

HIGHWAYS ACT SECTION 139 – CONTROL OF BUILDERS SKIPS
CONDITIONS OF PERMISSION

(i) 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 when carried on a road vehicle comply with the appropriate Motor Vehicle Construction and Use Regulations.
2. The container shall not exceed 5m in length and 2m in width.
3. Builders skips shall comply with Chapter 8 of the Traffic Signs Manual and the ends shall be painted yellow and be fitted with vertical red and yellow fluorescent reflective markings at each end in accordance with the Builders Skips (Markings) Regulations 1984 (SI 1984/1933) (effective 1 January 1986) and BSS All 152 1970.
4. During the hours of darkness the owner shall provide, maintain and light four yellow lamps, fixed securely to the skip(s), one to each corner.
5. The builders' skip shall be clearly and permanently marked with the owner's name and with his telephone number or address.

(ii) USE OF BUILDERS SKIPS

1. The skip(s) shall be used, sited and signed etc. in accordance with the recommendations laid down in Chapter 8 "Traffic Safety Measures for Road Works" of the Traffic Signs Manual published by the Department of Transport.
2. The skip(s) 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 100m. (330ft) It/they shall neither be placed within a distance of 30m. (100ft) from a road junction nor in such a position to block any sight line at an entrance, junction or bend nor to impede surface water drainage not obstruct access to property, fire hydrants, gullies, manholes and apparatus of any Statutory Undertaker, nor be placed in such a position as to contravene any Traffic Order or regulation made under the Road Traffic Acts. It/they shall, when sited in the carriageway, be placed near the edge of the carriageway with the longer side parallel thereto.
3. Provide and maintain at least 3 No. traffic cones placed on the carriageway in an oblique line on the approach side of the skip. During the hours of darkness yellow lamps shall be provided between each cone and the next.
4. It/they shall not be placed in such a position as to partly or wholly obstruct a footway without the express permission of the Strategic Director for Services for Communities or his representative, to be granted only after consultation and agreement with the Police and conditional upon a 1m wide pedestrian walkway being provided in the carriageway properly protected and signed and with yellow lights lighted at night.
5. The skip(s) shall not be used for the deposit of flammable, explosive, putrescible, noxious or offensive matter.

6. During use, the contents of the skip(s) shall be kept 'damped down' or covered to prevent nuisance from dust and any spillage on the highway shall be immediately removed.
7. This approval to place the skip(s) on the public highway is in respect of a siting on the carriageway or footway or verge outside the premises where building or other operations are being carried out and the builders skip shall not be placed in any other position without prior approval of the Strategic Director for Services for Communities or his representative.
8. The skip(s) shall be removed from the public highway for emptying within 2 working days of it/them being filled.
9. A person, firm or company placing a skip(s) in a street shall be responsible for the removal and proper disposal of all materials placed therein whether by such a person or any other person with or without authority.
10. The skip(s) shall be removed from the public highway or re-positioned if required by the Police or Strategic Director for Services for Communities or his representative at the owner's expense.
11. At the expiration of the period given in the Permission the skip(s) 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 Strategic Director for Services for Communities or his representative.
12. The owner, including if a company its successors title, will indemnify the Council against any 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 there from.
13. A refundable deposit is payable on issue of the licence in some locations. This is to protect against any potential damage to the public highway caused by the skip.

Attention is drawn to Section 139 (4) of the Highways Act, 1980

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 and liable on summary conviction to a fine not exceeding level 3 on the Standard Scale.