

1. Introduction and Background

This procedure sets out Gloucestershire County Council's policy for issuing permits to place skips on the highway and is written in accordance with sections 139/140/140A of the Highways Act 1980, chapter 8 of the Traffic Signs Manual, Section 66 & 67 of the Traffic management Act 2004 and Local Authorities (Transport Charges) Regulations 1998.

Gloucestershire County Council is the Highway Authority responsible for all publicly maintained roads within Gloucestershire. All trunk roads within Gloucestershire fall under the jurisdiction of the Highways Agency.

Under Section 139 of the Highways Act 1980, the County Council has the authority to permit people or companies to place skips on the highway. Anyone placing a skip on the highway without permission from the County Council is committing a criminal offence.

Under Section 140A of the Highways Act 1980 all skips placed on the highway must be registered on the Street works Register as a street work.

Gloucestershire County Council will collect personal information to fulfil the application process for the licence applied for and will not use the information outside of this. For full information on how we use and store your information please see the Highways Privacy Notice and the section relating to Licences, Permits and Permissions.

1.1. Unregistered Waste Carriers

The County Council will only normally grant permission to a Company that is registered with the Environment Agency as a waste carrier and holds the relevant licence. If someone who is not registered applies for permission to place a skip on the highway the County Council will consider their application in respect of how they propose to dispose of their waste. They must still provide proof of £5m public liability insurance. Both Public Liability Insurance and Waste Licence documentation should cover the lifetime of your skip permit.

It is the Skip company's responsibility to ensure that whilst undertaking works they hold valid Insurance and Licences. The Council reserves the right to audit the information provided by the skip company at any time.

The Application will only be considered when the County Council is satisfied it has received all relevant information and payment.

2. Application to place a skip within the highway

The County Council requires adequate information to make a decision regarding the location of the skip. Your application will only be considered when we receive the following information:

- Details of the location, including the road name and location within the road
- Name and address of the hiring company
- The length of time the skip will be on the highway (this must be as exact as possible), if no application to renew is received within 7 working days of the expiry of the application, over- run fees will be incurred.

It is unusual for applications for extra large or roll on/roll off skips to be accepted. In exceptional circumstances these applications will only be considered after contact has been made with the Area Highways Representative via our contact centre on 08000 514514. This authorisation must be recorded on the application form in section C.

V5.0

To assist applicants we have produced a form that helps you supply all the information we need to process your application. This application form must be the only one used to apply for a skip permit and all previously issued application forms must be destroyed.

Failure to supply the required information will result in the application being delayed. Where all the relevant information is not supplied we will contact the applicant and explain what further information is required. The permit will not be processed until all necessary information has been received.

If you require a road closure or temporary traffic signals to facilitate your skip **you do not need to complete a skip permit application form**. You will need to complete an alternative application form to restrict or prohibit traffic (TTR application form), which is available online.

2.1. Payment

Payment is made on application unless you hold a credit account with Gloucestershire County Council. In this case we will raise an invoice to cover this and any future application fees. Currently we are not issuing any new credit accounts.

2.2. Fees and Term

Skip Permit application fees and term may be found in the 'Summary of Highways Licences and Permits Charges' document. If the permit is for a part term, the full term fee is payable.

New applications require up to eight working days to process from receipt of an application form, payment and supporting documentation. Renewal applications require seven working days.

2.3. Actions following receipt of an application

On receipt of your application an Area Highways Representative (AHR) from the County Council may visit site to ensure your suggested location is suitable. A site visit may not always be carried out. Applications require up to eight working days to process from receipt of application form, payment and supporting documentation.

You will be notified as soon as possible following the site inspection if the AHR declines your application.

2.4. Position of Skip

If it appears to us that a skip could be placed on private property we will question why you wish to place the skip on the highway. You must provide adequate details as to why the skip must be placed on the highway.

You will need to apply and pay separately to suspend parking bays if you wish to occupy a designated parking bay(s).

To purchase a parking waiver call MiPermit: 0333 123 5900 or apply online at:

<https://secure.mipermit.com/gloucestershire/Account/PermitPurchase.aspx?PermitType=WAIVER>

For more information please refer to terms and conditions on

<https://secure.mipermit.com/mipermitglobals/Terms/GD-Terms-Waiver.pdf>

2.5. Co-ordination with Street Works

The County Council will check the proposed dates of your application against the Street works Register. The Register is used to record all road works carried out on the highways of Gloucestershire. If placing a skip at your proposed location would interfere with any planned work we will inform you and advise an alternative time/ location.

