



# Guidance Notes

## Application for Permission to Deposit a Builders Skip

Under Section 85 of the Roads (Scotland) Act 1984, it is an offence to deposit a builders skip on any road without permission of the Roads Authority. It should be noted that the terms 'road' encompasses carriageway, footway and/or verge of any road and any remote public footpaths or cycle track.

Clackmannanshire Council, utilise NetCall, online applications. Applications MUST be submitted via this portal at <https://bit.ly/ClacksSkips>, paper or email copies will not be processed. Applications MUST be submitted at least 10 working days prior to the skip being deposited.

### The applicant's attention is drawn to the following:

1. Section 85 (1), (2), (5) of the Roads (Scotland) Act 1984 empowers the local Roads Authority to impose conditions to its permission relating to the siting and lighting of the skip, the care and contents of the skip and the removal of the skip at the end of the period of the permission. Section 85 (3) makes it an offence to use a skip in contravention of the Act and specifies a fine not exceeding £400.
2. Section 86 of the Roads (Scotland) Act 1984 empowers a police officer to have removed or repositioned any builder's skip which is causing or likely to cause a danger or obstruction irrespective of permission being granted under Section 85 and empowers the Roads Authority to remove or reposition a builder's skip where there is a contravention of a condition attached to permission, and in each case any reasonable cost incurred may be recovered from the owner. Failure to comply with a request to remove or reposition a skip may result in a fine not exceeding £100.
- 3.

### Standard Conditions Relative to any Permission Granted for a Skip Permit

#### Owner's Conditions

1. Any skip used must be clearly and indelibly marked with the owner's name and telephone number or address.
2. Each end of every builder's skip shall be marked to conform with the Builder's Skip (Markings) (Scotland) Regulations 1986.
3. Each skip shall be deposited on the carriageway (as shown on the approved plan) and 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 but so that it does not impede the surface water drainage of the road nor obstruct access to any manhole or the apparatus of any statutory undertaker or Clackmannanshire Council.
4. Where more than one skip is on the road at any one time, the skips shall be

positioned as closely as possible to each other, but not so as to obstruct access to any premises unless the consent of the occupier of those premises has been obtained.

5. Each skip shall not exceed 5 metres in length by 2 metres in width.
6. All materials placed in each skip shall be properly disposed of and the road where the skip or skips have been deposited shall be left in a clean and tidy condition on the expiration of this permission. Any damage to the road arising from the placing or uplifting of a skip will be made good by Clackmannanshire Council and the costs incurred recovered from the skip owner.

#### Hirer's Conditions

1. Each skip shall be guarded by at least 3 traffic cones placed on the carriageway in an oblique line on the approach side of the skip. (Where 2 or more skips are deposited in a row, so that the distance between adjacent skips does not exceed 2 metres, the road shall be guarded as if it were one skip).
2. At night (i.e. between half-an-hour after sunset and half-an-hour before sunrise) a lamp shall be placed against or attached to each corner of the skip or the end corners of the row of skips where 2 or more skips are deposited in a row and the distance between adjacent skips does not exceed 2 metres and a lamp shall also be placed between each cone. Lamps shall comply with the Traffic Signs Regulations and General Directions.
3. No skip, when standing on the road, shall contain any inflammable, explosive, noxious 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 road.
4. No skip shall be used in such a way that any if its contents fall on to the road or that there is an escape of dust from the contents of the skip when standing on the road.
5. Each skip shall be removed for emptying as soon as practicable and in any case not later than 2 working days after it has been filled.
6. No skip shall remain on the road pursuant to this permission after the period of this permission specified has expired unless written approval for an extension is given. The Clackmannanshire Council shall be indemnified against any liable, loss, claim or proceeding whatsoever arising in respect of the placing and maintenance of a skip on the road or its removal.

