



SKIP PERMISSION

APPLICATION PACK

**CONTROL OF BUILDERS' SKIPS
HIGHWAYS ACT 1980, SECTION 139**

General: 01633 656 656

Contact for Skip Companies ONLY

01633 210538

E-mail: street.works@newport.gov.uk

PLEASE NOTE THE FOLLOWING:

FAILURE TO OBSERVE THE RELEVANT SECTIONS OF THE HIGHWAYS ACT 1980 (SECTION 139) MAY RESULT IN PROSECUTION AND MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING £5000 ON EACH COUNT.

FAILURE TO SUPPLY ALL THE REQUIRED INFORMATION WILL RESULT IN THE APPLICATION BEING RETURNED.

THE COUNCIL WILL NOT RETAIN ANY INFORMATION AND THE APPLICATION WILL NOT BE PROCESSED.

NO DEPOSIT OF ANY SKIP IN THE HIGHWAY IS TO BE UNDERTAKEN BEFORE A PERMISSION HAS BEEN GRANTED.

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Part 1 - INTRODUCTION

In order to place a builders' skip on the highway permission for each location must be obtained from the Highway Authority. Permission will only be issued subject to your undertaking to observe and abide by the conditions listed below as well as any other conditions the Highway Authority may deem necessary. Such additional conditions will be contained within the Skip Permission itself. Please be aware that should you fail to observe and abide by these conditions then the applicant may be liable to prosecution under the Highways Act 1980.

You should now read and familiarise yourself with the conditions listed below. These conditions will remain in place until either legislation or policy changes or both require their revision.

Part 2 - PROCEDURE FOR APPLICANTS

The attached Application form (SKIP_FORM 1) must be completed by the Skip Hire Company and addressed to Streetscene, Street Works Team, Newport City Council, Civic Centre, South Wales, NP20 4UR or alternatively, emailed to street.works@newport.gov.uk

Once permission is given, the application will be confirmed via post or email with a reference number quoted at the top of the permission form (SKIP_PERM 2).

Should the application not be successful, the Highway Authority will contact the Skip Hire Company by telephone to advise and/or arrange an alternative location for the skip to be placed in the highway.

Part 3 - SPECIAL CONDITIONS TO PLACE, RETAIN & MAINTAIN

STATUTORY PROVISIONS:

The Permission Holder shall ensure compliance with the relevant statutory provisions. The most important statutory provisions that apply are:

- a) The Highways Act 1980: Sections 139 and 140
 - (i) Section 139(4) 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 liable on summary conviction to a fine.
 - (ii) Section 139(10) Provides that nothing in the Section shall be taken as authorising the creation of a nuisance or a danger to users of the 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.
 - (iii) Section 140 Empowers the Highway Authority or a Police Officer to require the removal or repositioning or to remove or reposition a builders skip deposited on the highway, even though it was deposited in accordance with the Highway Authority's permission, to recover from the owner of the skip 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.
- b) The Road Traffic Regulation Act 1984: Sections 64 and 65
- c) The Traffic Signs (Temporary Obstructions) regulations 1985 [S1 463]
- d) The Builders' Skips (Markings) Regulations 1984 [1984/1988]
- e) Control of Pollution (Amendment) Act 1989
- f) Controlled Waste (Registration of Carriers & Seizure of Vehicles) Regulations 1991.

CONDITIONS

1. The skip owner is responsible for ensuring a permission is obtained before depositing a skip on the highway. Police permission may also be required.
2. If an unlicensed skip is found on the public highway, the skip company will be contacted to remove the skip within 24 hours. If the company does not comply, Newport City Council will look to remove this skip from the highway and a letter will be sent to inform them of intent to prosecute under Section 137, Highways Act 1980 "Obstruction of the Highway". The Highway Authority will refer the skip company to the Councils Head of Law and Standards for appropriate legal action, Should the company require the skip back before legal action is taken the fee will be the cost of removal, disposal of the waste and storage of the skip.
3. Alternatively, the Council may give consideration to the issue of a retrospective permission, in place of, or in addition to taking formal enforcement action. **A retrospective permission will be charged at £196.90**
4. The skip owner must apply using the approved form attached (SKIP_FORM 1) at least 48 hours prior to the intended date of placement on the highway.
5. The skip owner will be responsible for ensuring waste is disposed of by an approved waste carrier. The skip company will provide their Environment Agency Registration/ License Number at each application.
6. Consideration will be given for an extension of the period of any consent and any application for such an extension must be made to the Street Works Manager or his representative 1 full clear working day prior to the expiry of the original consent.
7. The skip permission must be available for inspection at the authorised site.
8. The skip owner and any successors in title will indemnify the Council against any liability, loss, claim or proceeding whatsoever arising under the Statute or Common Law in respect of the placing, lighting, marking and maintaining of the builders' skip on the highway or its removal there from. The minimum sum covered by the policy is to be £10 million for any one event.
9. Each skip shall not exceed 5m in length by 2m in width.
- 10 Number and Location of Skips
 - (a) No more than the number of skips specified in the permission shall be placed at any one time, and then only (subject to the following conditions) in the location given in the permission.
 - (b) When two or more skips are permitted they shall be placed in a row, not more than 2m apart. The row shall be guarded and lit as one skip.
- 11 The skip must be clearly and indelibly marked with the owners name and telephone number and address.
- 12 The skip must be painted yellow.
- 13 A minimum of 5 hazard warning cones must be placed around the skip in the positions indicated on the illustration - **See Diagram 1.**
- 14 The markings must be clear and efficient and clearly visible to other road users.

