

## **Skips on Highway**

All skips placed on a highway must have a licence, which is issued by the highway authority.

The placement and control of builders' skips within the public highway is regulated by the Highways Act 1980 (Section 139) and the arrangements for charging for this service are within the Local Authorities (Transport Charges) Regulations 1998.

A skip must not represent a danger to people using the highway, cause unnecessary obstruction to the free flow of traffic (vehicle and pedestrian), or conflict with other works or events.

As the highway authority, we may suggest an alternative location if the planned location of a skip is unacceptable.

Anyone wishing to place a skip on the highway must also provide documentary evidence of the appropriate level of public liability insurance, currently £5 million.

## **Highways Act 1980**

### **Section 137**

It is an offence to obstruct the highway without lawful authority.

### **Section 139(1)**

Provides that a builder's skip shall not be deposited on a highway without the permission of the highway authority. If a builder's skip is deposited without the permission of the highway authority, the owner of the skip shall be guilty of an offence and liable to a fine, current at the time of the offence.

139(4) requires the owner of a builder's skip which has been deposited on a highway to ensure that the skip is properly lighted during the hours of darkness, that it is clearly and indelibly marked with the owner's name and with their telephone number and 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 properly complied with... If the owner fails to comply with these then they shall be guilty of an offence and on conviction liable to a fine, current at the time of the offence.

139(10) provides that nothing in this section is to be taken as authorizing the creation of a nuisance or of a danger to users of the highway or as imposing on a Highway Authority by whom permission has been granted under this Section any liability for any injury, damage or loss resulting from the presence on a highway of the skip to which the permission relates.

### **Section 140**

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, and to recover from the owner the cost of such removal and repositioning, and to dispose of a skip which is not collected by its owner. Should an owner fail to comply with a request Under Section 140 to remove or reposition a skip they shall be guilty of an offence and liable in respect thereof to a fine, current at the time of the offence.