



**CONTROL OF BUILDERS SKIPS –
HIGHWAYS ACT 1980 SECTIONS 139 AND 140**

APPLICATION TO DEPOSIT A BUILDERS SKIP ON A PUBLIC HIGHWAY

In order to place a builder's skip on the public highway you are required to obtain a permit for each location from the Highway Authority. This will only be issued to you subject to you undertaking to observe and abide by the conditions listed below as well as any other conditions the Highway Authority may deem necessary. Such additional conditions will be contained within the skip permit itself. You should be aware that should you fail to observe and abide by these conditions then you will be liable to prosecution under the above named Act.

You should now read and familiarise yourself with the conditions listed below. Only when you have fully satisfied yourself that you understand these and undertake to observe and abide by them should you sign the declaration to that effect at the end of the document. You should then return one signed copy to The Network Control Manager, Environmental Services, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR3 2NP and keep the other copy for reference.

On receipt of the signed copy the Network Control Manager or their representative will ensure that the name of the Skip Company and other relevant details appear in The Register of Approved Skip Companies held by Worcestershire County Council and a letter of confirmation to that effect will be forwarded to the named company.

Only applications for skip permits received from those Registered Companies will be considered/permitted to place skips on public highways within Worcestershire.

These conditions will remain in place until either or both legislation or policy changes require their revision. If this should happen you will be required to sign a new document giving an undertaking to observe and abide by the revised conditions.

CONDITIONS

1. Following the introduction of the Local Authorities (Transport Charges) Regulations 1998 it is now the practice for Highway Authorities to charge skip companies for consideration of their applications to place skips on the Highway. Worcestershire County Council is therefore introducing the non refundable charge of £25.00 per application to cover this provision. This will commence 1st August 2007 and Worcestershire County Council will invoice Registered skip companies on a monthly basis.
2. The skip shall not exceed 5 metres in length or 2 metres in width and shall comply with the specification detailed in Appendix 1.
3. The skip must be clearly and permanently marked with the owner's name and telephone number.
4. The ends of each skip (that is to say, the sides of the skip facing the traffic in both directions) shall be painted yellow and must be fitted with the vertical markings as mentioned in condition (13) below. Damaged skips are not acceptable and may result in a skip being required to be removed.
5. The skip shall be placed in such a position to be clearly visible to traffic approaching from either side at a distance of not less than 75 metres for roads subject to 30m.p.h. speed limit or where the 85thile speed is no greater than 30 m.p.h. Guidance should be sought from the Networks Control Manager or their representative for roads with higher speeds.
6. It shall be positioned so that its' longer sides are parallel to the edge of the carriageway and as near to the edge of the carriageway as is reasonably practicable without damaging kerbs.
7. The skip owner should ensure that all possible precautions are taken to prevent damage to the highway. Any damage caused must immediately be notified to the Network Control Manager or their representative.
8. The approval to place a skip on the public highway is in respect of a siting outside the premises where building is in progress and the skip shall not be placed in any other position without the prior approval of the Network Control Manager or their representative. It may be that only closed skips are acceptable at certain sensitive locations.
9. It shall not be placed:-
 - i. within 20 metres of a road junction,
 - ii. within the loops of a traffic signal controlled junction
 - iii. on a bus stop/ bus lay-by
 - iv. within the "zig-zag" markings of pedestrian crossing or schools.
 - v. in such a position as to impede surface water drainage,
 - vi. where it would obstruct access to property, fire hydrants, gullies, manhole covers or apparatus of any utility.
 - vii. on double yellow lines or operational single or broken yellow line unless approval is given by the Network Control Manager or their representative. Such approval will not be unreasonably withheld provided that complimentary measures can be introduced to safeguard road safety.