If for any reason we cannot contact you or we cannot agree a different date the County Council may refuse the application.

2.6. Actions following issue of permission

Under Section 139 of the Highways Act 1980, the County Council may at any time after issuing the permit inspect the site to check whether the skip company has complied with the conditions in this document.

There is no limit on the number of inspections that the County Council may carry out.

If any of the conditions in this document are not being complied with the County Council may either:

- Instruct the skip company to comply
- Instruct the skip company to remove or alter the position of the skip
- Remove the skip ourselves (the cost will be charged to the skip company)

It is the skip company's responsibility to ensure for the duration of the permit that they hold valid Insurances and Licences. The Council reserves the right to audit the information provided by the skip company at any time to ensure compliance. Should these documents be out of date remedial action will be taken.

2.7. Actions following expiry of permission

The County Council will take action it deems necessary, which can include skip removal and charging a fine, when:

- a. The skip permit has expired
- b. The skip permit has not been renewed
- c. The skip has not been removed from the permitted location

2.8. Removal of Skips

When the skip is removed from the highway the site must be left in a safe, clean and tidy condition.

You are required to **notify the office** where the licence was issued when the skip is removed. This could be done via telephone (08000 514514) or e-mail (GCCHighways@amey.co.uk).

Nothing in this procedure affects or limits the County Councils powers under section 140 of the Highways Act 1980 to remove skips from the highway at any time

2.9. Renewal of existing permit

Gloucestershire County Council will issue an extension to the skip permit for an additional fee. Please see the 'Summary of Highways Licences and Permits Charges' document for fee and term.

A skip renewal will only be accepted if it is applied for within the existing licence period and for the same size skip. If a skip renewal is applied for outside this period then it will be classed as a new application. If the renewal is for a different size skip then a new application must be made.

The conditions of the original permit will also apply to the extension.

The applicant must:

- Use Form 'Skip Permit – Renewal Application Form' and quote the existing Skip Permit Number.
- Complete, sign and return the aforementioned form.
- Enclose a site map

Gloucestershire County Council will:

- Consider the extension
- Check the Street works Register as another request may have been received from Utility Companies/other skip companies
- Contact you if request is denied.
- Issue permit if consent is given for renewal.

3. Conditions of placing a skip within the highway

Under Section 140 of the Highways Act 1980 and sections 66 and 67 of the Traffic Management Act 2004, a licence is required to place a skip on the public highway. Gloucestershire County Council has the authority to issue this licence.

As part of the application you will need to provide a site map.

The County Council may undertake a visual inspection both before and after the skip has been deposited and removed (these costs form part of the application fee).

The skip owner will indemnify the County Council against any damaged caused as a consequence of positioning or storing the skip on the highway (carriageway, footway or verge).

Public Liability Insurance is required for a minimum value of £5,000,000 per claim for the placement of skips on the highway. The skip company's public liability insurance must be valid for the entire lifetime of the skip permit applied for.

Each skip will be placed on the carriageway (only in exceptional circumstances, or if instructed by the Highways Authority will skips be permitted to be placed on a footway or verge) and will be positioned:

- So that its longer sides are parallel to the edge of the carriageway and as near to the edge of the carriageway as is reasonably practicable
- On boards when on the highway to prevent any damage caused when dropping and loading the skip. A highways drain must not be obstructed at any point.
- So that it does not impede the surface water drainage of the highway nor obstruct any access to property, fire hydrants, gullies, manholes or any apparatus of any statutory undertaker of the Council.
- Skips will not usually be placed on a highway that has a traffic regulation order restricting the parking of vehicles on that section of highway.
- Where a skip is to be located in an area subject to a residents parking regime, the skip will be positioned outside the property of the resident hiring the skip.

Wherever possible, skips should be placed on the road. If permission is granted to place skips on the footway or grass verge, then appropriate protection must be used to protect the public highway from damage. If any damage is caused by the skip/vehicle then Gloucestershire County Council may carry out the necessary repair and will charge you for their works. Where a skip, or skips, have been placed on verges or cultivated spaces, it is the responsibility of

the skip owner to ensure that the surfaces are restored to their original condition. Only one skip will be allowed on site at any one time.

It is a requirement when carrying out work on the highway that works are adequately signed, guarded and lit during the hours of darkness as stipulated in 'Chapter 8 (parts one and two) of the Traffic Signs Manual' and the 'Safety at streetworks and Road Works Code of Practice'

Where the signing and lighting requirement stipulated for an individual is more onerous than the standard layout (see diag in sections 3.1 and 3.2) the skip company should seek advice on 08000 514514 or GCCHighways@amey.co.uk.