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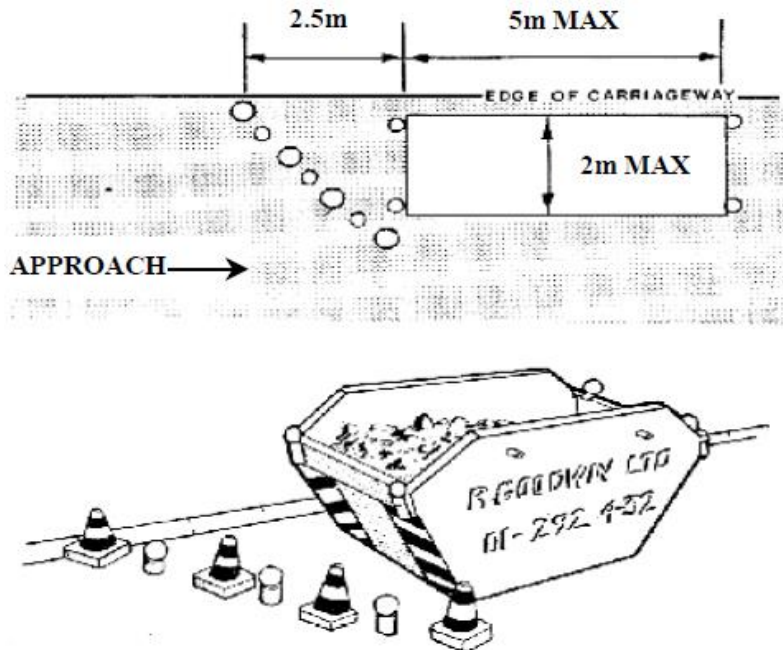
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**CONDITIONS FOR THE USE OF BUILDER'S SKIPS ROAD (SCOTLAND) ACT 1984,  
SECTION 85 AND 86  
(ROAD TRAFFIC REGULATION ACT 1984, SECTION 65)**

1. The **permit holder** shall ensure that the 'Conditions Applicable to the Skip Owner' are complied with.
2. No skip when standing on the road shall contain any flammable, explosive, noxious 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 road.
3. No skip shall be used in such a way that any of its contents fall onto the road, or that there is an escape of dust from the contents of the skip when standing on the road or in transit.
4. Each skip shall be removed for emptying as soon as practicable and in any case no later than **two working days** after it has been filled.
5. No skip shall remain on the road pursuant to this permission after the period of this permission specified in this document has expired. Should an extension to the period be required, a renewal must be applied for prior to the expiry of the period.
6. The road where the skip or skips have been deposited shall be left in a clean and tidy condition on the expiration of this permission.
7. The permit Holders attention is drawn to clause 7 of the Conditions Applicable to the skip owner.
8. If a road is subject to a Traffic Regulation Order, then the Police must be notified and their consent obtained to deposit the skip and a copy of this consent to be forwarded to the Roads Authority manager.
9. The permit shall be shown on demand to any Police officer or official of the Roads Authority
10. The permit holder and the skip owner shall indemnify the Council as Road Authority for and against all action, claims, demands, costs, charges, damages, losses and expenses of whatsoever kind or nature which may be brought or made against them or incurred by them in respect of the negligence, omission or default of the permit holder of skip owner or those for whom the permit holder or skip owner are responsible arising in respect of any operation authorised by this permission unless due to the negligence or other breach of legal duty on the part of the Council or if any person from whom the Council are responsible.

