

**TERMS AND CONDITIONS TO PLACE A BUILDER'S SKIP ON THE HIGHWAY
HIGHWAYS ACT 1980 - SECTION 139**

1. Each skip shall 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 and so that it does not impede the surface water drainage of the highway or obstruct access to any manhole or the apparatus of any statutory undertakers or of the Waltham Forest Council, nor obstruct access to any other premises unless the written consent of the occupier of those premises has been obtained.
2. The applicant is liable to pay for any damage, which may be caused by placing the skip on the carriageway, footway or verge.
3. The container SHALL NOT be placed within 18.3m (60') of :- a road junction, bus stop (stand or terminal), traffic lights, pedestrian crossings, entrance to or exit from schools, hospitals or works except with the permission of the Council, the Police and, in certain cases Transport for London (TfL). These specific directions to be given by them initially or during the term of the Licence.
4. Each skip shall not exceed 5 metres in length or 2 metres in width or have a maximum capacity exceeding 8 cu yards.
5. The owner of the skip must ensure:
 - (a) that the skip is clearly and indelibly marked with the owner's name, telephone number and address.
 - (b) each end of every skip shall carry the markings specified in the British Standard Specification for Rear Marking Plates of Vehicles issued by the British Standards Institution and published on 1 April 1970 under number BS AU 152: 1970 and shall be marked as provided in paragraph 5 of that Standard.
 - (c) the markings shall be clean, and clearly visible from a reasonable distance to persons using the highway on which the skip is placed save that the markings need not be so visible whilst any door of a builders skip on which the marking is placed is open solely for the purposes of loading or unloading the skip.
 - (d) that the skip is properly lighted during the hours of darkness and fitted with vertical red fluorescent and yellow reflective markings on each end in accordance with The Builders' Skips (Markings) Regulations 1984
6. No skip when standing on the highway, shall contain any inflammable, hazardous, explosive, toxic or dangerous material or any material which is likely to putrefy or which otherwise is, or is likely to become, a nuisance to users of the highway.
7. No skip shall be used in such a way that any of its contents fall on the highway. The contents of the skip shall be kept damped down to prevent nuisance from dust and the contents shall be adequately covered during transit for disposal.
8. Skips shall not be left on the highway longer than is necessary and shall be removed as soon as they are filled.
9. No skip shall be pushed or dragged along the highway in any way, which causes or may cause damage to the highway (see paragraph 2).
10. No skip shall remain on the highway after the specified period of this licence has expired.
11. All materials placed in skips 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 this permission.
12. Consideration may be given for an extension of the period of this licence. Any extension application must be made to Waltham Forest Council at least two working days (Monday to Friday, excluding Bank Holidays) before the current licence is due to expire.

13. That the owner (as defined under Section 139 (11) of the Highways Act 1980 will indemnify the Waltham Forest Council against liability, loss, claim or proceedings whatsoever arising under statute law or common law in respect of the placing and maintaining of the container on the highway or its removal thereon.

Take Note that:

- (a) Section 139 (4) of the Highways Act 1980 requires that each of the conditions of the Highway authority's permission is complied with - conviction renders the owner liable to a fine.
- (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 removal or repositioning of a builder's skip on the highway, even though it was deposited in accordance with the highway authority's permission and after 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.