



## UNDERTAKING AND INDEMNITY IN CONNECTION WITH ROAD OPENING LICENCE

To/ Cashel Town Council

In consideration of the Cashel Town Council granting me/us permission to open:-

- (a) The Road Surface at \_\_\_\_\_  
\_\_\_\_\_ for a length of \_\_\_\_\_ metres and a width of \_\_\_\_\_ m.
- (b) The footpath surface at \_\_\_\_\_  
\_\_\_\_\_ for a length of \_\_\_\_\_ metres and a width of \_\_\_\_\_ m.
- (c) The Road Margin at \_\_\_\_\_  
\_\_\_\_\_ for a length of \_\_\_\_\_ metres and a width of \_\_\_\_\_ m.  
for the purpose of \_\_\_\_\_

I/We \_\_\_\_\_

Hereby Undertake to:

- (1) Be responsible for all damage to property and for injury or nuisance caused by the work, workmen, plant or others employed on the job, to persons or their property and shall hold the South Tipperary County Council and its Officers harmless and indemnified in respect thereof, and also in respect of any claim made under the Workmen's Compensation Acts, or the Employer's Liability Act, or at Common Law. These undertakings and indemnity herein shall be operative until the expiration of 3 months from the date on which the opening shall have been closed by me/us to the satisfaction of the Area Engineer or until the date on which the Cashel Town Council commence the work of permanent reinstatement whichever is the less.
- (2) Take all proper precautions to prevent injury to the public during the progress of any works carried out.
- (3) Be responsible for the proper and efficient lighting, fencing and watching of the road

Surface, footpath surface or margin so opened, and for the displaying of proper warning signs and proper regulation of traffic flow while work is being carried out by me/us or my/ our agents.

- (4) Ensure that, before trench is excavated, trench lines are neatly cut.
- (5) Trench shall be backfilled with Clause 804 material in accordance with the Department of the Environment's Guidelines for the Opening, Backfilling and Reinstatement of Trenches in Public Roads, April 2002 to within 150 mm of surface and compacted in layers of 225mm thick. The final 150 mm shall be constructed of Clause 801 (Wet mix) and surface dressed with a 10 mm chip in accordance with the Department of the Environment Specification for Road Works.
- (6) Remove all rubbish, materials and equipment and to restore the roadway and footpath to a Sound, safe and thoroughly good condition with all proper dispatch to the entire satisfaction of the Area Engineer and in accordance with the Council's Specification, and to refrain from opening and channel across the road, footpath or margin to such an extent as to ``make it impossible the passage of persons, animals or vehicles.
- (7) Final restoration of the surface will be carried out by the Council not later than the end of the three month period referred to at (1) above.
- (8) Accept liability for the cost of reinstating the extra area in the event of an overbreak of the surface.
- (9) Where pipes for the conveyance of water, sewage or surface water are laid under footpaths, Roadways (including grass margins or roadways) or where underground cables are laid in such positions, the Town Council will accept no responsibility for subsequent damage to such pipes or cables due to traffic, subsidence or any work or road improvement whether this includes the raising or lowering of the surface, the rolling in of foundations or surfacing material or any damage whatsoever caused by road machinery normally used by the Town Council in the course of their operations.
- (10) Pay in advance the licence fee and a sum based on the scale of charges for the time being in operation, to cover the cost of final reinstatement by the Council of the road, footpath or margin disturbed.

Date it is proposed to open road

: \_\_\_\_\_

(The Council require at least 2 days advance notice of applicant's intention to open road, if circumstances prevent the road being opened on the date given here.)

20\_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_

Signature

Address

Signature of

Witness: \_\_\_\_\_

Address: \_\_\_\_\_

Occupation: \_\_\_\_\_

### AREA ENGINEER'S CERTIFICATE

I Certify that the road, footpath, margin mentioned overleaf are on the Cashel Town Council's Road Schedule. The purpose mentioned is one for which permission should be given and I recommend the granting of such permission on payment in advance of the sum of € \_\_\_\_\_

Reinstatement Costs € \_\_\_\_\_

Processing Fee €125 \_\_\_\_\_

**Total** € \_\_\_\_\_

SIGNED \_\_\_\_\_ DATED: \_\_\_\_\_ 20 \_\_\_\_\_

To/ Each Applicant

When returning the completed indemnity form, please do not enclose payment unless Area Engineer's Certificate has been completed, setting out the amount required.

The Area Engineers' Offices are listed hereunder for your information.

Cahir Area Engineer, South Tipperary County Council,  
Cahir

The Square,

(052-41322)

Cashel Area Engineer, do.  
Street

Civic Officer, Friar

Cashel  
(062-64700)

Fethard Area Engineer,	do	Town Hall, Carrick-on-suir (051- 640587)
Tipperary Area Engineer,	do	Dan Breen House, Tipperary (062-51167)
Clonmel Area Engineer,	do	County Hall, Clonmel (052-34455)

Completed form together with payment should then be forwarded to the Cashel Town Council, Civic Offices, Friar Street, Cashel, Co. Tipperary.

Charges for water and sewerage connections may be ascertained from the Sanitary Services Section, Cashel Town Council, Civic Offices, Friar Street, Cashel.

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SCALE OF CHARGES FOR LONG TERM DAMAGES AND REINSTATEMENT

Type of Surface

- |    |                               |  |
|----|-------------------------------|--|
| 1. | Concrete                      | €90 per cubic metre - minimum charge €260  |
| 2. | Asphalt Road                  | €30 per sq. metre - minimum charge €250    |
| 3. | Bitumen Macadam or Tarmacadam | €30 per sq. metre - minimum charge €200    |
| 4. | Other Bitumen Surfaces        | €12.50 per sq. metre - minimum charge €120 |
| 5. | Untarred Waterbound Macadam   | €8 per sq. metre - minimum charge €120     |
| 6. | Grass margins                 | €4 per sq. metre - minimum charge €60      |