



ORKNEY
ISLANDS COUNCIL

ROADS (SCOTLAND) ACT 1984 SECTION 85

**APPLICATION FOR PERMISSION TO PLACE A BUILDER'S SKIP
ON THE PUBLIC ROAD**

To: Head of Infrastructure & Strategic Projects, Orkney Islands Council, Development and Infrastructure,
School Place, Kirkwall

I/We(*Owner/User)
hereby apply for permission under Section 85 of the Roads (Scotland) Act 1984 to deposit a builder's skip on
the *carriageway/footway/verge of (road number/name)
at (location).....
as detailed on the sketch plan attached from (date)
to (date)subject to such conditions as may be laid down.

Particulars of Applicant

Name
Address.....Post Code.....
Telephone No

Particulars of Agent (if appropriate)

Name
Address.....
Profession..... Telephone No

Charges

Payment of fee attached £

Please Attach Sketch Plan Showing Proposed Location of Skip

DECLARATION & INDEMNITY

Declaration

I/We have received a copy of the Orkney Islands Council Builders Skip Conditions and Regulations (Form BS) for the placing of skips on the highway and give my/our undertaking to observe and abide by the conditions contained within that document as well as any other additional conditions which may be listed as part of this permit including payment of the associated application fee.

Indemnity

In the event of Orkney Islands Council granting permission sought herein I/we agree to indemnify and hold harmless the Council from and against all actions in law or in equity, damages, statutory or common losses, costs, charges and expenses arising in any manner whatsoever out of the deposit of the skip, works or use of the above mentioned activity on the Public Road.

Signature of skip owner..... Name
Name of Company.....Date.....
Address.....

FOR GUIDANCE: (FORM BS)

Application for a Builders Skip

1. The owner, or some other person undertaking the responsibility of the owner, of a skip who deposits it on a public road without the permission of the Roads Authority commits an offence: Section 85 of the Roads (Scotland) Act 1984.
2. 'Public Road' means a road which the Council as Roads Authority has a duty to maintain.
3. 'Road' means any way (other than a waterway) over which there is a public right of passage (by whatever means) and includes the road's verge or footway and any bridge (whether permanent or temporary) over which, or tunnel through which, the road passes, and any reference to a road includes a part thereof.
4. Application may be made in person to Customer Services, Orkney Islands Council, School Place, Kirkwall, KW15 1NY. Applications should be submitted to ensure receipt at least five working days before the desired commencement date of the permission.

Charges

1. The charge paid by the applicant or owner will include for inspections associated with the placing of skips on the road.
2. The charge for inspection is detailed on the Council's website.
3. Payment must be made prior to the issue of the permit.

Builders Skips Conditions and Regulations (Form BS)

Part One:

Conditions to be met by the owner of a Builders Skip when placed on the Road

1. Each skip shall be deposited on the carriageway/verge (only in exceptional circumstances will skips be permitted on a footway) and shall be positioned
 - (a) 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
 - (b) 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 the Council.
2. A requirement when carrying out any work on the road is that the works are adequately signed, guarded and lit during the hours of darkness as stipulated in "Chapter 8 of the Traffic Signs Manual" and the "Safety at Street Works and Road Works Code of Practice". **To meet these standards personnel involved must be trained and accredited in the "Signing, Lighting and Guarding" module as prescribed in the New Roads and Street Works Act 1991.**
3. No skip shall be deposited either partly or completely in the carriageway of the road such as to prevent the free passage of vehicles or pedestrians along the carriageway in at least one direction; nor shall it prevent the free passage of pedestrians when deposited in a pedestrian precinct.
4. No skip shall be deposited either partly or completely in the carriageway of the road such as to prevent the free passage of vehicles and or pedestrians 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. Each skip or group of skips shall while on the road be marked, guarded and lit in accordance with the following requirements:-
 - (a) 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 yellow and must be fitted with vertical markings in accordance with the "Builders' Skips (Markings) Regulations 1984", (SI 1984 No. 1933), in having broad red fluorescent and yellow reflecting diagonal stripes (see section A in part two of this document). The painting and stripes of material shall be at all times kept clean. Damaged skips are not acceptable and may result in a skip being required to be removed.
 - (b) Each skip shall be guarded by a line of at least 4 traffic cones complying with BS EN 13422:2009+A2:2009, placed on the carriageway at 1.2m centres on the approach side of the skip, at 45° to the edge of the carriageway (see section B in part two of this document). Where 2 or more skips are deposited in a row, so that the distance between adjacent skips does not exceed 2 meters, the row shall be guarded as if it were one skip.
 - (c) It is a condition of this permission that all necessary cones and lamps (if required by the Roads Authority) are provided for the customer's use by the skip owner and all are in good working order.
 - (d) The skip owner must ensure that the necessary cones and lights (if required by the Roads Authority) are placed in position immediately the skip is deposited on the road.
 - (e) Each skip or container shall be clearly and legibly marked with the owners name, address, or telephone number including out of hours emergency contact number.
7. No skip when standing in 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 road users.

