(37) PLANT (RATES OF HIRE)

The Control of Rates of Hire of Plant Order, 1949

1949 No. 567

Made - - - -	28*th March*, 1949
Laid before Parliament	28*th March*, 1949
Coming into Operation	1*st April*, 1949

The Minister of Works, in exercise of the powers conferred on him by Regulations 55, 55AB and 98 of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**a**), as extended by the Supplies and Services (Extended Purposes) Act, 1947(**b**), and of all other powers enabling him in that behalf, hereby makes the following Order :—

1. The Control of Rates of Hire of Plant Order, 1948(**c**), is hereby revoked.

2. No person shall let or take on hire, or agree or offer or invite any offer to let or take on hire, any item of plant or other item mentioned in the Schedule hereto, except at rates of hire not exceeding the rates of hire mentioned in the said Schedule (on the basis that the provisions and conditions contained in the said Schedule which are respectively applicable or applied thereby in relation to the rates of hire mentioned therein, apply and obtain in relation to such rates), and except in accordance with the said provisions and conditions.

3. Every person carrying on or employed in connection with any undertaking whose business, or part of whose business, is or involves the letting or taking on hire of any item of plant or other item mentioned in the Schedule hereto, shall at all times during normal business hours admit to any premises under his control where any such business of letting or taking on hire is carried on or such item of plant or other item is situate, or where any books, accounts or other documents relating to any such business or item are situate or kept, any person authorised by the Minister of Works to enter and inspect any such premises, and shall, if requested so to do by any person so authorised, produce to such person, or to a person of such class or description as may be mentioned in the request, such books, accounts or other documents relating to the undertaking, or furnish to him such estimates, returns or information relating to the undertaking, as may be mentioned or described in the request.

4. This Order shall not apply to the taking or agreement or offering to take on hire from the Minister of Fuel and Power of or to the inviting of any offer to let on hire from the Minister of Fuel and Power, any item

(**a**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611, 1618 and 1625) II, pp. 39, 48 and 56.
(**b**) 10 & 11 Geo. 6. c. 55.
(**c**) S.I. 1948 No. 792.

of plant or other item mentioned in the Schedule to this Order for the purpose of :—

(*a*) Searching and boring for coal with a view to working and getting such coal by opencast methods ; or

(*b*) Working or getting coal by opencast methods.

5. This Order shall come into operation on the 1st day of April, 1949, and may be cited as the Control of Rates of Hire of Plant Order, 1949.

Dated this 28th day of March, 1949.

Charles W. Key.

THE SCHEDULE

PART I

RATES OF HIRE

Item of Plant	Description	Maximum Rates of Hire: Each	Period
		£ s. d.	
COMPRESSORS AND COMPRESSOR TOOLS:—	Piston Displacement Cubic Feet per minute		
Portable Compressors Diesel (Machine only)	60—100	5 19 0	Per week of 44 hrs.
	101—130	7 18 0	do.
	131—150	9 10 0	do.
	151—180	11 0 0	do.
	181—200	12 12 0	do.
	201—250	15 2 6	do.
	251—315	17 17 6	do.
	316—410	19 14 0	do.
Petrol (Machine only)	For Petrol Compressors deduct 20 per cent. from the rates for Diesel Compressors.		
Mobile Compressors (Machine plus Lorry)	101—150	8 0	Per hour
	151—250	11 0	
Compressor Tools	Tool	plus 9d., per tool	
	Breakers with up to and including 50 feet of Hose and 6 Steels	(A) 1 12 0	Per week of 44 hrs.
	Light Pneumatic Picks with up to and including 50 feet of Hose and 6 Steels	(A) 1 5 0	do.
	Pneumatic Clay Spaders with up to and including 50 feet of Hose and 1 Blade	(A) 1 7 6	do.
	†Hand Held Rock Drills with up to and including 50 feet of Hose without Drill Rods or Detachable Bits		
	35 lb. Class	(A) 1 12 0	do.
	45 lb. Class	(A) 1 19 0	do.
	55 lb. Class	(A) 2 6 0	do.

† Drill Rods and Bits for Hand Held Rock Drills to be paid for as consumable stores.

