apparatus proposed is within a protected or non-protected area and which specific bodies require consultation or notification.

2.3 The undertaker should initially offer to discuss their proposals with the relevant authority with a view to identifying opportunities to avoid and minimise adverse landscape impact of proposals for above ground apparatus. **(NB: the relevant authorities include the roads authority and planning authority which are separate and distinctive roles within Local Authorities – permission by one does not deem consent by the other)**

2.4 Once detailed proposals are prepared, some authorities may request site visits to discuss apparatus location. Any such additional dialogue should take place at the earliest opportunity and in any event, not less than one month as per planning requirements. This period should not be confused with the advance noticing requirements under NRSWA.

2.5 Roads Authorities have responsibility for the free flow of traffic, and pedestrian safety and accessibility. This includes winter maintenance on the road networks and footpaths/footways. Due consideration should be given to the above when considering the location of above ground apparatus.

2.6 If the replacement of existing above ground apparatus exceeds the current dimensions in situ then the relevant authority should be consulted.

2.7 Cabinets should be green (BS14 C 40), grey or black (not matt black), or such colours as otherwise agreed with relevant authorities, particularly in conservation areas. Consideration should also be given to cabinets being coated with anti-graffiti paint.

2.8 If the above ground apparatus is to be sited in front of more than one property, the preferred location is at the ground level vertical boundary of the two properties perpendicular to the apparatus.

2.9 The siting of above ground apparatus adjacent to any listed building and/or Scheduled Monument should be avoided. Scheduled Monument Consent will be required to site any cabinet (and associated underground ductwork) within a Scheduled Monument.

2.10 Above ground apparatus which is to be sited on public roads with speed limits of 50 mph or greater must be subject to a risk assessment process to remove or reduce the risk of injury to occupants of an errant vehicle. (See the Design Manual for Roads and Bridges (DMRB) TD19/06 Requirement for Road Restraint Systems published by Highways England and the Provision of Road Restraint Systems for Local Authorities published by the UK Roads Liaison Group for further information).

2.11 As a guide, above ground apparatus should not be sited where it may:

- Create a risk to road users (such as the outside of a bend; close to the edge of the carriageway; in the vicinity of known accident cluster sites).
- Compromise road safety by obscuring forward visibility, visibility at junctions or vehicular or pedestrian access to property and public Rights of Way.
- Limit access for road users. (such as reducing the footway or carriageway width which may impact on wheelchair users, the elderly, those with a disability, those with dependants in push chairs. prevent access to street cleaning or winter maintenance, limit access to other equipment manholes etc; restrict views from bus shelters/stops).
- Obstruct any existing means of entering or leaving land.
- Affect the safety of operatives and road users where apparatus is being maintained.
- Impede ventilation through air bricks.
- Obscure street and road nameplates.
- Interfere with the flow of any footway drainage system.
- Be placed immediately adjacent to any existing manhole, access chamber or other apparatus belonging to any other apparatus owner.

2.12 Additional care is to be taken when siting cabinets in Conservation Areas and/or World Heritage Sites identified in dialogue with the local planning authority. Where there is no alternative to siting a cabinet in a location deemed unacceptable by the local planning authority consideration should be given to using underground cabinets.

2.13 Where the siting of above ground apparatus on private land would be both commercially and technically feasible, and considered a more practical solution, the Roads Authority and Undertaker should investigate and give due consideration to that proposal.

2.14 The sharing of pole structures should be considered at the design stage in order to reduce unnecessary duplication and visual impact.

2.15 Where the only option is to place poles on publicly maintained footways they should be placed adjacent to the property boundary rather than at the kerb edge.

2.16 Where a pole is to be placed in a verge where no footway exists they should be placed adjacent to the land boundary rather than at the edge of the road unless the pole is to aid enforcement of legislation.

2.17 All abandoned above ground apparatus owned by an undertaker or roads authority should be removed prior to and/or after the siting of new apparatus. The undertaker or roads authority will take account of any of their existing above ground apparatus, in order to avoid overcrowding of apparatus on footways.

2.18 Exposed cabinet plinths should not project more than reasonably practicable, (guidance is 25mm beyond the edges of the cabinet sides). On sloping ground, cabinets should be set level.

3.0 Dispute Management

3.1 Complaints

This Advice Note is intended to provide sufficiently detailed guidance to enable agreement on its operation and implementation to be reached at local level. Roads Authorities and Undertakers should always use their best endeavours to achieve a solution without having to refer them to conciliation

For further information refer to Code of Practice for Dispute Resolution and Appeals.

Where there is a dispute with another department/function/service of a Local Authority, Undertaker or a private owner/tenant, it is the responsibility of those parties to resolve those issues as the Code of Practice for Dispute Resolution and Appeals does not apply.

3.2 Records Management

It is good practice to record the location of all new above ground apparatus on Vault to ensure effective exchange of plant information. Further guidance can be found in RAUC(S) Advice Note 1.

4.0 Monitoring and review

4.1 This Advice Note was prepared by a RAUC(S) Working Group comprising representatives from local authorities and undertakers. It was the subject of consultation within RAUC(S) member organisations.

4.2 RAUC(S) has agreed to keep this Advice Note under review. If you have any comments or suggestions regarding the guidance within this document, these should be forwarded to the Secretary.