

Plain English Terms and Conditions relating to Grab Hire & Aggregates orders, JW Clark Ltd

'Muck away'

When booking a load of 'muck away' on a grab lorry we will assume that the waste we are collecting to be free of contamination such as wood, plastic, plasterboard, vegetation or any other types of 'live' waste. The waste should generally be 'inert', which can include soil, clay and hardcore (but excluding tarmac*). The waste will not contain any type of hazardous contamination such as asbestos or oils etc.

In the event of some light vegetation contamination, a surcharge will be applied, which at April 2023 is £70 and upwards. Turf is classed as vegetation contamination and will incur a similar surcharge. We are unable to take loads which are heavily contaminated with vegetation, generally vegetation and inert material should not be mixed, as such a mix cannot easily be disposed of anywhere.

*In the event of a load containing *some* tarmac, no extra charge will be incurred as long as the remainder of the load is hardcore only, for example bricks, broken concrete etc. In the event that the load contains inert material such as soil and clay *in addition* to the tarmac, then a surcharge will be applied, which at April 2023 is £70 and upwards, and is dependent on the surcharge we are incurring ourselves when we tip.

Any hardcore content such as broken concrete should not contain heavy reinforcing metal, in the event that it does, then a surcharge will be applied. Light reinforcing mesh may be acceptable, depending on quantity.

Any loads containing hardcore only will be charged at the usual 'muck away' rate as advertised and agreed at the time. No discount is given for 'hardcore only' loads.

Green waste loads must be clean, and cannot be contaminated with inert soil or any other type of waste. Neither can wood cannot be mixed in with green waste. All green waste loads will be priced individually and will often be subject to an additional charge for weight in excess of 4 tonnes. Stumps must not ordinarily be mixed with green waste, unless agreed and priced in advance.

Loading

Our 4-wheel grab lorries are able to carry approx 8 tonnes and our 8-wheel lorries are able to carry approx. 6 tonnes. Our drivers are not permitted to overload their lorries and will decline any requests to do so. Our drivers risk huge fines and points on their licence should they overload their vehicles, and we risk our own Operator's Licence if our vehicles are found to be overloaded. Our drivers will have the final say as to when they have reached their maximum weight, and will use their on-board weighing systems to assist with this.

The grab lorry is never able to 'dig' in-situ earth, it is only able to remove excavated earth that is loose and in a pile above ground level.

We assume when grabbing material that no part-buried services such as electric and telecommunications cables are present at the bottom of the load. And although we will only ever remove excavated earth and will not 'excavate' further down with our bucket, the bucket on a grab lorry may inadvertently grab into the ground slightly when removing material.

When hiring a grab lorry to remove waste, the time to load will normally average around 20 minutes. In the event that more than 30 minutes is taken to load for any reasons that are not the fault of the company, a rate of £2/minute will be charged after the initial 30 minutes. The same will apply if the company's driver should come to site for an agreed time, and be kept waiting for any length of time in excess of 10 minutes, including for the reason that the customer has not arrived to site at the agreed time

In the event that the company sends a lorry to a customer's site at an agreed time and the load is not ready for any reason, an automatic charge of £75 will apply for a 'local' job, not limited to £75 and dependent on location

Drivers reserve the right to abandon any loads they deem as unsafe or impossible to collect for any reason

Our grab lorries are not able to grab close to overhead cables. Although we can on occasion grab *underneath* overhead cables, the arm of the grab lorry must be able to stay a reasonable distance from insulated overhead cables, and must stay a minimum of 6 metres away from an uninsulated cable. If you are in any doubt, then please consult with us prior to piling up waste material underneath overhead cables.

In the event of the driver of any of the company's lorries being asked to leave the Highway and drive onto private property, we assume that the customer has the authority to instruct us as such, and in every instance the company will not be liable for any damage done to private property, including in the instance of settlement /sinking of paving or a driveway.

In the event that the driver of any of the company's lorries is asked to drive off the road and onto the footpath, the company will assume that the customer has sought prior permission from the owner of the footpath, whether it belongs to Highways or is of private ownership.

In the event that a driver is asked to block a footpath or a pedestrian walkway of any description with their lorry, the customer will have made available an alternative route for pedestrians and will supervise pedestrians accordingly.

Please note that the driver of any grab lorry is forbidden to 'grab' over his front cab, and is unable to grab over the back tailgate. All loads must be grabbed from the side of the lorry only.

In the event that material is being grabbed on or off our grab lorries, or when jumbo bags are being delivered/collected, the customer will put controls in place on site to exclude pedestrian traffic from our working area.

Aggregates

JW Clark will not be liable for changes in appearance in aggregates from one delivery to another. Aggregates supplied to us are delivered to our yard in bulk, from where we move them to our customer. In the event that one of our suppliers delivers to us from a different quarry for example, we will have no knowledge of this. There will often be a visible difference between aggregates supplied to us, even when supplied from the same quarry.

The customer will be aware that all aggregates, particularly decorative aggregates, are natural and quarried products and that a visible change will be apparent between loads, particularly over longer periods of time.

When a tipper lorry is asked to tip up a load of aggregate, the lorry must be on level ground. A tipper lorry cannot tip on uneven ground, neither can it tip up from unstable ground.