

SCHEDULE 9

Article 17(1), 35(2) and 40(2)

ROAD AND BRIDGE AUTHORITIES

PART 1

NOTICES

1.—(1) In this Schedule “the authority” means—

- (a) in relation to a road, the highway authority for that road;
- (b) in relation to a bridge vested in a transport authority, that authority;
- (c) in relation to any other bridge, the authority, body or person in whom the bridge is vested.

(2) For the purposes of sub-paragraph (1)(b)—

“transport authority” means the authority, body or person having the control or management of a transport undertaking; and

“transport undertaking” means a railway, tramway, dock, harbour, pier, canal or inland navigation undertaking which carries on its activities, or some of its activities, under statutory authority.

2.—(1) A notice must be given to—

- (a) the authority for each road on which the vehicle or vehicle-combination is to be used; and
- (b) the authority for each bridge on which the vehicle or vehicle-combination is to be used.

(2) In the case of any vehicle or vehicle-combination which has a gross weight exceeding 80,000 kilograms, the notice must be given so that it is received by each authority before the beginning of the period of five days which ends immediately before the date of use.

(3) In any other case, the notice must be given so that it is received by each authority before the beginning of the period of two days which ends immediately before the date of use.

(4) An authority may accept a shorter period of notice in any case.

(5) “Date of use”, in relation to any vehicle or vehicle-combination to which a notice relates, means the date on which the use on roads of the vehicle or vehicle-combination is to begin.

3. The notice must be in a form acceptable to the authority to which it is to be given and should be agreed by both parties.

4.—(1) The notice(1) must contain—

- (a) a list of all the authorities to which notice is given;
- (b) details of the user of the vehicle or vehicle-combination, stating—
 - address,
 - telephone number,
 - fax number,
 - email address (if any),
 - user’s licence number,
 - user’s reference number;

(1) Applications can be made through esdal.nationalhighways.co.uk or a standard application form can be obtained on the National Highways website or by calling the Abnormal Loads team on 0300 470 3004.

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- (c) details of the intended use of the vehicle or vehicle-combination, stating—
 - point of departure,
 - point of destination,
 - time, date and route of journey,
 - particulars of any load (including description and profile of load);
- (d) details of the vehicle or vehicle-combination used, stating—
 - registration number of any motor vehicle,
 - type of vehicle or vehicles,
 - overall length of the vehicle or vehicle-combination (including length of any front and rear projection),
 - overall length of each single rigid unit included in a Part 2 vehicle-combination (including length of any front and rear projection),
 - overall width (including width of any lateral projection),
 - maximum height,
 - gross weight or gross train weight,
 - number of wheels per axle,
 - all axle weights,
 - all axle spacings.

(2) The authority may accept fewer details in any case.

(3) In sub-paragraph (2)(d), “single rigid unit” in relation to a Part 2 vehicle-combination has the meaning given by article 12(4).

5.—(1) This paragraph applies in relation to the use on roads of a Part 2 vehicle-combination that includes an abnormal indivisible load vehicle that is a trailer.

(2) Where it is found impracticable to use any vehicle specified in a notice given under this Part, a vehicle of a similar type may be substituted if notice of the substitution is given to every authority to which the earlier notice was given.

PART 2

INDEMNITIES

6.—(1) An indemnity under this Part of this Schedule may be given in relation to—

- (a) a particular journey; or
- (b) in relation to any journey made during a period of one year or less, starting with the date on which the indemnity is given.

(2) Paragraph 6(1)(b) applies only if the authority to which the indemnity is to be given agrees to it in writing.

7. An indemnity is given in accordance with this Part of this Schedule if it is given in the following form.

THE INDEMNITY

(** delete if not applicable).

1. I/We agree to indemnify you in respect of any damage that is caused in the course of a journey of which you have been notified under the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (which is referred to below as "the 2003 Order")

**2. This indemnity relates to the journey scheduled to take place on

OR

**2. This indemnity relates to any journey made during the period of starting with the date on which the indemnity is signed.

The damage covered

3. Except as stated in paragraph 4, the damage in respect of which this indemnity is given is limited to any damage caused to any road or bridge for the maintenance of which you are responsible.

4. This indemnity also extends to any damage caused to any other road or bridge that is used in the course of any journey to which the indemnity relates, in any case where a separate indemnity required by the 2003 Order has not been given to, or received by, the authority, body or person ("third party") which is responsible for the maintenance of that other road or bridge.

The cause of damage

5. The damage covered by this indemnity is limited to damage caused by
- (a) the construction of any vehicle used;
 - (b) the weight transmitted to the road surface by any vehicle used;
 - ** (c) the dimensions, distribution or adjustment of the load carried on any vehicle used in the carriage of an abnormal indivisible load;
 - (d) any vehicle other than the vehicle used in any case where that damage results from the vehicle used (but excluding any damage caused, or contributed to, by the negligence of the driver of the other vehicle)

Enforcement of indemnity

6. This indemnity is enforceable by you, to the extent of the damage specified in paragraph 3
7. This indemnity is enforceable by any third party referred to in paragraph 4, in its own right, to the extent of any damage caused to any road or bridge for the maintenance of which it is responsible (but only if it has not already recovered payment in respect of that damage by virtue of a claim made by it under the equivalent provision in another indemnity given under the 2003 Order)
8. A claim in respect of damage covered by this indemnity will only be entertained if the claim
- (a) states the occasion and place of the damage; and
 - (b) is made before the end of the period of 12 months starting with the date on which the vehicle was last used in the course of the journey during which the damage occurred.

Date

Signed

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