(A) Note:—If more than fifty feet of hose and/or more than six steels or one blade are supplied as part of one transaction these maximum rates shall not apply to that portion of the hose in excess of fifty feet nor to those steels in excess of six nor to any blades in excess of one.

Note:—Tools Hired independently: For each Compressor Tool add 4s. 6d. per week of 44 hours to the rates for Compressor Tools.

Note:—Sharpening of Tools: The cost of sharpening Compressor Tools is to be borne by the Taker-on-Hire.

Item of Plant	Description	Maximum Rates of Hire: Each	Period
		£ s. d.	
CONCRETE MIXERS:—			
Petrol or Electric:—			
Open drum without hopper	5/3½	2 16 0	Per week
Open drum without hopper	7/5	3 5 0	do.
Open drum with hopper	7/5	4 17 0	do.
Closed drum with hopper	7/5	5 10 0	do.
Closed drum with hopper	10/7	6 10 0	do.
Closed drum with hopper	14/10	7 10 0	do.
Diesel:—	Add 15s. per week to the rates for Petrol or Electric Concrete Mixers.		
CRANES:— Mobile Road	1 ton	1 8 0	Per day of 8 hrs.
	2—3 tons	2 16 6	do.
	5 tons	3 15 6	do.
CRANE GRABS	½—¾ yd.	2 0 0	Per week
	1 yd.	3 0 0	do.
CRANE SKIPS	½—¾ yd.	3 6	do.
	1 yd.	5 0	do.
DUMPERS:— Petrol	2 cu. yd.	11 0 0	Per week of 44 hrs.
	2½ cu. yd.	12 16 6	do.
	3 cu. yd.	14 4 0	do.
Diesel	3 cu. yd.	16 1 0	do.
*CRAWLER EXCAVATORS AND EXCAVATOR EQUIPMENTS:—	Maker's Rated Machine Capacity:— Cubic Yards		
Excavators hired with a single equipment (i.e., Excavators equipped with Single Shovel, Skimmer, Dragline, Backacter or Crane Equipments).	¼	20 12 6	Per week of 44 hrs.
	⅜	22 9 0	do.
	½	24 15 0	do.
	⅝	32 2 0	do.
	¾	34 7 6	do.
	⅞	42 12 6	do.
	1¼	55 0 0	do.

Note:—Rates of hire for Crawler Excavators:—

Up to and including 9 cu. ft. capacity to be charged as ¼ cu. yd.
Over 9 cu. ft. up to and including 11 cu. ft. capacity to be charged as ⅜ cu. yd.
Over 11 cu. ft. up to and including 15 cu. ft. capacity to be charged as ½ cu. yd.
Over 15 cu. ft. up to and including 18 cu. ft. capacity to be charged as ⅝ cu. yd.
Over 18 cu. ft. up to and including 21 cu. ft. capacity to be charged as ¾ cu. yd.
Over 21 cu. ft. up to and including 26 cu. ft. capacity to be charged as ⅞ cu. yd.
Over 26 cu. ft. up to and including 34 cu. ft. capacity to be charged as 1¼ cu. yd.

Extra Equipments hired with base machines:— For each extra equipment	A sum equal to 7½ per cent. of the Schedule Rates of Hire for Excavators with a single Equipment.
Equipments hired without base machines:— For each equipment	A sum equal to 15 per cent. of the Schedule Rates of Hire for Excavators with a single equipment.

* Wire Ropes for these machines to be paid for as consumable stores.