No skip will be deposited in, or partly in, the carriageway of the road preventing free passage of vehicles or pedestrians along the carriageway in at least one direction. Nor will it prevent the free passage of pedestrians when deposited in a pedestrianised street. Nor will it prevent free passage of vehicles or pedestrians to any premises unless consent from the occupier of those premises has been obtained.

Each skip should not exceed ten yards in size to be placed on the carriageway. Should you wish to use/position a skip larger than this on the highway, please contact Gloucestershire Highways for advice. Each skip will (whilst on the highway) be marked, guarded and lit in accordance with the following requirements:

The end 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 Part 2 Section 1.6 will be painted yellow and must be fitted with vertical markings in accordance with the 'Builders Skips (Markings) Regulations 1984', (Statutory Instrument 1984 No. 1933) in having broad red fluorescent and yellow reflecting diagonal stripes (See Section 3.1 of this document) the painting and stripes will be kept clean at all times. Damaged skips are not acceptable and may result in an instruction for the skip to be removed.

Each skip will be guarded by at least 3 traffic cones complying with BS.873: Part 8 1985, placed on the carriageway at 1.5 metre centres on the approach side of the skip, at 450 to the edge of the carriageway (see Section 3.2 of this document).

At night (that is to say, between half an hour after sunset and half an hour before sunrise) and during periods of bad visibility, a lamp will be attached to each corner of the skip and shall be placed between each cone and the next. Each lamp shall be the nature as prescribed in Paragraph 40 of the Traffic Signs Regulations and General Directions 1981. Each candle must have an illuminative power of not less than 1 candle and must remain lit throughout the night).

It is a condition of the permission that all necessary cones and lamps are provided for the customer by the skip owner and are in good working order. It is suggested that the customer is informed of the signing and lighting requirements in case of any problems while the skip is on hire.

The skip owner must make sure that the necessary cones and lights are placed in position immediately after the skip is deposited on the highway.

Each skip or container must be clearly and legibly marked with the owner's name, address and telephone number including an out of hours emergency contact name and number.

No skip when standing on the highway will contain any flammable explosive, noxious or dangerous material or any material likely to putrefy or become a nuisance to users of the highway.

No skip will be used in such a way that any of its contents fall on to the highway or there is an escape of dust from the contents of the skip when standing on the highway.

Each skip will be removed for emptying as soon as practicable and not later than two working days after the customer has requested removal.