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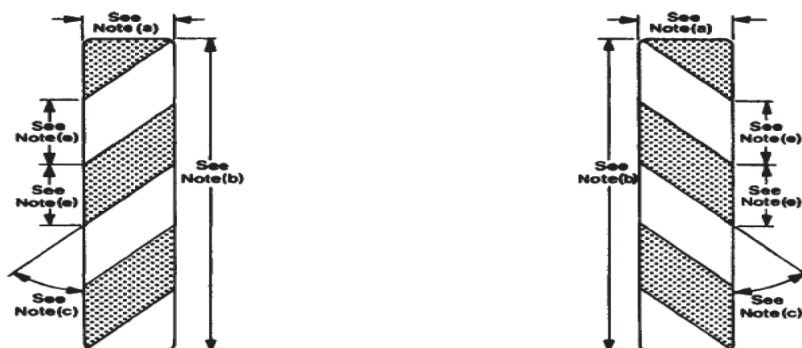


**Figure 1. ARRANGEMENTS FOR SITING A SKIP**

NOTES:

- i. Dimensions are in metres
- ii. The arrangement of cones and lamps is set out in detail in Condition 6 of the Conditions Applicable To The Skip Owner.

**SCHEDULE 2**



Notes

1. The width of each half of the marking shall be not less than 140 millimetres nor more than 280 millimetres.
2. The length of each half of the marking shall be not less than 350 millimetres nor more than 700 millimetres.
3. The angle of each stripe shall be not less than 40 degrees to the vertical nor more than 50 degrees to the vertical.
4. Each half of the marking shall have a minimum area of 980 square centimetres.
5. The breadth of each stripe shall be not less than 133 millimetres nor more than 147 millimetres.

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1. Builder's skips for use on the road for the disposal of building materials, rubbish or other things shall comply with the appropriate Motor Vehicles Construction and Use Regulations when carried on a vehicle. Lighting and rear markings of vehicles carrying skips shall comply with the Roads Vehicle Lighting Regulations 1984.
2. 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 road nor obstruct access to any manhole or the apparatus of any utility company or the Council.
3. If permission is given for more than one skip to be deposited on the road at any one time, the skips shall be positioned as closely as possible to each other, but not to obstruct access to any premises unless the consent of the occupier has been obtained.
4. Each skip shall not exceed 5 metres in length by 2 metres in width and shall be clearly and permanently marked with the owner's name, address and telephone number.
5. The ends 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 Condition 2 above) shall be painted in a bright colour and there shall be attached, as near to the outer edges of the skip, reflective plates, the composition of which complies with the Builders Skip (Markings) (Scotland) Regulations 1986 No: 646 (S.61). The plates consist of broad red fluorescent and yellow reflex reflective diagonal stripes. The painting and the strips of material shall always be kept clean.
6. All signs, cones and lighting required to meet the following conditions shall be in good condition and working order.
  - a. Each skip while on the road is to be marked (guarded) and lit in accordance with the requirements of Chapter 8 of the Traffic Signs Manual and the Safety at Street Works and Road Works (a Code of Practice).
  - b. Each skip shall be guarded by at least 3 traffic cones placed on the carriageway in an oblique line on the approach side of the skip. Where 2 or more skips are deposited in a row, so that the distance between adjacent skips does not exceed 2 metres, the row shall be guarded as if it were only one skip.
  - c. At night (that is to say, between half an hour after sunset and half an hour before sunrise) a light shall be placed against or attached to each corner of the skip or the end corners of the row of skips where two or more skips are deposited in a row and the distance between adjacent skips does not exceed 2 metres, and shall be placed between each cone and the next. Lights shall comply with the Traffic Signs Regulations and General Directions (See Figure 1).
7. The owner of the skip shall be responsible for the removal and proper disposal of all materials placed therein, whether by such person or by any other, either with or without authority.
8. The permit holder and the skip owner shall indemnify the Council as Road Authority for and against all action, claims, demands, costs, charges, damages, losses and expenses of whatsoever kind or nature which may be brought or made against them or incurred by them in respect of the negligence, omission or default of the permit holder of skip owner or those for whom the permit holder or skip owner are responsible arising

in respect of any operation authorised by this permission unless due to the negligence or other breach of legal duty on the part of the Council or if any person from whom the Council are responsible.

9. Section 85 Subsection 3 of the Roads (Scotland) Act 1984 states “An owner of a skip who uses it, or causes or permits it to be used, on a road in contravention of this section commits an offence.”