



HALTON BOROUGH COUNCIL

**HIGHWAYS ACT 1980. SECTION 139
--CONTROL OF BUILDERS SKIPS--**

A.THE APPLICATION (To be completed by the applicant in block capitals)

Name

Address

.....

Telephone

Request permission to deposit or cause to be depositedNo skip(s)

On the (Carriageway) (Verge) (Footway)

At (Location)

For the period commencing (start date).....until (end date).....

I have read the conditions on this document and undertake to observe them.

*NB do not sign the application until you have read and understood the conditions.

The charge for this permit is **£30.00** for the first fourteen days and **£20.00** for each subsequent week or part thereof.

..... (Signature of applicant) (Date)

[Payments can be made by telephone on 0151 511 7198](tel:01515117198) and forms can be emailed to streetworks.tm@halton.gov.uk

A. THE PERMISSION – FOR OFFICIAL USE ONLY

The Halton Borough Council in exercise of their powers under Section 139 of the Highways Act 1980 hereby grant permission to the applicant subject to the conditions printed on this document.

..... (Permit & Enforcement Management)

..... (Date)

Permit No.....

Highways Act, 1980, Section 139.

Road traffic regulations act, 1984; Sections 65

Permission to place a builder's skip on the highway

- 1) Your local council in exercise of their powers under Section 139 of the Highways Act 1980 and under Section 65 of the Road Traffic Regulations Act, 1984.
- 2) Each skip shall be deposited on the carriageway outside the premises and shall be positioned so that it does not impede the surface water drainage of the highway nor obstruct access to any manhole or the apparatus of any statutory undertaker or the local council.
- 3) 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.
- 4) Each skip shall not exceed 5 metres in length by 2 metres in width.
- 5) Each skip or group of skips shall while on the highway be marked and lit in accordance with the following requirements.
 - (a) The ends of each skip (that is to say, the sides of the skip facing traffic in both directions when the skip is positioned as mentioned in Condition 2 above) shall be painted yellow and marked in accordance with the requirements of The Builder's Skips (Markings) Regulations 1984 (Statutory Instrument 1984 No. 1933). The painting and the markings shall at all times be kept clean and efficient and clearly visible for a reasonable distance to persons using the highway on which the skip is placed.
 - (b) Each skip shall be clearly and indelibly marked with the owners name and with his telephone number or address.
 - (c) Each skip shall be guarded by at least 3 traffic cones placed on the carriageway in an oblique line on the approach side of the skip. 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.
 - (d) At night (that is to say, between half an hour after sunset and half an hour before sunrise), a danger lamp shall be placed against or attached to each corner of the skip or the end corners of the row of skips where two or more skips are deposited in a row and the distance between adjacent skips does not exceed 2 metres and shall also be placed between each cone and the next. Each lamp shall be of the nature as prescribed on paragraph 40 of the Traffic Signs Regulations and General Directions 1981 (Statutory Instrument 1981 No. 859) and shall remain lit through the night.
- 1) No skip, when standing in the highway, shall contain any inflammable explosive, noxious or dangerous material or any material which is likely to putrefy or which otherwise is, or likely to become, a nuisance to users of the highway.
- 2) No skip shall be used in such a way that any of its contents fall on to the highway, or that there is an escape of dust from the contents of the skip when standing in the highway.
- 3) Each skip shall be removed for emptying as soon as practicable and in any case no later than 2 working days after it has been filled.
- 4) No skip shall remain on the highway pursuant to this permission after the period of this permission specified in paragraph 1 has expired.
- 5) All materials placed in each skip shall be properly disposed of and the highway where the skip or skips have been deposited shall be left in a clean and tidy condition on the expiration of this permission.

Take note that

- (a) Section 139(1) of the Highways Act, 1980 provides that a builder's skip shall not be deposited on a highway without the permission of the highway authority of the highway. If a builder's skip is so deposited without the permission of the highway authority, the owner of the skip shall be guilty of an offence and liable in respect thereof to a fine not exceeding level 3 on the standard scale.
- (b) Section 139(4) of the Highways Act 1980 requires the owner of a builders skip which has been deposited on a highway to secure that the skip is properly lighted during the hours of darkness, that it is clearly and indelibly marked with the owners name and with his telephone number or address, that the skip is removed as soon as practicable after it has been filled and that each of the conditions of the highway authority's permission is properly complied with. If the owner of the skip fails to comply with the aforementioned conditions he should be guilty of an offence and on conviction liable to a fine not exceeding Level 3 on the standard scale.
- (c) Section 139(10) of the Highways Act, 1980 provides that nothing in the Section shall be taken as authorising the creation of a nuisance or of a danger to users of a highway or as imposing on a highway authority by whom injury, damage or loss resulting from the presence on a highway of the skip to which the permission relates.
- (d) Section 140 of the Highways Act, 1980 empowers a highway authority or a Police Officer to require the removal or repositioning or to remove or reposition a builders skip deposited on a highway, even though it was deposited in accordance with the highway authority's permission and to recover from the owner the cost of such removal or repositioning, and to dispose of a skip which is not collected by its owner. Should an owner fail to comply with a request under Section 140 to remove or reposition a skip he shall be guilty of an offence and liable in respect thereof to a fine not exceeding level 3 on the standard scale.