

**Standard Terms and Conditions Relating to
Skips/Containers on the Highway
(from 1st April 2021)**



Legislation: Highways Act 1980, Section 139 and Section 65 of the Road Traffic Regulation Act 1984; Traffic Signs Manual Chapter 8

All companies placing an application are required to accept the following terms and conditions together with any site specific conditions detailed within the licence for the deposition of a builder's skip/roadside container on the highway. A "Highway" can consist of carriageway, footway and verge.

No skip may be placed on the public highway without an authorised licence. Any skip found on the highway without an authorised licence will attract a separate charge of £200 (in addition to the cost of the licence, £55).

1. By placing an application the skip company has authorised City of York Council to invoice the relevant charges to them.
2. A licence will be issued for a maximum of 14 days and a charge of £55 will be made. For longer periods additional applications are to be made and a charge will be levied for every 14 day (or part) period. It may not be possible to grant extensions to the initial licence period if other highway works are taking place or complaints have been received. Any skip found on the highway after the expiry date will be treated as an unlicensed skip and the extra charge levied against the skip company (see condition 5).
3. All applications will be made within three working days of the date of placement. The notification is required to ensure:
 - The obstruction does not present any safety issues for users of the highway – a licence will only be issued if, having placed a skip, a minimum 3m of carriageway remains free for passage.
 - We can fulfil our duty as Highway Authority to record skips on the Street-works database
 - We can co-ordinate the timing of planned highway works and the activities of Statutory Undertakers.

| Application Received into office by: | Earliest Skip can be positioned on the Highway without incurring extra charge |
|---|--|
| 5pm Monday | Thursday |
| 5pm Tuesday | Friday |
| 5pm Wednesday | Monday |
| 5pm Thursday | Tuesday |
| 5pm Friday | Wednesday |

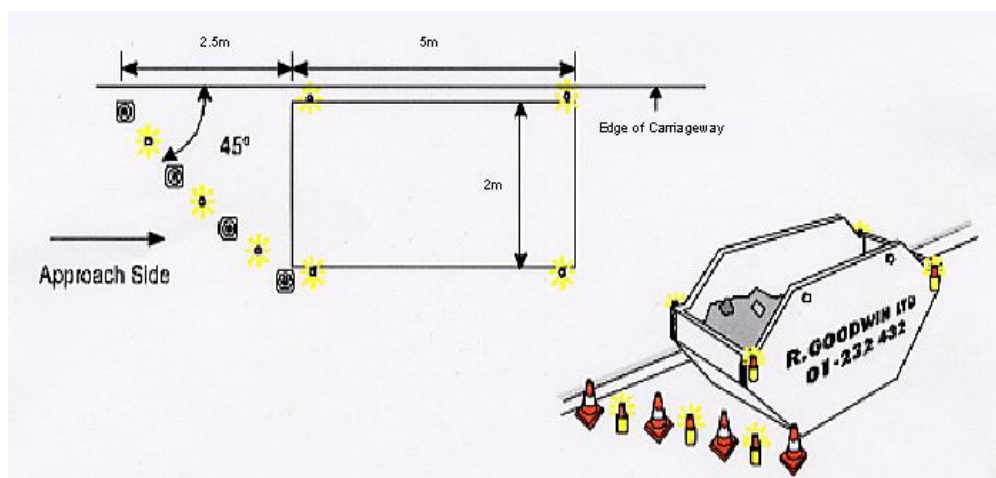
1. For applications received out of this time period a £40 late notification charge will be applied to the cost of the licence (i.e. a total of £95 for a 14 day licence).
2. If an unlicensed skip is found on the highway a charge of £200 and a licence for 14 days will be issued (normal charge applies). If the skip is sited dangerously, the skip company will be instructed to remove the obstruction from the highway. If the skip company does not comply with the request and the City of York Council has to remove the skip from the highway the cost of the works in so doing will be charged back to the skip company. If it is considered appropriate the City of York Council may decide to prosecute.
3. For any skip considered a danger to the public, or causing damage to the highway or causing a greater obstruction than is approved in the licence, the licence holder shall, on the instruction of City of York Council, a police officer or the written instruction of a Highway Authority, remove the skip forthwith.
4. If, during the course of the period relating to the licence, circumstances change such that the council, in pursuance of its duty under the Traffic Management Act 2004 to secure the expeditious movement of traffic on its road networks, requires the skip(s) to be moved, the Licensee will remove the container within four hours of the request being made.
5. The Licensee must indemnify the City of York Council against all claims, costs charges or actions which arise out of the presence of the skip on the highway. The Licensee will have Public Liability Insurance to a minimum of £5 million.
6. Any variation to these terms and conditions must be requested on application and approved by the City of York Council Network Management section before the licence is issued and any approved variation will be shown on the licence.
7. A licence is issued subject to the information contained within the application form; therefore all information needs to be true and accurate. Any skips found not to be in the licensed location will be considered unlicensed and dealt with accordingly.
8. Any skip found that does not comply with conditions specified on the licence will Accrue an additional fee for "Failure to comply with the terms of the licence" of £55. The company will be asked to comply with the terms or remove the skip.
9. When the skip is removed from the Highway, the area is to be left clean and tidy. If any damage has been incurred it will be repaired to the Council's satisfaction at the skip operator's expense.

CONDITIONS REGARDING THE BUILDERS SKIP (MARKINGS) REGULATIONS 1984, (S.I 1984 No.1933)

Each skip or group of skips shall be marked guarded and lit in accordance with the Builders Skip (Markings) Regulations. These are outlined below:

- The container shall not exceed 5m in length by 2m in width
- The ends of the containers shall be painted yellow and markings in accordance with the above regulations. Any skip placed on the highway (unless it is placed entirely on a footway or verge and over 500mm from the edge of the carriageway) **must be fitted with vertical red fluorescent and yellow reflective markings on each end.**
- During the hours of darkness the skip must be lit by means of road danger lamps (one at each corner) to be fixed securely or suspended from the corners.
- **The container shall be clearly and permanently marked with the owner's name and telephone number or address**
- When placed on the open carriageway the container is to be guarded by a line of cones at 1.5m centres on the approach side, set at 45° to the edge of the carriageway. During the hours of darkness road danger lamps should be placed between each pair of cones. (If the container is positioned within a designated parking area, or on a street of terraced houses, we will accept two cones on each side of the skip in addition to the corner lamps attached to the container.)
- A clear passage for pedestrians of at least 1200mm in width is to be maintained for pedestrians to pass at all times. Where this is not possible a suitable alternative must be provided.
- **The skip will be removed from the Highway when full (as soon as it is practicable to do so and in any event within 48 hours).**

For skips found on the Highway that do not conform to the requirements of these conditions, the skip company will be informed to rectify the situation as soon as is practicable and a non-compliance fee of £55 will be levied.



Requirements for Guarding and Lighting Builders Skips