- 15 A skip placed on a carriageway shall be placed with the longer side parallel to and no more than 300mm from the kerb.
- 16 No skip shall be placed so as to:
- a) Obstruct access to any premises unless the consent of the owner has first been obtained.
 - b) Obstruct access to any manhole, inspection chamber, stop valve, fire hydrant or apparatus of any Statutory Undertaker or a local Authority.
 - c) Impede any surface water drainage.
 - d) The skip must not be placed on the pavement or verge.
- 17 The skip must be fitted with 2 vertical red and yellow fluorescent reflective markings at each end (total 4) in accordance with the Builders Skips (Markings) Regulations 1984 [1984/1988] – **See Diagram 2.**
- 18 The skip must be lit during the hours of darkness with 4 lamps, 1 on each corner.
- 19 No 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 shall be placed in the builder's skip whilst deposited on the highway.
- 20 No inflammable material shall be placed in the builder's skip whilst deposited on the highway.
- 21 No builder's 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 skip whilst deposited on the highway.
- 22 A skip shall be removed from the highway as soon as possible and in any case not more than 48 hours after it has been filled.
- 23 On the expiration of this permission, the highway where the builder's skip has been deposited shall be left in a clean and tidy condition.
- 24 The granting of permission does not authorise the creation of a nuisance and the owner may still be liable for any action taken under Section 149 of the Highways Act 1980.

Part 4 - CHARGES

In accordance with the provisions of the Local Government (Transport Charges) Regulations 1998 this Council charges are set as follows:

Determination of a skip permission application for the placement of a skip on the highway is **currently £51.48** which, if granted is valid for a period of 14 days. Applicants should note that if an extension to permission is required, an application renewal must be received at least 1 full clear working day prior to the expiry of the original permit.

Please note the fee is non-refundable once the application has been approved.

Where a skip is placed on the highway without permission, an email will be sent to all companies informing of the skip without a permit, should the skip still be in place 24hrs later this will be removed and further charges will apply. Should the owner come forward the Council may give consideration to issuing a retrospective permission, in place of, or in addition to taking formal enforcement action. **A retrospective permission will be charged at £196.90**

Mae'r ffurflen hon ar gael yn Gymraeg, ffrormatau eraill ar gael ar gais / This form is available in Welsh, other formats available on request

Part 5 - DIAGRAMS

Diagram 1

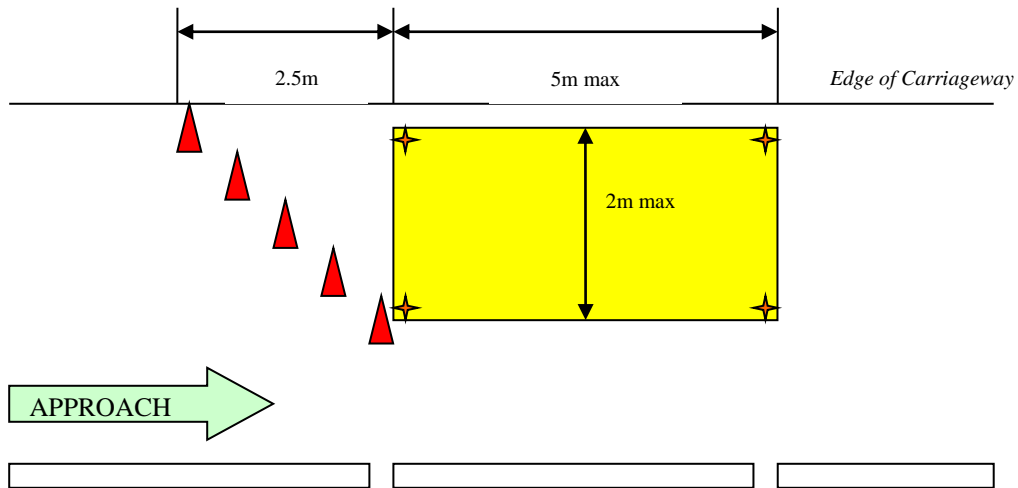


Diagram 2



NOTES:

- The Width of each half of the marking shall be not less than 140mm nor more than 280mm.
- The length of each half of the marking shall be not less than 350mm nor more than 700mm.
- The angle of each stripe shall not be less than 40 degrees to the vertical nor more than 50 degrees to the vertical.
- Each half of the marking shall have a minimum area of 960 cm².
- The breadth of each stripe shall be not less than 133mm nor more than 147mm.