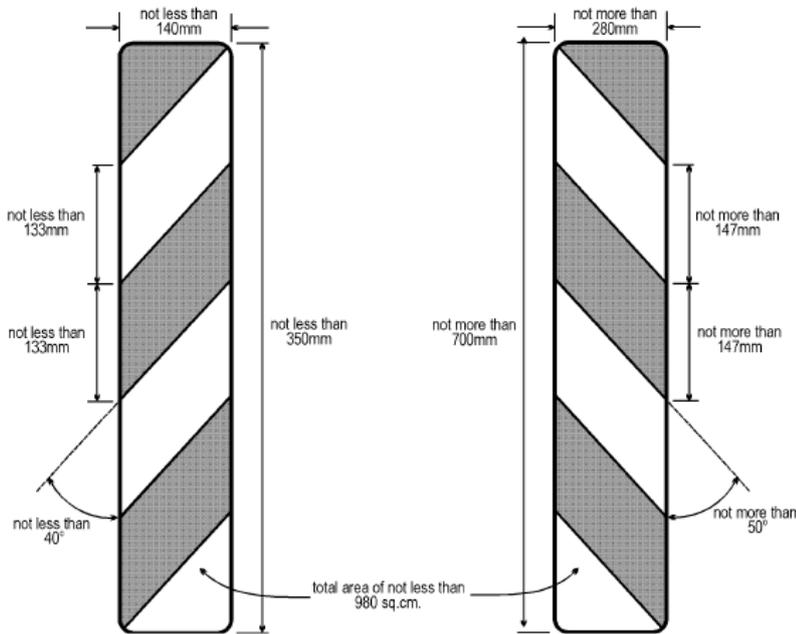
8. No skip shall be used in such a way that any of its contents fall on to the road, or there is an escape of dust from the contents of the skip when standing on the road.
9. Each skip shall be removed for emptying as soon as practicable and in any case not later than 2 working days after it has been filled.
10. No skip shall remain on the road pursuant to this permission after the period of the permission specified has expired.
11. 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.
12. In accordance with the Roads (Scotland) Act 1984, the skip owner shall secure compliances with these requirements whilst the skip is on the road.
13. **The Licensee must be covered by Public Liability Insurance, which should be available for inspection; minimum cover to be £5 million.** Such insurance must indemnify the Roads Authority from and against all actions, claims, losses and expenses whatsoever in respect of loss of life or personal injury or damage to property, howsoever caused, arising out of or in anyway attributes to the presence of the skip.

Builders' Skips Conditions and Regulations

Part Two:

A. Department of Transport's Builders' Skips (Markings) Regulations 1984

Schedule 1 (Regulation 3) Specifications about design



Notes:

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

Schedule 2 (Regulation 3) Requirements as to Markings

- The markings specified in Schedule 1 shall consist of two plates of equal size and the same shape as one another.
- Each such plate shall comply with the requirements specified in the British Standard Specifications for Rear Marking Plates for Vehicles issued by the British Standards institution and published on 1st April 1970 under number BS AU152: 1970 and shall be marked as provided in paragraph 5 of that Standard.

3. The two plates comprising the marking shall be securely attached to the end of the builder's skip in such a manner that:
- (a) each plate is as near to an outer edge of the skip as the construction of the skip allows, so, however, that no part of any plate projects beyond an outer edge of the end of the skip;
 - (b) the innermost edge of each plate is parallel to and the same distance from the vertical plane passing through the longitudinal axis of the skip;
 - (c) the upper edge of each plate is parallel to and the same distance from the upper edge of the end of the skip;
 - (d) no part of either plate is attached to;
 - (i) any lid, or
 - (ii) any door except in a case where a door is the only place to which the plate can possibly or conveniently be fixed; and
 - (e) the upper edge of each plate is:
 - (i) not more than 1.5 metres from the ground, and
 - (ii) not lower than the upper edge of the skip save in so far as this may be necessary on account of the construction of the skip, the provisions of Regulations 4 or the provisions of subparagraph (i) above.
4. The stippled areas in the diagram in Schedule 1 shall be of red fluorescent material, and the unstippled areas in that diagram shall be of yellow reflex reflecting material.

B. Requirements for Guarding and Lighting Builders Skips

Note: Lamps to be provided on all cones.

