

APPLICATION TO PLACE A BUILDERS SKIP ON THE HIGHWAY

Highways Act 1980 sections 139 and 140.
The Road Traffic Regulation Act 1984 section 55B
Builders Skip Markings Regulation 1984.

Please read the conditions on the accompanying pages, complete and return this form to:
Customer Service Centre (E&T), Leicestershire County Council, County Hall Glenfield
Leicestershire LE3 8ST. Ensure a copy of your insurance certificate is enclosed.

THIS FORM IS TO BE COMPLETED BY THE SKIP COMPANY. THIS IS NOT A PERMIT
PLEASE RETAIN THE CONDITIONS FOR YOUR OWN INFORMATION.

SKIP COMPANY

NAME:
ADDRESS:
TELEPHONE NUMBER:
FAX NUMBER:
EMAIL:

PUBLIC LIABILITY INSURANCE DETAILS TO BE COMPLETED BY THE SKIP COMPANY

NAME OF INSURERS:
ADDRESS OF INSURERS:
POLICY NUMBER:
AMOUNT OF LIABILITY: (Please note the minimum indemnity of £5,000,000 is required as stated on the accompanying conditions forms).
COMMENCEMENT DATE:
EXPIRY DATE:

I hereby accept the conditions set out on the accompanying forms and confirm that the above details are correct.

SIGNED:
PRINTED NAME:
COMPANY POSITION:
DATE:

CONDITIONS FOR SITING A BUILDERS SKIP ON THE HIGHWAY

HIGHWAYS ACT 1980 SECTIONS 139 & 140,
THE ROAD TRAFFIC REGULATION ACT 1984 SECTION 55,
BUILDERS SKIP (MARKINGS) REGULATIONS 1984.

Attention of the hirer/owner is drawn to the following conditions, which form part of the permission for the placing of the builder's skip on the highway.

OWNERS DUTIES

1. The following conditions must be brought to the hirer's attention by the owner, who must ensure the hirer has the necessary materials to fulfil the conditions and has been handed a copy of the conditions for the hiring of a builder's skip on the highway.

If the owner is also the user of the skip all of the conditions of the permit must be followed by the owner.

CONDITIONS

The following conditions and the procedures set out under "Skips on the Highway Procedures" are deemed to be the conditions of any permit granted by the County Council, whether or not also mentioned in the Permit.

2. Each skip or group of skips shall, while on the highway be marked, guarded and lit in accordance with the following requirements:-
 - a) The ends of each skip shall be painted yellow and there shall be attached vertically at the corners at each end so as to be visible to traffic, a strip of material the composition of which complies with the International Carriage of Dangerous Goods (Rear Markings of Motor Vehicles) Regulations 1975 and Builders Skip (Markings) Regulations 1984 in having broad red fluorescent and yellow reflecting diagonal stripes. The painting and the strip of material shall at all times be kept clean.
 - b) Each skip (unless otherwise agreed) shall be guarded by at least three traffic cones placed on the carriageway in an oblique line on the approach side of the skip. Where two or more skips are deposited in a row, so that the distance between adjacent skips does not exceed two metres, the row shall be guarded as if it were one skip. Traffic cones are required.
 - c) At night (that is to say, between half-an-hour after sunset and half-an-hour before sunrise): an approved 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 two metres, and a lamp shall also be placed between each cone and the next. Each lamp shall have an illuminative power of no less than one candela and shall remain lit throughout the night.
3. Each skip shall be deposited on the carriageway/verge/footway and 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 Leicestershire County Council.
4. Each skip shall not exceed five metres in length by two metres in width.
5. No skip when standing on 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.
6. The owner and hirer of a skip must at all times comply with the provisions of the Control of Pollution Act 1974 and the Environmental Protection Act 1990.
7. No skip shall be used in such a way that any of its contents fall onto the highway, or that there is an escape of dust from the contents of the skip when standing on the highway.

