

Thurrock Council – Vehicle crossings

Terms and conditions for vehicle crossings undertaken by a developer

1. Indemnities and insurance

1.1 The Developer shall indemnify the Council against all actions, proceedings, claims, costs and expenses brought, instituted, made or incurred against or by Thurrock Council as a result of injury to or the death of any person arising out of and during the course of or in consequence of the execution of the works and not caused by the negligent act or omission of Thurrock Council, its servants or agents.

1.2 The Developer shall also indemnify Thurrock Council against all actions, proceedings, claims, costs and expenses brought, instituted, made or incurred against or by Thurrock Council as a result of injury or damage to or the destruction or loss of any property, whether real or personal, and arising out of and during the course of or in consequence of the execution of the works, and not caused by the negligent act or omission of Thurrock Council, its servants or agents.

1.3 The Developer shall insure himself against the obligations assumed by him under Clauses (1.1) and (1.2) above hereof in a sum of £2 million at least in respect of any one occurrence and shall, if so required, produce the insurance policy or policies affecting the necessary insurance cover and the receipt of the premium(s) or last premium(s) paid.

2. Notification of statutory undertakers and licensees

2.1 It is the Developer's responsibility to serve notices on Statutory Undertakers and Licensees (persons other than Statutory Undertakers to whom Thurrock Council has granted a licence to install private apparatus in the highway) who may have apparatus in the highway, to determine the precise location of electricity, gas, sewerage, water supply, telecommunications and any such other apparatus and to be responsible to the Statutory Undertaker or Licensee for any damage incurred.

2.2 A minimum of seven working days' notice in writing of the intention to commence works within the public highway must be given to all Statutory Undertakers and Licensees having apparatus in the locality, who may find it necessary to make requirements regarding the safety and protection of their apparatus. Thurrock Council will be able to advise as to the names and addresses of Undertakers and Licensees who need to be contacted.

3. Notification to the council of commencement of works

3.1 Irrespective of any previous contact he will have had with Thurrock Council the Developer must give the Council at least seven working days' notice in writing of the intended commencement date of the works and that all other conditions have been met. In addition to the foregoing, Thurrock Council must be informed by not later than 4.30 pm on the working day before commencement of the work of the Developer's intention to start.

4. Specification of works

4.1 All works must be undertaken in accordance with Thurrock Council's specification for vehicle crossings or such other specification agreed by Thurrock Council.

5. Signing

5.1 All details of signing, guarding and traffic management shall be agreed with Thurrock Council's representative in advance of any works.

5.2 The Developer will be required to meet all necessary conditions with respect to the safe passage of users of the street, including persons with disabilities. The developer shall be required to provide all necessary traffic signs, barriers, cones and road danger lamps, supplementary lighting and any other measures deemed necessary for traffic management purposes. In this regard the Developer's attention is drawn to a publication by HMSO under the provisions of the Sections 65 and 124 of the New Roads and Street Works Act 1991 entitled "Safety at Street Works - A Code of Practice". This contains detailed information on the methods to be employed in signing, guarding and protecting street works and the mandatory requirements in relation thereto.

6. Information boards

6.1 An information board shall be displayed at the site throughout the duration of the actual works giving the name of the Company carrying out the works and a telephone number which may be contacted in emergencies.

7. Emergency contact

7.1 The Developer shall provide Thurrock Council with the name, address and telephone number of a person who may be contacted at any time (including out of normal hours) before work commences.

8. Precautions in carrying out works

8.1 In carrying out the works the Developer shall take every precaution to avoid damage to or improper interference with the use of any roads, streets, canals, rivers, watercourses, sewers, drains, pipes or cables.

8.2 Works should be carried out in such a manner as to cause no more prolonged obstruction to traffic than is reasonably necessary.

9. Weather conditions

9.1 No work will be carried out if, in the opinion of Thurrock Council's representative, the weather conditions are unsuitable.

10. Working hours and duration of works

10.1 Unless Thurrock Council specifically authorises otherwise the works will be carried out in a continuous manner between the hours of 7:30am and 5pm Mondays to Fridays inclusive.

10.2 Restricted and abnormal working hours may be necessary on some roads and specific instructions will be given by Thurrock Council's representative. No works will normally be allowed outside the hours specified or at weekends.