10. It shall not be placed in such a position as to partly or wholly obstruct a footway without the express permission of the Network Control Manager or their representative, to be granted only after consultation which may include the Police and conditional upon a minimum 1.5 metre wide pedestrian walkway being established in the carriageway, delineated with pedestrian barriers, signs and cones in accordance with the requirements of Chapter 8 of the Traffic Signs Manual 2006 (published by The Stationary Office).
11. The practice of placing a skip half on and half off a carriageway/footway/verge will not be allowed. Further advice and guidance may be obtained from the Network Control Manager or their representative.
12. The skip shall not be left on the highway for longer than is necessary. The application to deposit the skip shall indicate the estimated duration that the skip is reasonably thought to be needed on the highway, or such period previously indicated by the Network Control Manager being acceptable, which shall not exceed 4 weeks (28 days). In any event after 4 weeks the skip must be removed or a new application made which will incur a further charge of £25.00. In approving the application the Network Control Manager may limit the duration that the skip is on the highway to a period of less than 4 weeks if the presence of the skip may lead to unacceptable traffic congestion or conflict with other street activities. Irrespective of the details within the application, the skip shall be removed or repositioned expeditiously by the owner of the skip if so required and instructed by the Police, the Network Control Manager or their representative.
13. The skip owner is responsible for ensuring that the skip is adequately lit by at least four lights, one at each corner, during the hours of darkness and guarding shall conform to the requirements of the Traffic Signs Manual 2006, Chapter 8 part 2 paragraph 03.27.1 – 03.27.4.. The guarding shall consist of 4 cones on the approach set at 45 degrees to the edge of the carriageway and during the hours of darkness a road lamp must be placed between each pair of cones. The skip must be marked with a marking which complies with schedules 1 and 2 of The Builders Skips (Markings) Regulations 1984 (also attached). The skip owner is responsible for ensuring that all signs, cones and barriers are maintained, repositioned and kept in a clean legible condition and all lights are lit when required.
14. The skip owner must ensure that the necessary cones and lights are placed in position immediately the skip is deposited on the highway.
15. Where 2 or more skips are deposited in a row, so that the distance between adjacent skips does not exceed 2 metres, the row shall be guarded as if it were one skip.
16. Any skip placed on the verge shall be guarded by at least 2 cones, one at each of the two corners of the skip nearest to the carriageway and shall be lit by at least 2 lights, one at each of the two corners nearest the carriageway during the hours of darkness. There shall be a minimum clearance of 500mm between the skip and the edge of the carriageway.
17. The skip shall be removed from the highway as soon as is practicable after it is filled and in any case within 2 working days. It should be covered with netting or sheeting to prevent the loss of materials during removal and transit to the disposal site.
18. During use the contents of the skip shall be kept damped down to prevent nuisance from dust and any spillage on the highway shall be removed immediately.

19. No skip when standing on the highway, shall contain any inflammable, offensive, explosive, noxious or dangerous materials or any material which is likely to putrefy or which otherwise is, or likely to become, a nuisance.
20. The owner of a skip placed on the highway shall be responsible for the removal and disposal of all materials placed therein.
21. The skip owner and any successors in title will indemnify the County Council against any liability, loss, claim or proceeding whatsoever arising under the Statute or Common Law in respect of the placing, lighting, marking and maintaining of the builders skip on the highway or its' removal therefrom. The sum covered by the policy to be £5,000,000 for any one event.
22. If an unlicensed skip is found on the highway a letter will be sent to the skip company giving them 72 hours to remove the skip from the date of the letter. If the company does not comply the County Council will arrange for the skip to be removed and recover the cost from that company. If the Council decides the skip is in a dangerous position it will be removed immediately.

Please be advised that the Highway Authority will normally require 2 full clear working days advance notice of your intention to place a skip within the highway. This will allow sufficient time for the relevant checks to be undertaken to process the application and grant approval. Where circumstances permit the Highway Authority may approve individual applications in a shorter time scale, however this will not be the norm and should not be expected. Applications made on shorter time scales may therefore be refused. Consideration will be given for an extension of the period of this consent and any application for such extension must be made in writing to the Network Control Manager 48 hours prior to the expiry of the permit.

Attention is drawn to the following provisions of the Highways Act 1980:-

Section 139 (4) If an owner fails to comply with any of the conditions subject to which permission was granted he shall, subject as mentioned therein, be guilty of an offence liable on summary conviction to a fine.

Section 139 (10) Provides that nothing in the Section shall be taken as authorising the creation of a nuisance or a danger to users of the highway or as imposing on a Highway Authority by whom a permission has been granted under the Section any liability for any injury, damage or loss resulting from the presence on a highway of the skip to which the permission relates.

Section 140 Empowers the Highway Authority or a Police Officer to require the removal or repositioning or remove or reposition a builders skip deposited on the highway, even though it was deposited in accordance with the Highway Authority's permission, to recover from the owner of the skip the cost of such removal or repositioning and to dispose of a skip which is not collected by its' owner. Failure to comply with a request to remove or reposition a skip under the Section may result in a fine.

SKIP COMPANY

Name of company.....

Address.....

.....

Telephone (to include emergency number).....

Fax.....

E-mail.....

PUBLIC LIABILITY INSURANCE DETAILS TO BE COMPLETED BY SKIP COMPANY

Name of Insurers.....

Address of Insurers.....

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Policy Number.....

Amount of liability.....

(Please note the minimum indemnity of **£5,000,000** is required as stated)

Commencement Date.....

Expiry date.....

WASTE CARRIERS LICENCE

Issued to.....

Number.....

Expiry date.....

I/we give my/our undertaking to observe and abide by the conditions set out on the accompanying forms and confirm that the above details are correct.

Signed.....

Printed name.....

Position held.....

Date.....

A copy of your current Public Liability Insurance (minimum £5,000,000) and Waste Disposal Licence must be attached. After the insurance expiry date you must forward a copy of the renewed insurance.