

## London Borough of Merton - Standard Skip Licence Conditions

- 1 Should permission be granted by the London Borough of Merton in exercise of its powers under Section 139 of the Highways Act 1980 to the **Skip Owner** to deposit or cause to be deposited a builder's skip or group of builders skips (never exceeding two in number) at any one time on the carriageway/verge/footway of *[the approved address]* from *[the specified date & time]* to *[the specified date and time]* subject to the conditions contained in the following paragraphs and hereby authorise and require the said **Skip Owner** to place on the highway such traffic signs as may be necessary to comply with this permission.
- 2 **Additional conditions** may be added to these Standard Skip Licence Conditions before a Licence is granted (or at the time of its renewal should a renewal be granted) should any seem necessary in the view of the Council to protect the interest of the Highway Authority or highway users.
- 3 Skip Licences are issued to a **Skip Owner** to provide a skip for a specific named user (the **Skip Hirer**) at a specific location for a specific period. The Licence is not transferable to another **Skip Owner** or **Skip Hirer**.

### Location

- 4 Any skip deposited on the carriageway at *[the approved location]* shall be positioned with its longer side parallel to and as near to the edge of the carriageway as is reasonably practicable so that it does not impede the surface water drainage of the highway nor obstruct access to any underground service access or the apparatus of any statutory undertaker or the London Borough of Merton.
- 5 Where more than one skip is on the highway at any one time, the skips shall be positioned as closely as possible to each other (and no more than 2m apart) but not so as to obstruct access to any premises unless the consent of the owner/occupier of those premises has been obtained

### Liability

- 6 The **Skip Owner** undertakes to indemnify the Highway Authority against any claims arising out of or by reason of anything done or omitted to be done in respect of the deposit of any skip on the highway pursuant to this application.
- 7 A Licence is issued conditional on the **Skip Owner** holding a valid Public Liability Insurance policy with insurers authorised and regulated by the Financial Services Authority to conduct insurance business in the UK to cover any liability up to £5,000,000 for each and every claim and to produce the Policy to the Highway Authority upon demand together with the receipt for the last premium.

### Skip Specification

- 8 Each skip shall not exceed 5 metres in length and 2 metres in width.
- 9 The skip shall be clearly and permanently marked on both of the longer sides (not the ends) with the owner's name and address or telephone number.
- 10 The ends of the skips shall be painted yellow and there shall be attached vertically along the outside edge of each end so as to be visible to traffic, a strip of material the composition of which complies with the Builders Skips (Markings) Regulations 1984 (SI 1984 No 1933) and British Standard BS AU 152:1970 in having broad red fluorescent and yellow reflecting diagonal stripes. The painting and the strip of material shall at all times be kept clean.

### Traffic Warning

- 11 A skip on the carriageway shall be protected by at least three traffic cones positioned to form a taper on the approaching traffic side beginning 2.5m from the end of the skip.

### Lighting

- 12 During the hours of darkness (at least 30 minutes after sunset until 30 minutes before sun rise) an amber lamp shall be attached at each corner of the skip
- 13 Where the skip has been placed on the carriageway, lamps must be placed between the traffic cones.
- 14 Each lamp shall have an illuminative power of not less than 1 candela and must remain lit throughout the night.

### Contents of Skips

- 15 No skip shall contain any inflammable, explosive, noxious or dangerous material or any material which is likely to putrefy or which is or likely to become a nuisance to the users of the highway
- 16 No skip shall be used in such a way that any of its contents fall on to the highway or that there is an escape of dust when standing on the highway.
- 17 The skip shall be kept covered with an impervious sheet at all times except when being filled.
- 18 Skips shall not be loaded with inert material above the height of the metal sides of the skip. Should a skip be overloaded by a **Skip Hirer**, through the use of boarding lining the skip or otherwise, the skip shall be unloaded to this level to reduce the weight of the skip before it is removed by the **Skip Owner**. No waste material may be deposited on the highway.

### Removal of Skips

- 19 Any skip shall be removed as soon as practicable and in any case not later than 2 working days after it has been filled.
- 20 Before the filled skip is driven away from the skip location, the skip shall be covered by an impervious sheet, securely fitted to prevent any waste falling from the vehicle or dust escaping.
- 21 No skip shall remain on the highway after the expiry of this Licence.
- 22 If an extension of the Licence (up to the maximum duration of 2 weeks) is required, an application for the renewal of the Licence must be made in writing to the Highway Authority no later than two full working days prior to the expiry of the current Licence.

- 23 A **Skip Owner** placing a skip on the highway is responsible for the removal and proper disposal of the materials placed in the skip irrespective of who has used the skip.
- 24 The highway where the skip has been positioned shall be left in a clean and tidy condition and any damage to the highway shall be repaired by the Highway Authority at the expense of the **Skip Owner**.

#### **Remedial Action**

- 25 If any of the requirements of this Licence are not complied with the London Borough of Merton may take such measures as necessary to mark, guard, light, remove, replace the skip, clean and repair the highway and the **Skip Owner** shall pay the London Borough of Merton's costs incurred in such measures within 14 days of notification of the amount of these costs.

Please note:

- (a) Section 139 (4) of the Highways Act 1980 requires the owner of a builders skip to make sure that the skip
- is properly lighted during the night
  - is permanently marked with the owners name & address/phone number
  - is removed as soon as possible after it has been filled
- The **Skip Owner** must make sure that the all conditions of the Licence are complied with. If the **Skip Owner** is convicted under this section he or she will be fined up to £1000.
- (b) Section 139 (10) of the Highways Act 1980 specifically prevents a Licence permitting the creation of any nuisance or a danger to highway users or for holding a highway authority responsible for any injury, damage or loss caused by a skip Licensed to be on the highway.
- (c) Section 139 (11) of the Highways Act 1980 defines the **Skip Owner** as being the owner of the skip or the hirer of the skip if this is hired for a continuous period of more than one month.
- (d) Section 140 of the Highways Act 1980 allows the highway authority or a constable in uniform to require the **Skip Owner** to remove or reposition a skip on the highway at any time (even when a Licence has been issued) and claim costs from the **Skip Owner** for removing and repositioning the skip and dispose of a skip if a **Skip Owner** does not collect it. Failure by a skip Owner to move or reposition a skip when asked to do so under this section may result in a fine of up to £1000.