

Date Returned (Office use Only):

Ref. 96/157

WILTSHIRE COUNCIL
DEPARTMENT FOR NEIGHBOURHOOD AND PLANNING
SECTION 96 Licence

HIGHWAYS ACT, 1980 – Section 96 Licence for Parish/Town/District Councils to Plant and Maintain the Highway Verge.

To: Heytesbury, Imber and Knook
c/o Heather Parks
2b Prestbury Drive
Warminster
BA12 8LB

Whereas Heytesbury, Imber and Knook Parish Council (hereinafter called the Licensee) have requested Wiltshire Council as the highway authority to grant for yourselves a Licence to plant and maintain certain trees, shrubs, plants, grass or guards in part of the said highway.

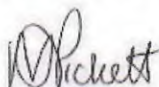
Now therefore Wiltshire Council hereby gives you Licence to plant and maintain the land specified in the 1st Schedule.

TAKE NOTICE

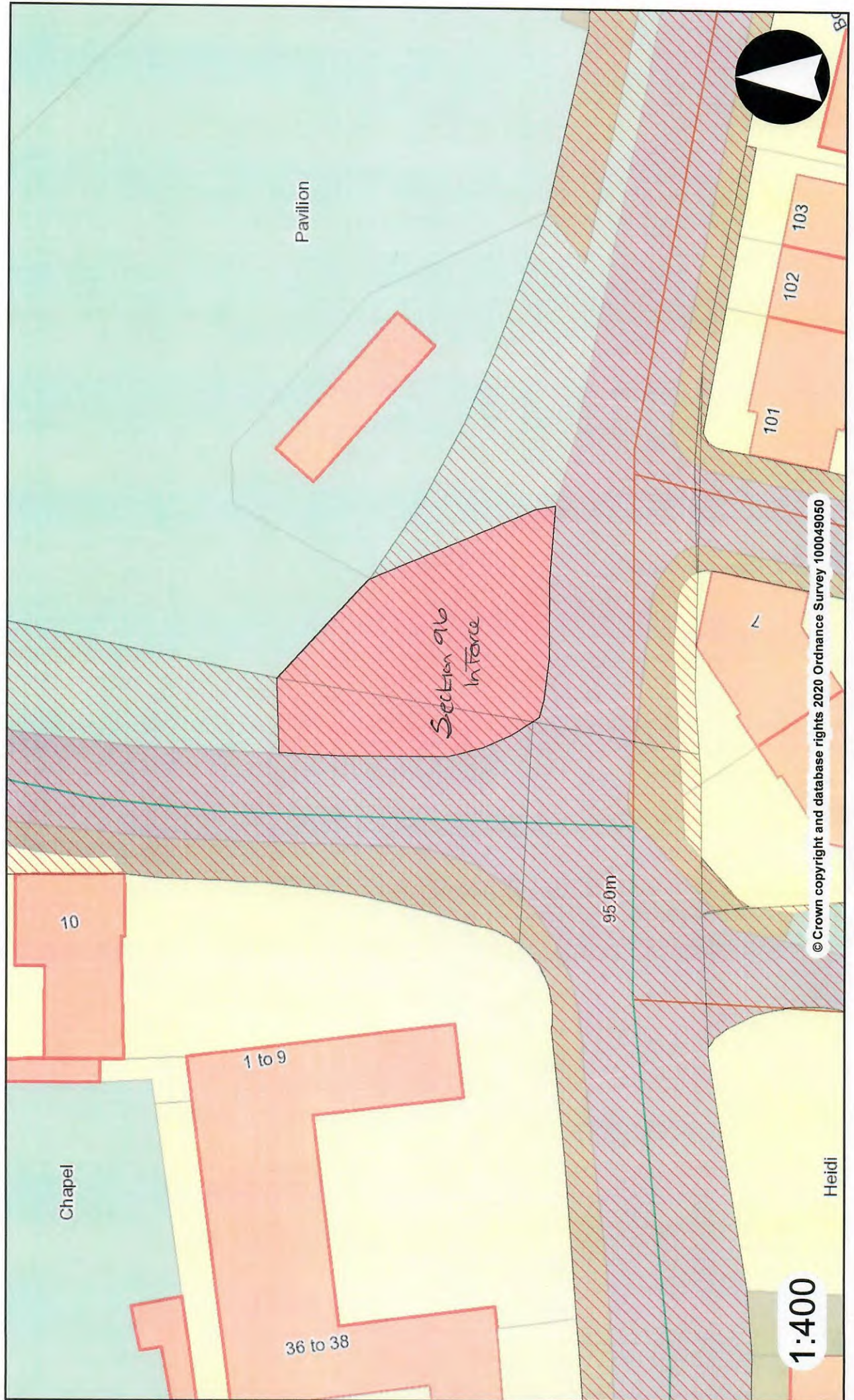
- 1 All conditions in the Licence including those set out in the 2nd Schedule hereto must be complied with.
- 2 Wiltshire Council may withdraw this Licence after 30 days notice if it is necessary for them to exercise their duty as highway authority.
- 3 If it is necessary for Wiltshire Council to reinstate the areas of land specified in the 1st Schedule to their original condition they may recover the expenses reasonably incurred from the Licensee.
- 4 It is a condition of the Licence that the Licensee shall indemnify the Council against any claim in respect of injury, damage or loss, including any claim by or on behalf of statutory undertakers or other appropriate public utilities arising out of the planting or presence of trees, shrubs, plants, grass or guards in the area of land specified in the 1st Schedule. It is advisable for the Licensee to have public liability cover for not less than £5,000,000 to provide this indemnity.
- 5 This Licensee is subject to the right of statutory undertakers or other public utilities as appropriate to place apparatus in, under or over the said highway or to maintain remove or replace existing apparatus and shall in no way prevent the placing, maintaining, removal or replacement of such apparatus.

- d) *The Licensee shall not remove any soil from the part of the area of land specified in the 1st Schedule or otherwise do anything to interfere with the foundation of the rest of the highway.*
- e) *Any existing trees should only be maintained by a qualified tree surgeon to the standard laid down in BS3998: 1989.*
- f) *You must make sure that the planters and plants are no larger than 600mm in height to avoid visibility problems.*
- g) *Planters MUST be 450mm away from the edge of the carriageway and not cause visibility problems.*

5. *If any of the above conditions in clauses 1 and 2 of the 2nd schedule are not complied with, Wiltshire Council may without prejudice to their power under Section 96 of the Highways Act 1980, withdraw the Licence, within 7 days notice, to the person who is for the time being the current Licensee. Wiltshire Council may recover any expenses incurred in reinstating the Highway from the Licensee.*


 (Signed) (Date)... 18/2/2020....
 Director for Department for Neighbourhood and Planning
 Bythesea Road
 Trowbridge
 Wiltshire
 BA14 8JD

(Signed) Har Parks
 Parish Clerk
 Heytesbury Huber & Knock PC
 2(B) Prestbury Drive
 Wootton Bassett BA20 9LB
 (Date) 27/2/2020



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