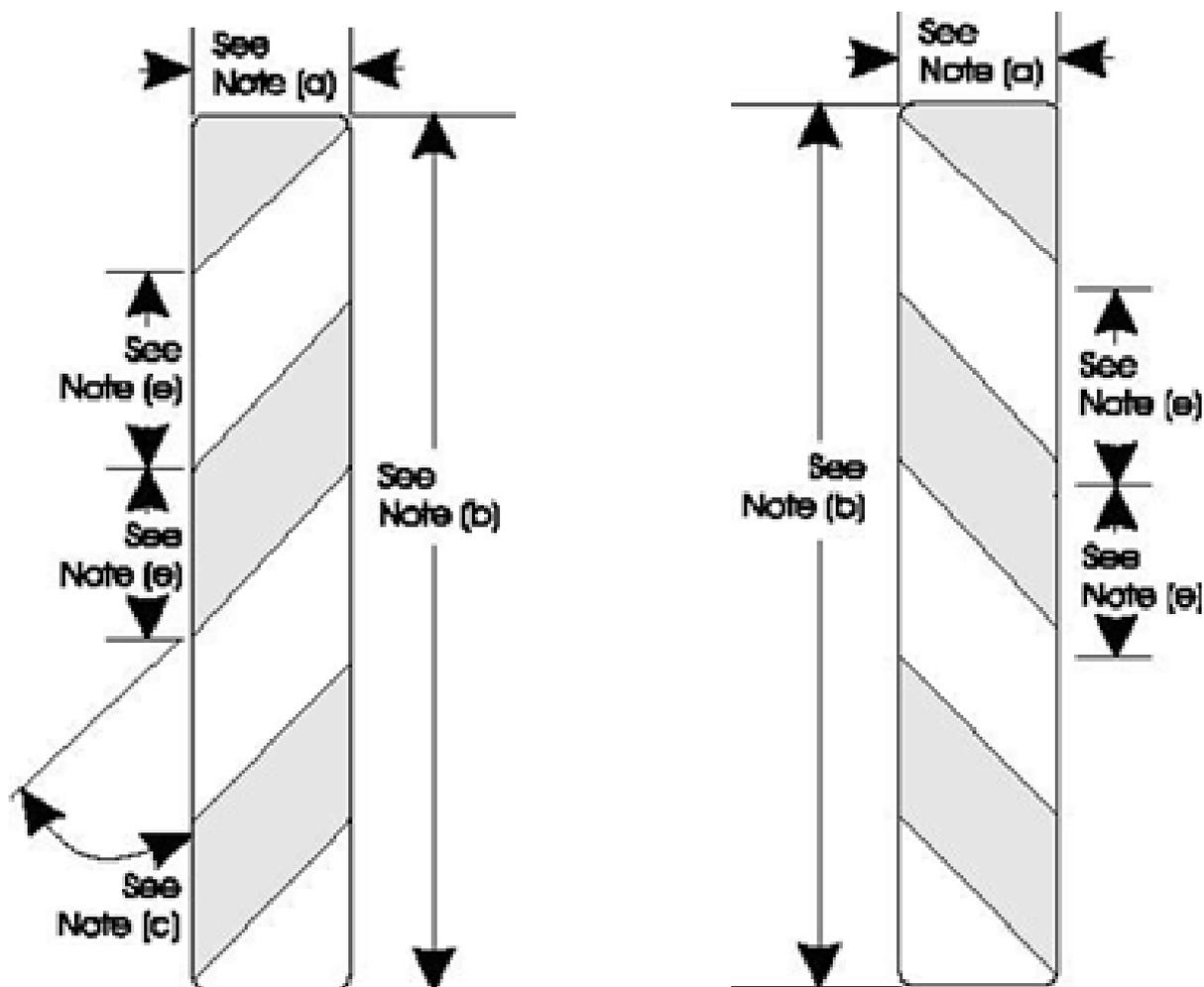
No skip will remain on the highway pursuant to this permission after the period of the permission specified has expired.

All materials placed in a skip must be properly disposed of and the highway where the skip has been deposited must be left in a clean and tidy condition on the expiration of this permission.

If ownership of the skip cannot be established the skip will be removed under the conditions of Section 140 of the Highways Act.

3.1. Signing and Guarding

Department of Transport's builders Skips (Markings) Regulations 1984 Schedule 1 (Regulation 3) Specifications about design:



- The width of each half of the markings shall be not less than 140 millimetres nor more than 280 millimetres.
- The length of each half of the marking shall be not less than 350 millimetres nor more than 700 millimetres

- 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 markings shall have a minimum area of 980 square centimetres.
- The breadth of each stripe shall be not less than 133 millimetres nor more than 147 millimetres

The markings specified in Schedule 1 shall consist of two plates of equal size and the same shape as one another.

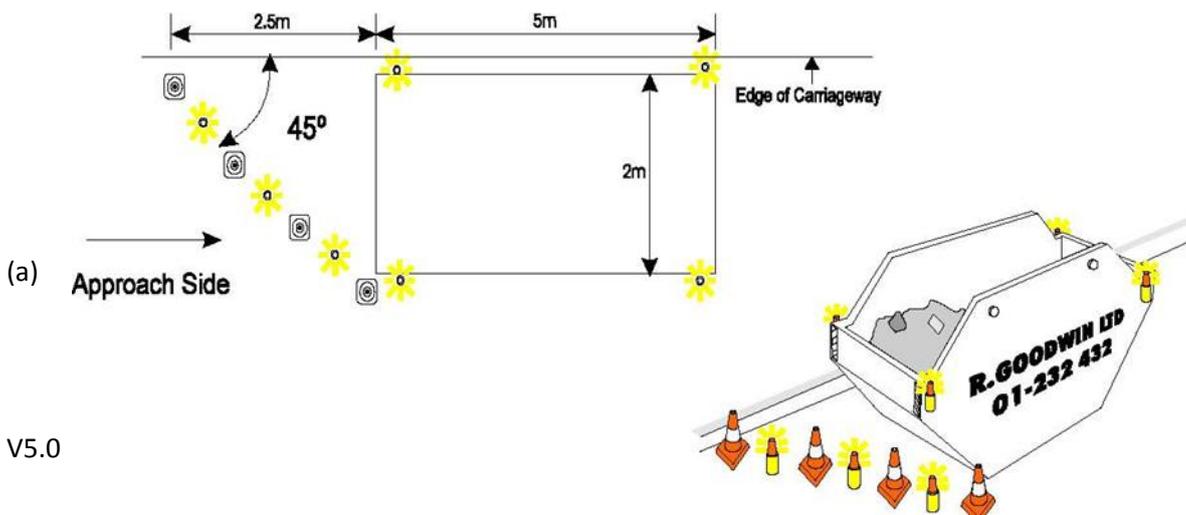
Each such plate shall comply with the requirements specified in the British Standard Specifications for Rear Marking Plates for Vehicles issued by the British Standards institution and published on 1st April 1970 under number BS AU152: 1970 and shall be marked as provided in paragraph 5 of that Standard.

