HIGHWAYS ACT, 1980, SECTION 139

CONDITIONS OF PERMISSION FOR PLACING BUILDERS’ SKIPS ON HIGHWAY

1. This permission shall be operative for the specified period and no later than the expiration of this period the builders’ skip shall be removed from the highway and the site thereof left in a clean and tidy condition, and any damage to the highway repaired to the satisfaction of the Director of the Neighbourhoods Department or his representative.

2. The builders’ skip shall be removed from the highway as soon as is reasonably practicable after it is filled, and in any event shall be removed from the public highway or repositioned if required by the Police or the Director of Neighbourhoods Department or his representative. Reapplication is necessary for a further extension of time.

3. This approval to place the builders’ skip on the public highway is in respect of a siting outside the premises where building operations are being carried out and the builders’ skip shall not be placed in any other position without the prior approval of the Director of Neighbourhoods Department or his representative.

4. Where more than one skip is on the highway at any one time, the skips shall be positioned as closely as possible to each other, but not so as to obstruct access to any premises unless the consent of the occupier of those premises has been obtained.

5. The builders’ skip shall be placed in such a position as to be clearly visible to traffic approaching from either side at a distance of not less than 250ft (75m). It shall not be placed within a distance of 75ft (20m) from a road junction or in such a position as to impede surface water drainage or to obstruct access to property, fire hydrants, gullies, manholes and apparatus of any Statutory Undertaker, or be placed in such a position as to contravene any Traffic Order or Regulation made under the Road Traffic Acts.

6. The builders’ skips shall not be placed in such a position as to partly or wholly obstruct a footway without the express permission of the Director of Neighbourhoods Department or his representative to be granted only after consultation and agreement with the Police and conditional upon a 3ft (1m) wide pedestrian walk-way being roped off with pickets and reflective cord in the carriageway and lamped at night.

7. During use, the contents of the builders’ skip shall be kept ‘damped down’ to prevent nuisance from dust. Any spillage on the highway shall be immediately removed. The builders’ skip shall not be used for the deposit of inflammable, putrescible, explosive, noxious or offensive matter.

8. The licensee shall be responsible for the removal and proper disposal of all materials placed therein whether by such a person or with any other person with or without authority.

9. The licensee shall indemnify the Council against liability, loss, claim or proceedings whatsoever arising under Statute or Common Law in respect of the placing and maintaining of the builders’ skip on the highway or its removal therefrom.

10. The builders’ skip shall be guarded by yellow lamps which shall be adequately lighted during the hours of darkness, and cones placed in accordance with the Department of Transport’s instructions in Chapter 8 of the Traffic Signs Manual. A red lamp shall be fixed securely at each corner at the ends of the skip. Cones and red lamps shall be positioned diagonally from a point by the roadside kerb 2.5m distance from the nearside end of the skip to the offside corner of the skip. The cones and lamps to be positioned alternatively with a cone at each end of the diagonal on the traffic approaching side of the skip.

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\begin{align*}
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& \quad O \quad \quad X \\
& \quad \quad X \quad \quad \quad 2m \\
& \quad O \quad \quad X
\end{align*}
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Attention is drawn to the following provisions of the Act:

Section 139(3) If a builders’ skip is deposited on the highway without a permission granted under this section the owner of the skip shall, subject as mentioned therein, be guilty of an offence and liable on summary conviction to a fine not exceeding £100.

Section 139(11) ‘Owner’ in relation to builders’ skip which is subject of a hiring agreement, being an agreement for hiring of not less than one month, or a hire purchase agreement, means the person in possession of the skip under that Agreement.

SPECIFICATION FOR BUILDERS’ SKIP

1. Builders’ skip means a container designed to be carried on a road vehicle and to be placed on a highway or other land, for the storage of builders; materials; or the removal and disposal of builders’ rubble, waste, household and other rubbish or earth and shall comply with the appropriate department of Transport Construction and Use Regulations.

2. The builders’ skip shall not exceed 16 ft 6in (5m) in length by 6 ft 6in (2m) in width.

3. The builders’ skip shall comply with the Traffic Safety Code (Part 1, lighting and guarding of obstructions) and be fitted with vertical red and yellow fluorescent reflective markings one ach end in accordance with the builders’ skips (markings) regulations 1984.

4. The builders’ skip shall be clearly and permanently marked with the owner’s name and telephone number.