Item of Plant	Description	Maximum Rates of Hire: Each £ s. d.	Period
Dragline Buckets hired independently or supplied as additional Buckets:—			
For use on Open Cast Coal Sites	Maker's Rated Capacity: Cubic Yards		
	⅜	3 3 6	Per week of 44 hrs.
	½	3 14 6	do.
	⅝	4 8 6	do.
	¾	5 1 6	do.
	⅞	5 6 6	do.
	1	5 11 0	do.
	1¼	6 17 0	do.
	1½	7 10 0	do.
For use on sites other than Open Cast Coal Sites	⅜	1 16 0	do.
	½	2 2 6	do.
	⅝	2 10 6	do.
	¾	2 17 6	do.
	⅞	3 1 0	do.
	1	3 3 0	do.
	1¼	3 19 0	do.
	1½	4 5 0	do.
Dragline Equipments hired independently for use on Coal Sites:—			
For each equipment	A sum equal to 22½ per cent. of the Schedule Rates of Hire for Excavators with a single equipment.		
HIGH LIFT SHOVELS	—	12 7 6	Per week of 44 hrs.
MECHANICAL TRENCHERS	12/18 Type	19 14 0	do.
	25 Type	25 4 0	do.
ROLLERS (excluding Living Vans, Bedding, and Water Carts):—			
Diesel	Under 5 tons	4 5	Per hour
Diesel	5 tons and over	5 9	do.
Petrol	Under 5 tons	3 9	do.
Petrol	5 tons and over	4 9	do.
Steam	6–10 tons	4 2	do.
Extra for Scarifier	—	7 6	Per hour of work
Living Vans and Bedding	To be applicable only when supplied with Rollers	1 0	Per day of 8 hrs.
Water Carts		9	do.
	Maker's Rated Capacity: Cubic Yards		
*SCRAPERS	4	8 0	Per hour
	6	10 0	do.
	8	10 6	do.
	12	13 0	do.
	Maker's Rated Drawbar Horse-Power		
CRAWLER TRACTORS	25–30	7 0	Per hour
	35–40	12 0	do.
	45–60	16 0	do.
	65–75	1 2 0	do.
	90–110	1 12 0	do.

* Wire Ropes for these machines to be paid for as consumable stores.

Item of Plant	Description	Maximum Rates of Hire: Each	Period
		£ s. d.	
	Maker's Rated Drawbar Horse-Power		
*Crawler Tractors with Bull or Angle-Dozers or Scarifiers or Rippers	25–30	9 0	Per hour
	35–40	15 0	do.
	45–60	1 0 0	do.
	65–75	1 7 6	do.
	90–110	2 0 0	do.
Crawler Tractors with Elevating Graders.	—	2 15 0	do.
Elevating Graders (without Crawler Tractors).	—	1 10 0	do.

*Wire Ropes for these machines to be paid for as consumable stores.

Part II

Conditions

1. HIRE RATES

The rates set out in Part I of this Schedule (hereinafter called "the Schedule rates") include the provision of the plant and the supply of spare parts, but do not include the cost of fuel, lubricating oils, grease, drivers, operators, or labour on repairs.

2. GUARANTEED PERIODS OF HIRE

Plant shall be paid for at the Schedule rates for a minimum of 44 hours per week, or if hired for less than one week for a minimum of 8 hours per day; provided that any idle-time so paid for shall be at 2/3rds of the Schedule rates. Plant shall not be hired for a shorter total period than that set out in the fourth column of Part I.

3. OVERTIME AND IDLE-TIME

(*a*) Where items of plant are quoted in the fourth column of Part I as "per day", "per week" or "per month" without qualification as to number of hours, the rate covers whatever hours are worked during the period and no distinction shall be made between working-time and time during which plant is idle for any reason other than those set out in Clause 4 (hereinafter referred to as "idle-time") except as provided in Clause 4. Otherwise the rates are based on a working week of 44 hours and any time for which plant is working in excess of 44 hours per week shall be paid for pro rata, the hourly rate being 1/44th of the weekly rate.

(*b*) In computing idle-time, periods of shorter duration than those for which the Schedule rates are quoted shall be treated as working-time; an idle period of less than a week shall be treated as working-time in the case of items of plant quoted in the fourth column of Part I as "per week of 44 hours", and in any event idle-time of less than one day shall be treated as working-time.

4. BREAKDOWNS

Hire shall not be paid during break-downs, nor when plant is idle owing to obvious inefficiency of the plant due to incompleteness unless caused by the negligence of the hirer.

5. TRANSPORT

The rates do not include the cost of carriage of plant to or from the site or otherwise in connection with the works.

Time spent in transporting plant to and from the site of a contract, up to a limit of one day each way shall not be charged for; but if more than one day is properly and unavoidably so occupied, a hiring charge at two-thirds of the Schedule rates shall be payable for each extra day; provided that in the case of plant hired for a total period of less than one week, hire shall be paid from depot to depot. Excepting that in the case of road rollers and other plant travelling under its own power time properly and unavoidably spent in travelling shall be paid as working time.

