



Vale of Glamorgan Council

Cherry Picker / MEWP and Crane including other  
equipment on the highway

Terms & Conditions

## Terms and Conditions:

1. No equipment to be sited on the public highway without a duly authorised licence and payment of the correct fee, the application must be submitted a minimum of 5 working days in advance of the works commencing, longer application periods will be required, and additional restrictions may also be necessary where other factors affect the proposed site, traffic sensitivity, restricted working hours, restricted site access, pedestrian areas, shopping areas etc.
2. Public **must** be kept safe at all times
3. All applications must be made by the Main Operator. Their details will be held by the Vale of Glamorgan Council and will be responsible for all matters relating to the 'Cherry picker and or machinery/equipment' and it's use on the adopted highway.
4. The Licence Holder must ensure that all 'Cherry Picker and or machinery/equipment' is used by fully trained, competent and certified personnel
5. The Licence Holder is responsible for any damage caused by the operation, setting up and dismantling of any 'Cherry Picker and or machinery/equipment'. The Vale of Glamorgan Council retain the right to repair any damage to Road/Footway surfaces, Street Furniture, Street Lighting, or any other item/s maintained by the Vale of Glamorgan Council. Any costs incurred by the Vale of Glamorgan Council as a result of damage relating to 'the crane/machinery/equipment' will be corrected by Vale of Glamorgan and all costs re-charged to the licence holder.
6. The Licence holder shall note that the Vale of Glamorgan Council may, if it is deemed reasonable to do so, terminate the licence without notice. At such times all operations must stop and the crane/machinery/equipment must be dismantled and removed from the highway without delay.
7. The Licence holder is responsible for providing and maintaining suitable Signage, Lighting and guarding in accordance with Chapter 8.
8. No 'Cherry picker/machinery/equipment' is to be placed on the adopted highway until permission has been granted by the Vale of Glamorgan Council.
9. The Licence Holder must notify Highways for any unforeseen operational delays in relation to this application and must apply for any overstay beyond the dates that have been submitted under this Licence.
10. A copy of this licence must be held on site with the Cherry picker/machinery/equipment Operatives along with copies of method statements and traffic management plans. The Licence holder is responsible in ensuring all operatives are fully aware of the Terms and Conditions to which any Licence is granted.

### **Penalty for non-observance**

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 includes Fixed Penalty Notice **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)

### **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 container. The licensee must have in place public liability insurance. 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.