

## **Highways Act 1980 – Section 139** **Application for Permission to Place a Builders Skip on the Highway**

A skip licence is required if the skip is to be placed on the public highway. Skip licences are not required if the skip is to be placed on private property.

The skip must not be placed until permission has been received.

Failure to observe this statutory requirement is an offence and a charge of £200 for an illegal skip will be made and a retrospective licence application will be required.

A permit will only be issued to the owner of the skip. Applications from users will be accepted provided that the skip owner is clearly identified and the owner indemnifies Telford & Wrekin Council and meets with its insurance requirement as set out below.

Applications must be submitted 10 clear working days in advance of placing of skip.

### **Applicable regulations**

The following regulations apply to this licence:

- Builders Skips (Markings) Regulations 1984
- Highways Act 1080. Sections 139, 140, 140A (as amended by the New Roads and Street Works Act 1991)
- Transport Act 1982, Section 65

### **Charges**

There is a non-refundable charge of £100 to cover the administrative cost in processing the licence. We will not begin to process the application without payment

### **How we evaluate applications**

Licences are issued subject to the conditions listed which relate to:

- siting the skip
- skip dimensions
- visibility to traffic
- indemnity (public liability insurance care and disposal of skip contents)
- signing, lighting and guarding of skips
- skip removal

### **Appealing against an unsuccessful application**

If your application is unsuccessful please contact us to discuss it via [streetworks@telford.gov.uk](mailto:streetworks@telford.gov.uk)  
If you are still unhappy with the decision you may appeal to Telford Magistrates Court.

### **Complain about a skip on the highway**

If you wish to make a complaint about the location or safety of a skip on the highway please contact us.

## **Conditions for the Placing of Skips on the Public Highway Sections 139 and 140 of the Highways Act 1980**

### **General**

1. A skip shall not be placed on the highway without the prior approval in writing of the Highway Authority.
2. A non-refundable charge of £100 is made to cover the administrative costs in processing the licence and a cheque for this amount made payable to Borough of Telford & Wrekin. This charge also applies if the licence is refused.
3. The skip owner shall allow at least 10 clear working days between the date of the receipt of application for a licence to place a skip on the highway and the date on which the licence is intended to commence. A licence will not be granted for a period greater than 1 week. The Applicant must re-apply for a further period of 1 week or part thereof for which an additional charge of £75 will be payable.
4. The skip owner undertakes to indemnify the Highway Authority against any claims arising out of, or by reason of anything done or omitted to be done, in respect of the siting of the skip pursuant to this application. For this purpose an insurance policy will be maintained by the skip owner to cover any liability up to £5,000,000 for any such claim and to produce the policy to the Highway Authority upon demand together with the receipt for the last premium.

### **Specification of Skips**

5. The skip shall not exceed 5 metres in length and 2 metres in width.
6. The skip shall be clearly and permanently marked on one of the longer sides (not the end) with the owner's name and address or telephone number.
7. The ends of the skips shall be painted yellow and there shall be attached vertically along the outside edge of each end so as to be visible to traffic, a strip of material the composition of which complies with the Builders Skips (Markings) Regulations 1984 (S1 1984 No 1933) in having broad red fluorescent and yellow reflecting diagonal stripes. The painting and the strip of material shall at all times be kept clean.

### **Position of Skips**

8. A skip shall not be placed on the highway so as to impede the surface water drainage of the highway or to obstruct access to other premises, fire hydrants, gullies, manholes or any apparatus belonging to a utility company or to the Highway Authority.
9. Any skip on the carriageway shall be positioned with its longer side parallel to and as near to the edge of the carriageway as possible.
10. A skip shall be clearly visible to traffic approaching from either side at a distance of not less than 75 metres and should not be placed within 20 metres of a road junction.
11. A skip shall not partly or wholly obstruct a footway or cycle path.

12. The skip should be signed and guarded and comply with Section 8 Highway Act 1980 at all times. N.B. This must be maintained by the skip owner at all times.
13. No part of the skip shall be less than 20 metres from a road junction or within 50 metres of a Pelican Crossing or traffic island. No part of the skip shall be on a carriageway marked with zigzag markings in the vicinity of pedestrian crossings and school entrances.
14. No skip shall remain on the highway during the hours of darkness and arrangements must be made to remove the skip at least 30 minutes before dusk.

### **Contents of Skips**

15. No skip shall contain any inflammable, explosive, noxious or dangerous material which is likely to putrefy or become a nuisance to the users of the highway and the contents of the skip must be kept damp to prevent nuisance from dust. No asbestos or asbestos containing substance may be placed in the skip at any time.
16. No skip shall be used in such a way that any of the contents fall on to the highway. Removal of Skips
17. No skips shall remain on the highway after the expiry of the licence. If an extension of the licence (up to the maximum duration of 2 weeks) is required an application must be made in writing to the Highway Authority four working days prior to the expiry of the licence.
18. Any skip shall be removed as soon as possible and in any case as soon as practicably possible after it has been filled.
19. A skip shall be removed or repositioned if required by the Police or the Highway Authority.
20. A skip owner placing a skip on the highway is responsible for the removal and proper disposal of the materials placed in the skip, irrespective of who has used the skip.
21. On the expiry of the licence, the highway where the skip has been positioned must be left in a clean and tidy condition and any damage to the highway repaired to the satisfaction of the Highway Authority.
22. If any of the above conditions are not met you will be liable to prosecution by the Highway Authority under S139(4) Highways Act 1980.
23. If any of the above conditions are not met the Highway Authority will also be at liberty to remove the skip and recover from you any charges reasonably incurred in removing the skip.
24. You agree to indemnify the Authority against any damage to the highway caused by your skip, whether foreseeable or not.

**PLEASE NOTE: APPLICANTS MUST SUBMIT THE RELEVANT APPLICATION FORM FOR TEMPORARY TRAFFIC LIGHTS IF REQUIRED (Additional charges may apply)**