The two plates comprising the marking shall be securely attached to the end of the builder's skip in such a manner that:

- each plate is as near to an outer edge of the skip as the construction of the skip allows, so, however, that no part of any plate projects beyond an outer edge of the end of the skip;
- the innermost edge of each plate is parallel to and the same distance from the vertical plane passing through the longitudinal axis of the skip:
- the upper edge of each plate is parallel to and the same distance from the upper edge of the end of the skip:
- no part of either plate is attached to:
 - any lid, or
 - any door except in a case where a door is the only place to which the plate can possibly or conveniently be fixed; and
- the upper edge of each plate is:
 - not more than 1.5 metres from the ground, and
 - not lower than the upper edge of the skip.

The stippled areas in the diagram in Schedule 1 shall be of red fluorescent material, and the un-stippled areas in that diagram shall be of yellow reflex reflecting material.

3.2. Requirements for Guarding and Lighting Builders Skips



Chapter 8, Section 03.27 of “The Traffic Signs Manual” states that:-

- 3.27.1 Roadside containers, also known as ‘builders skips’ should comply with the requirements of Appendix 4.1. They may only be deposited on the highway for the temporary storage of builders materials, rubbish etc. with the prior written approval of the local highway authority (or roads authority in Scotland).
- 3.27.2 The Builders’ Skips (Markings) Regulations 1984 require that any builder’s skip which is deposited on the highway (unless it is placed entirely on a footway or verge) must be fitted with vertical red fluorescent and yellow reflective markings on each end. The design and fitting of these markings are prescribed in Schedules 1 and 2 of these regulations.
- 3.27.3 Where permission is given for skips to be placed on the footway and verges then provision should be made for pedestrians to pass by.
- 3.27.4 During the hours of darkness the skip must be lit by means of road danger lamps at each corner. See Section 04.7 on the use of road danger lamps. The skips may also be guarded by a line of cones at 1.5m centres (Detail B0 on the approach side set at 450 to the edge of the carriageway. During the hours of darkness, a road danger lamp must be placed between each pair of cones in accordance with Section 04.7.

Please note that

(A) Section 139(4) of the Highways Act 1980 requires the owner of a builder’s skip which has been deposited on the highway to secure the skip and ensure it is properly lit during the hours of darkness, that is clearly and indelibly marked with the owner’s name and telephone 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. If the owner or customer is convicted of an offence under this subsection he/she may be liable to a fine.

(B) Section 139(10) of the Highways Act 1980 provides that nothing in this section shall be taken as authorising the creation of a nuisance or 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 injury, damage or loss resulting from the presence on the 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 or to remove or reposition a builder’s skip deposited on the highway, even though it was deposited in accordance with the highway authority’s permission, 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.

Any expenses incurred by Gloucestershire County Council or the Chief Constable in removing or repositioning the skip may be re-charged from the skip owner. Operators depositing skips on the highway without a permit or leaving skips on the highway after a permit has expired are guilty of an offence and liable to a fine not exceeding level 3 on the standard scale (currently £1000) on conviction. As an alternative to prosecution the Council may, in certain circumstances, accept a retrospective permit application provided the appropriate retrospective fee is paid.

Operators depositing improperly marked and painted skips may be prosecuted. If appropriate, skips may be removed from the Highway and the operator charged with all reasonable costs incurred in doing so.

Operators depositing improperly guarded or lit skips – during normal office hours the operator will be informed and given two hours to rectify the matter. Outside normal office times the Council will attempt to contact the operator via the out of hours number provided by the operator and given one hour to rectify the matter. Failure to respond can result in the skip operator being prosecuted. The skip/container may be correctly guarded/lit by the Councils emergency call out contractor and the operator charged with all reasonable costs incurred in doing so.