

ARUNDEL & LADBROKE GARDENS

Permit for use of the Gardens by Contractors

Date:

Name: _____ (the "Owner")

of : _____ Arundel / Ladbroke Gardens

is hereby authorised on the terms of the Agreed Procedure for use of the Gardens by contractors (the "Procedures") to have his / her contractors enter into the Gardens for the purpose of construction / repair works and to bring into the Gardens materials (but NOT, unless specified below, any machinery)

The Contractors may bring into the Gardens the following machinery / may not bring in machinery *

(no diggers, excavators, cranes or other powered machinery may be brought in unless specifically identified on this form. If machinery is subsequently required, a new permit must be obtained.)

This Authority is to expire on

(not normally more than 3 months from the date of this permit*)

*to be completed by the Secretary

The Gates must be kept closed at all times except when materials are actually being brought into or removed from the Gardens, during such time the Gates must be properly monitored to ensure that people cannot wander into the Gardens and that children cannot stray out while the Gates are open. Failure to comply with this provision will mean that this authority may be cancelled immediately by any member of the Garden Committee. In those circumstances a new authority may not be forthcoming.

This Permit must be produced on demand by any member of the Garden Committee. (If lost please ask for another copy.)

£500 deposit of which £100 is non-refundable - for access to erect scaffolding.

£1000 deposit of which £250 is non-refundable - for access to bring in building materials or heavy machinery

Payments may be made by Cheque or BACS to: Arundel & Ladbroke Gardens;
A/C 91037498 Sort: 40-05-08

Received Deposit of: £..... including non-refundable charge of: £.....

Signed:

(The secretary / Other person specified by the Secretary)

ARUNDEL & LADBROKE GARDENS

Agreed Procedure for access through the Gardens by Contractors

That no builder or contractor (with or without equipment or materials) shall be permitted to enter the Gardens for the purpose of any construction or maintenance work without the owner or occupier of such property (or his gent) having first informed the Secretary of the proposed works (including the nature thereof and what, if any materials or equipment will be brought into the gardens) and obtained a written permit from the Secretary (or such other member of the Garden Committee as the Secretary may specify).

Such permit shall specify the date or dates when entry is permitted and when materials may be brought into the Gardens. The permit shall (unless the Gardens Committee specifically resolve otherwise) only be granted against a deposit of £1000 (£500 in the case of scaffolding where only works are painting or decorating) or in the case such greater sum as the Garden Committee, in its discretion, resolves.

All materials and equipment shall be kept within the private property and not within the Gardens (unless the Committee specifically resolves otherwise) and in default shall be liable to removal by the gardeners or other persons authorised by the Garden Committee. The Gates shall be kept closed at all times, except when materials are actually being brought into or removed from the Gardens, and while open, the gates must be monitored to ensure that people cannot wander in or any children stray out. The Gates may not be removed from their hinges or dismantles in any circumstances by builders or contractors.

The owner of the property where the works are being undertaken shall be liable to pay for all damage and costs and expenses suffered by the Gardens on a full indemnity basis (as reasonably assessed by the Committee) which may be withdrawn from the deposit and, if the deposit shall be insufficient, shall be paid on demand. The owner shall also be responsible for ensuring compliance by builders and contractors. This liability, indemnity and responsibility shall be a condition of consent being granted to the entry into or use of the Gardens by builders or contractors.

Note: Any person wishing to have his/her builders or contractors use the Gardens for any construction or maintenance works at all must first obtain a permit from the Secretary and pay a deposit. The deposit may be increased if machinery is to be used; it will be repaid (without interest) when all the works are completed and after deducting for any damages or costs. Failure to obtain a permit will render a person liable to legal proceedings without notice. Also his/her keys to the Gardens may be withdrawn and entry will not be allowed to his/her builders or contractors.

BY ORDER OF THE GARDEN COMMITTEE

Permitted hours of work for construction activities

Key points

- Noisy works which can be heard at the Site Boundary must be carried out within the 'Permitted Hours'
- All 'High Impact Activities' must be carried out within the 'Restricted Hours'

9.1 The following Permitted Hours for 'noisy works' apply to construction work that can be heard at the Site Boundary (or, in occasional circumstances and as agreed with the Council, at the boundary with the nearest occupied property).

Permitted hours for noisy works

8am to 6pm – Monday to Friday

At no time – Saturday, Sunday and Public Holidays

9.2 The collection of construction and demolition waste and the delivery of concrete are also defined as noisy work/site activities that will not be permitted other than during the permitted hours (as specified within any applicable CTMP). This will also enable parking suspensions and skip licences to be limited to these working hours.

High Impact Activities

9.3 In addition to the above permitted hours, further restrictions are placed on works deemed to be of 'High Impact Activities' in terms of the level of disturbance caused to neighbouring residents and businesses. This is to ensure that nearby occupiers have sufficient breaks from activities that can be extremely disruptive.

9.4 Works and processes have been deemed 'High Impact Activities' on the following basis:

- Noise data within Table C of BS5228 indicates that if the equipment was used continuously for two hours it would likely produce noise levels in excess of 70 decibels (LAeq,10hr) at the nearest occupied premises.
- The character of the noise produced by the process (e.g. highly impulsive, low frequency, etc.) is particularly disturbing.
- Significant structure-borne noise and vibration, that is difficult to suppress, will be generated in adjoining properties.