8. Each skip shall be removed for emptying as soon as practicable, or at such other times as may be required.
9. No skip shall remain on the highway after the period specified in the permission has expired.
10. 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 the permission.
11. The cost of reinstating, to the entire satisfaction of the Director of Environment and Transport any Footways, verge and/or roadway damaged due to the presence of the builders skip shall be charged to the owner of the skip.
12. The owner of any builders skip before entering into any contract of hire shall maintain and where so required produce to the Council a third party insurance policy which is stated to relate specifically to the placement of such builders skips on the highway and which covers all third party claims which may be made against the Owner or the County arising directly or indirectly out of the placement and removal of such builders skips on the highway. The policy must provide cover of at least £5,000,000 for any one claim or series of claims arising out any one incident.
13. At least 3 working days notice must be given, with allowances for Public Holidays, before any skip licence can be issued.
 - a) Section 139(4) of the Highways Act 1980 requires the owner of the builders skip which has been deposited on the highway to ensure that the skip is properly lighted during the hours of darkness, that is clearly and indelibly marked with the owner's 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 complied with. Conviction of an offence under the subsection renders the owner liable to a fine not exceeding £1000.
 - b) 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 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.
 - c) Section 140 of the Highways Act 1980 empowers the Highway Authority or a police officer to require the removal or repositioning of, or to remove or reposition, a builders skip deposited on the highway, even though it was correctly 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. Failure to comply with a request to remove or reposition a skip under the section may result in a fine not exceeding £1000.
 - d) No skip is licensed for deposit on the highway until the owner or hirer of the skip has received approval. It is the owner's responsibility to insure receipt of the authorised permit before they deposit a skip on the highway.
 - e) No skip will be authorised to be sited on the public highway;
 - 1) During periods when parking restrictions or traffic measures are in force;
 - 2) In major shopping areas and their access roads at certain times of the year (e.g. Sales and the period leading up to Christmas) and at other locations affected by public gatherings (eg. Football matches sporting and leisure activities, tourist attractions);
 - 3) Within 15 metres of any road junction;
 - 4) In any bus lane during its period(s) of operation;
 - 5) But subject to the provisions of (3) and (4) there may be sites where the extent of the building works and nature of the traffic flows are such that an exception to (1) or (2) may be permitted and a skip may be licensed between 0930 hrs and 1530 hrs. for a maximum of 7 days including weekends.

14. Under the Highway Act 1980 and following the introduction of the local authorities (Transport Charges) Regulations 1998 and further requirements imposed by the Traffic Management Act 2004, which has reinforced the importance which Highway Authorities place on relieving congestion and ensuring the safety of temporary obstructions on the highway, it is now the practise for Highway Authorities to charge skip companies for consideration of the applications to place skips on the highway. Leicestershire County Council has therefore introduced the non refundable charge of £40 per week (revised from 1st April 2017) to cover this provision.
15. As highway officers time will be spent on assessing the application all fees are non refundable. These include.
 - a) The cancellation of a permit by the applicant.
 - b) Refusal of the permit by the highway authority.
 - c) Change of information to the permit by the applicant, for example change of dates or location. In this instance the original permit will be cancelled and be chargeable and any new permit issued with the correct information also charged.
16. Once an application for a permit has been received extensions may be permitted at the discretion of the County Council and will incur a further fee of £40 per week. Each licence will cover a period of 7 days, up to a maximum period of 14 days. If a skip is to remain on site beyond the period of the licence, a new licence must be applied for.
17. Under s139 of the Highways Act 1980, any skip deposited on the highway without permission of Leicestershire County Council, the owner of the skip shall be guilty of an offence and will incur a charge of £135 (revised from 1st April 2017) plus the associated weekly charge.
18. Under s140 of the Highways Act 1980, the Highway Authority may also remove from the highway any skip that has not been licensed. The cost of removal and storage of the skip will be recharged to the skip owner up to a maximum of £1000. The skip will be stored for a maximum period of 28 days, after which the skip will be disposed of.
19. Any skip which is on the highway for any period after their permit has expired will also incur a charge of £135, but will be issued with an extension for a further 7 days from the end date of the original permit. This period will also incur the weekly charge permit fee. Any subsequent over run will result in condition 17 applying.
20. Failure to comply with our payment terms will result in revocation of all existing permits and refusal to issue any more permits until payments are made. Any skip placed on the highway during this period will result in clause 17 and 18 applying.
21. Should it become necessary for the Council to take action to remedy a particular breach, the full cost of remedial measures will be charged to the owner/hirer regardless of whether they have fulfilled their obligations under clause 1 above.

For your Information

Invoices will be based on a calendar month and will show the location of each skip and the period the charge relates to. Where a permit has been issued within one billing period, but ends in another, it will be charged in both billing periods. For example a permit issued for 20th April 2017 to 3rd May 2017 (14 days) will appear on two invoices. The first invoice will include 20th to 26th April and the second invoice 27th April to 3rd May.

Please Note – Non refundable charges have increased from the 1st April 2017 to £40 per week with any illegal skips charged at £135 plus the weekly cost of the skip.

It is your responsibility to check that the dates and details are correct. Any anomalies must be reported to Leicestershire County Council before placing the skip on the highway.