10.3 The Developer shall agree with Thurrock Council the duration of the works.

11. Facilities to be afforded to Thurrock council and others

11.1 Reasonable facilities shall be afforded to Thurrock Council, Statutory Undertakers and Licensees for the inspection of the work as it proceeds, to ensure that the relative duties are complied with, and requirements for the protection of and access to existing apparatus are being met.

12. Traffic regulation orders

12.1 Should it be necessary to close a road and/or divert traffic to facilitate the works a Traffic Regulation Order will be necessary. This must be obtained from Thurrock Council and a period of at least six weeks' notice is required. The costs of the Order shall be met by the Developer.

13. Completion of works

13.1 On completion of the works Thurrock Council shall be notified within one working day of the completion.

Thurrock Council – Vehicle crossings

Terms and conditions for vehicle crossings undertaken by householder's chosen contractor

1. Indemnities and insurance

1.1 The Contractor shall indemnify Thurrock Council against all actions, proceedings, claims, costs and expenses brought, instituted, made or incurred against or by Thurrock Council as a result of injury to or the death of any person arising out of and during the course or in consequence of the execution of the works and not caused by the negligent act or omission of Thurrock Council, its servants or agents.

1.2 The Contractor shall also indemnify Thurrock Council against all actions, proceedings, claims, costs and expenses brought, instituted, made or incurred against or by Thurrock Council as a result or injury or damage to or the destruction or loss of any property, whether real or personal, and arising out of and during the course or in consequence of the execution of the works, and not caused by the negligent act or omission of Thurrock Council, its servants or agents.

1.3 The Contractor shall insure himself against the obligations assumed by him under Clauses (1.1) and (1.2) above hereof in a sum of £2 million at least in respect of any one occurrence and shall, if so required, produce the insurance policy or policies affecting the necessary insurance cover and the receipt of the premium(s) or last premium(s) paid.

2. Specification of works

2.1 All works must be undertaken in accordance with Thurrock Council's specification for vehicle crossings or such other specification agreed by Thurrock Council.

3. Signing

3.1 All details of signing, guarding and traffic management shall be agreed with Thurrock Council's representative in advance of any works.

3.2 The Contractor will be required to meet all necessary conditions with respect to the safe passage of users of the street, including persons with disabilities. The Contractor shall be required to provide all necessary traffic signs, barriers cones and road danger lamps, supplementary lighting and any other measures deemed necessary for traffic management purposes. In this regard the Contractor's attention is drawn to a publication by HMSO under the provisions of the Sections 65 and 124 of the New Roads and Street Works Act 1991 entitled "Safety at Street Works - A Code of Practice". This contains detailed information on the methods to be employed in signing, guarding and protecting street works and the mandatory requirements in relation thereto.

4. Information boards

4.1 An information board shall be displayed at the site throughout the duration of the actual works giving the name of the Company carrying out the works and a telephone number which may be contacted in emergencies.

5. Emergency contact

5.1 The Contractor shall provide Thurrock Council with the name, address and telephone number of a person who may be contacted at any time (including out of normal office hours) before work commences.

6. Precautions in carrying out works

6.1 In carrying out the works the Contractor shall take every precaution to avoid damage to or improper interference with the use of any roads, streets, canals, rivers, watercourses, sewers, drains, pipes or cables.

6.2 Works should be carried out in such a manner as to cause no more prolonged obstruction to traffic than is reasonably necessary.

7. Weather conditions

7.1 No work will be carried out if, in the opinion of Thurrock Council's representative, the weather conditions are unsuitable.

8. Working hours and duration of works

8.1 Unless Thurrock Council specifically authorises otherwise the works will be carried out in a continuous manner between the hours of 7:30am and 5pm Monday to Fridays inclusive.

8.2 Restricted and abnormal working hours may be necessary on some roads and specific instructions will be given by Thurrock Council's representative. No works will normally be allowed outside the hours specified or at weekends.

8.3 The Contractor will agree with Thurrock Council the duration of the works.

9. Facilities to be afforded to the council and others

9.1 Reasonable facilities shall be afforded to Thurrock Council, Statutory Undertakers and Licensees for the Inspection of the work as it proceeds, to ensure that the relative duties are complied with, and requirements for the protection of an access to existing apparatus are being met.

10. Traffic regulation orders

10.1 Should it be necessary to close a road and/or divert traffic to facilitate the works a Traffic Regulation Order will be necessary. This must be obtained from Thurrock Council and a period of at least six weeks' notice is required and the costs of the order must be met by the Contractor.