



Vale of Glamorgan Council

Building materials on the Public Highway
Terms & Conditions

You need permission to deposit building materials on the public highway, to obtain permission, please complete application form providing details of the materials, duration, and location. We will assess the impact and issue permission and or guidelines so we ensure safety and minimal disruption.

Please read the below carefully before applying

Terms and Conditions

1. All materials must be new and clean for the purposes of the development and not waste arisings, therefore positioned so as not to obstruct other premises in the locality, impede the surface water drainage nor obstruct access to fire hydrants, highway drainage gullies, manholes and apparatus of any public utility. Nor must they be placed in such a location as to contravene any Traffic Regulation Order.
2. All materials shall be placed and stored in a safe manner so as not to cause a danger or nuisance to other users of the highway. The materials shall be positioned as to be clearly visible to traffic approaching from any direction at a distance of not less than 75 m and shall not be positioned within 10 m of a road junction. The materials shall be positioned so as to avoid undue obstruction and interference with users of the highway and at least 1.2m clear footway for the passage of pedestrians shall be maintained at all times. If this minimum clearance on the footway cannot be maintained, a portion of the carriageway must be fenced off for protection. Suitable guarding is provided and maintained in accordance with the **Traffic Signs Manual: Chapter 8 and Safety and Road Works (Red Book)** for the duration of the licence
3. During the hours of darkness (between half an hour after sunset and half an hour before sunrise) the materials shall be illuminated by means of amber road danger lamps. Such illumination shall be provided to define the extent of any obstruction of the public highway. The lighting requirements will differ with each application and the applicant's proposals for such may be required by the Highway Authority prior to granting a licence. As a minimum requirement, lamps shall be positioned at the extreme corners of the material. Any lamps used shall be steady and positioned in such a manner as to not cause a nuisance to pedestrians or vehicular traffic.
4. All materials shall be signed and guarded at all times, in accordance with the requirements described in Safety at Street Works and Road Works 'A Code of Practice'. The Highway Authority may require signing and guarding proposals prior to the approval of a licence application.
5. Except where agreed as part of this licence no part of the highway may be closed, without the consent of the Highway Authority.

6. No materials deposited on the highway shall contain any flammable, hazardous, explosive, noxious or dangerous material, or any material which is likely to putrefy or otherwise become a nuisance or danger to users of the highway and general public
7. The duration for an application to store building material on highway will last one calendar month. The Council do not normally permit extensions to building materials licences. We will only consider allowing an extension to an existing licence under extenuating circumstances such as extreme weather and engineering difficulties. Any request for an extension to the period for which the licence has been granted must be made to the Highway Authority at least three working days (excluding Saturday, Sunday and Bank Holidays) prior to the expiry of the licence.
8. The depositor shall provide Public Liability Insurance for the duration of the licence minimum of £5 million.
9. On the expiry of the licence the public highway where the materials were deposited shall be left in a clean and tidy condition and any damage to the public highway shall be repaired by the Highway Authority at the expense of the licence holder.
10. The Highway Authority reserves the right to carry out inspections at any time so as to ensure compliance with those conditions specified. If we must contact the owner regarding non-compliance of the permit could result in issue of fixed penalty notice and could result in future applications being declined.
11. The Highway Authority may require the materials to be removed prior to the expiry of the licence in certain circumstances, for example statutory undertakers urgently required to work on their buried asset.
12. The granting of this licence does not permit the mixing of any mortar, concrete or cement on the Highway

Please be advised:

Any damage to the highway the full costs of a repair shall be recovered by the Vale of Glamorgan Council from the License Holder.

- If you fail to comply to these Terms and Conditions and all relevant legislation you will be liable to enforcement action which could include Fixed Penalty Notice, and or removal of goods. Part IX of the Highways Act 1980 for Obstruction of a Highway.

- Section 137A Power to order offender to remove obstruction
- Section 171 occupation of highway etc (Committing an Offence under this section) **£150.00** Fixed Penalty.
- Section 149 Removal of things so deposited on Highways as to be a nuisance etc. (Power for removal and recovery of costs)
- There may be instances whereby discretion and circumstances dictate that the above terms and conditions could vary slightly, however this will be explained in detail by an officer of the Highway Maintenance function with the decision of the Council officers being final.

Legal Indemnity

- The Licence holder shall indemnify, and keep indemnified, Vale of Glamorgan Council and/or its servants and agents against liability, from all claims, demands, actions, costs and damages arising out of buy or in consequence of the depositing of the container on the carriageway, footway, or grass verge.
- The period of indemnity is to run from the commencement of the deposition until the final removal of the materials.
- The licensee must have in place public liability insurance and the sum covered by the policy to be £5,000,000 for any one event with a reputable insurer. Whenever required the Licensee shall produce to the Authority the policy, or policies of insurance and the receipts of the current policy.