6. CONTRACTORS' PLANT

In the case of plant hired from the main Contractor or his wholly-owned or controlled Subsidiaries:—

(*a*) the Schedule rates are subject to a deduction of 5 per cent.

(*b*) payments in respect of one piece of plant on a single contract, other than items of plant quoted in the fourth column of Part I as "per day", "per week" or "per month" without qualifications as to hours, shall be limited as follows:—

first 1,500 hours of hire per 12 months: working-time at the Schedule rates; idle-time at 2/3rds of the Schedule rates;

hours in excess of 1,500 per 12 months: working-time at 2/3rds of the Schedule rates; idle-time at 4/9ths of the Schedule rates.

7. INDEPENDENT PLANT HIRING FIRMS' PLANT

In the case of plant hired from an independent Plant Hiring Firm:—

(*a*) Clause 6 hereof shall not apply and Clause 1 hereof shall be modified in the following respects—

(*b*) In respect of items of plant quoted in the fourth column of Part I as "per day", "per week" or "per month" without qualification as to hours, any necessary maintenance labour shall be provided by the Hirer in addition to the payment of hire rates. As regards breakdown (in the case of items of plant quoted in the fourth column of Part I as "per day", "per week" or "per month" without qualification as to hours) the hirer must notify the plant hiring firm by telegram and the date shown on the telegram shall be the date from which Clause 4 hereof becomes operative.

(*c*) In all other cases, no payment in addition to the Schedule rates shall be made for labour on repairs.

(*d*) Any fuel, lubricating oils, grease, drivers or operators provided by the Owner shall be charged at net cost or an agreed estimate of net cost. Charges for wire ropes, where provided in Part I, shall be on a similar basis. Net cost of drivers and operators includes any sums properly and customarily paid for overtime, travelling and subsistence as well as National Insurances.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order replaces the Control of Rates of Hire of Plant Order, 1948 (S.I. 1948 No. 792) with certain amendments. The principal changes are:—

(*a*) The maximum rates of hire for Concrete Mixers are amended.

(*b*) The 44 hour week and the 8 hour day are substituted for the 48 hour week and the 8½ and 5½ hour day for Rollers, with amended rates calculated on a "per hour" basis.

(*c*) Separate maximum rates of hire are adopted for Scrapers.

(38) ROAD TRAFFIC AND VEHICLES

[*See* also MOTOR FUEL, p. 606 above and Index to Vol. I.]

(i) *Road Traffic.* | (ii) *Road Vehicles and Drivers*, p. 648.

(i) ROAD TRAFFIC

The City of London Traffic (Miscellaneous Provisions) (Amendment) Order, 1949

1949 No. 1647

Made - - - -	1*st September*, 1949
Laid before Parliament	3*rd September*, 1949
Coming into Operation	19*th September*, 1949

In exercise of the powers conferred upon him by Regulation 70 of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**a**), as extended by the Supplies and Services (Extended Purposes) Act, 1947(**b**), and of all other powers him enabling, the Minister of Transport hereby makes the following Order:—

1. This Order shall come into operation on the 19th day of September, 1949, and may be cited as "The City of London Traffic (Miscellaneous Provisions) (Amendment) Order, 1949".

2. The City of London Traffic (Miscellaneous Provisions) Order, 1948(**c**), shall have effect as though:—

(*a*) for the definition of "Restricted Street" in Article 1 there were substituted the following definition:—

"'Restricted Street' means:—

(*a*) any highway specified in the First Schedule to this Order (hereinafter referred to as 'a scheduled street');

(*b*) the first 120 feet of every highway specified in the first column of the Second Schedule to this Order measured in the direction specified in the second column of that Schedule from its junction with the scheduled street specified in the third column of that Schedule; and

(*c*) except in any case where the provisions of the last preceding paragraph apply, the first 60 feet of every highway which is not a scheduled street and joins a scheduled street at any side of that street measured from the junction of the highway with the scheduled street"; and

(*b*) for the Schedule to that Order there were substituted the First and Second Schedules to this Order.

Given under the Official Seal of the Minister of Transport this first day of September, 1949.

(L.S.)

Alfred Barnes,
The Minister of Transport.

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1615–25) II, pp. 45–56.
(b) 10 & 11 Geo. 6. c. 55.
(c) S.I. 1948 (No. 1688) II, p. 976.