

## SCHEDULE OF MINIMUM REQUIREMENTS FOR BUILDERS SKIPS AND OTHER CONTAINERS TO BE PLACED UPON THE HIGHWAY.

The following requirements shall be deemed to be terms of the licence only insofar as they do not conflict with or duplicate any other legal requirements. Any failure on the part of the licensee to comply with the conditions may result in the revoking of the permission granted.

1. Each container or skip must be deposited in the licensed position and must be placed 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 without impeding the surface water drainage, or obstructing any manhole or the apparatus of any undertaker as defined by the New Roads and Street Works Act 1991 or of the Council.
2. Where more than one container or skip is on the Highway at any one time, they must be positioned as closely as possible to each other.
3. No container or skip may be placed so as to obstruct access to any premises, unless the consent of the occupier of those premises has been obtained.
4. Each container/skip or group of containers/skips shall be marked, guarded and lit in accordance with the following requirements:
  - a) The ends of each skip facing traffic in both directions (when positioned in accordance with condition 1 above) must be painted yellow and have attached markings which comply with those prescribed in the Builders' Skips (Markings) Regulations 1984. The skip owner's 24 hour telephone contact number must be visible. The painting and the prescribed markings must at all times be kept clean and clearly visible for a reasonable distance to persons using the Highway.
  - b) Each skip must be guarded when required.
  - c) Each skip must be properly lighted during the hours of darkness. Any lamps shall comply with Regulation 55 of the Traffic Signs Regulations and General Directions 2002.
5. A container or skip must not contain any inflammable, explosive, noxious or dangerous material, or any material which is likely to putrefy or otherwise is, or is likely to become, a nuisance to users of the Highway.
6. A container or skip must not be used in such a way that any of its contents fall onto the Highway, or that there is an escape of dust from the skip while standing on the Highway.
7. Each full container or skip must be removed for emptying as soon as practicable and not later than two working days after it has been filled. The doubling-up of full or near-full skips during the loading/transport process is prohibited.
8. No container or skip is permitted to remain on the Highway after the expiry date of the Licence issued.
9. All materials placed in or around each container or skip must be properly removed and disposed of and the Highway must be left, at all times, in a clean and tidy condition.
10. Any damage caused to the highway from the act of delivering, placing or removing any container or skip will be repaired by the Council and the Licensee must indemnify the Council on demand against any costs incurred by the Council in connection with such repairs.
11. The Licensee must permit access to the Authority or to any Undertaker as defined by the New Roads and Street Works Act 1984, and remove any obstruction as necessary to provide such access.
12. The Licensee must indemnify the Council against all claims for legal liability arising from the issue of this Licence and provide, for the duration of the Licence, Public Liability Insurance cover of not less than Ten Million Pounds. Documentary proof of the holding of this cover must be provided on demand.
13. Any container exceeding five metres in length or two metres in width shall be subject to the additional conditions set out in this paragraph:
  - a) The sides of the container need not be painted yellow in accordance with condition 4 (a) above, but the Council reserves the right to insist on the colouring of the sides of the container facing traffic being of a colour that aids, rather than hinders, visibility at night. The sides of the container facing traffic must not be painted dark blue or black.
  - b) The fluorescent markings referred to in 4 (a) above must be fitted and be as near to the top outer areas of the ends of the container as its construction allows, and must be kept clean at all times.
14. No skip or container is to be placed in a parking bay until the appropriate parking bay suspension has been obtained from the Council. In the event of any failure to obtain such a suspension the Licensee must pay the Council the full fee that would have been payable for a bay suspension in respect of any bay obstructed by a container or skip under this Licence.
15. **Enforcement:** In the event of a breach of Licence Conditions being discovered, the procedure below will normally be followed:
  - On the first occasion that a breach of conditions is discovered the Council will issue a written warning requiring that the breach is rectified. Such faults will normally be required to be rectified within 24 hours.
  - If a second breach of conditions is discovered on any site licensed by the Licensee within 12 weeks of the discovery of the first breach, or if a previously reported fault has not been rectified to the Council's satisfaction within the prescribed time period, a second written warning shall be issued.

- If, within 12 weeks of the second breach, a third breach of licence conditions occurs on any site that is the responsibility of the original licensee, or if remedial works not have been carried out on a site for which a second written warning has been issued, the Licensee will be placed upon The Monitored Contractors List. All future applications from the Licensee will be passed to the Council's Highway Enforcement Manager for additional consideration. This will result in an appropriate additional consideration charge being levied on all applications from that licensee for three calendar months or until such time as in the opinion of the Highway Enforcement Manager the Licensee's record and practice merits a return to the normal application procedure, whichever is the longer.

In the event of any fourth breach of conditions by the licensee in question, details will be passed to our Legal Section with a view to launching prosecution action under the Highways Act 1980. Please note however that the Council reserves the right to pursue this option at any stage following a failure to comply with licence conditions or other breach of the Highways Act 1980.