

Conditions for depositing builders' materials on the highway

HIGHWAYS ACT 1980 SECTION 171

1. The depositor shall ensure that the lighting and guarding is to the satisfaction of the Highway Authority.
2. The deposit must be under 5 metres long and 2 metres wide, minimum 15 metres between deposits.
3. Pedestrian barriers should surround the material(s) and should be of a reasonable solid construction to guide blind and partially sighted people. They should have a robust tapping rail fixed at a height of approximately 150mm above ground (measured to the underside of the rail) and a robust handrail at a height of between 1.0 and 1.2 metres measured to the top of the rail. In both cases the rail should be at least 150mm deep. The thickness and/or width will depend on the material and construction and will need to be such as to ensure sufficient strength.
4. Road danger lamps must be placed on the signing/guarding and show an amber light. They should be replaced at regular intervals along the line of obstruction. Lamps should comply at all time with BS 3143, Part2: 1900 "Low intensity battery operated lamps" and must comply with Regulation 40. Care should be taken to ensure that the intervals at which bulbs and batteries are changed, and the type of replacement used, are in accordance with the manufacturers' recommendations.
5. Materials shall not be deposited:
 - Within 15 metres of any road junction.
 - In any bus lane during its period of operation
 - During the hours of darkness – (unless specially authorised).
 - Where parking restrictions or traffic measures are in force (unless specially authorised).
 - In major shopping areas and their access roads at, e.g., Christmas, Sales etc.
 - Near public meeting places, e.g., churches, schools, football grounds etc.
6. Materials shall not:
 - Obstruct a gully or a manhole
 - Not block the channel or gutter nor enter the drains
 - Be mixed on the highway surface (Penalty £200 – See Section 170 Highways Act) Mixing on a board may be used.

7. No material shall remain on the highway pursuant to this permission after the period of this permission has expired that has been granted in writing by the Council.
8. No materials when on the highway, shall contain any (inflammable) explosive, noxious or dangerous material which is likely to putrefy or which otherwise is, or is likely to become, a nuisance to users of the highway. All spillage and debris shall be removed promptly.
9. That the depositor of the material shall remove the material, following any reasonable request by a statutory/licenced undertaker of Highway Authority to do anything necessary for the purpose of giving access to or protecting their apparatus.
10. The depositor shall continue in force without any amendments during the period of this permission a policy of insurance providing adequate cover against all risks attendant upon the deposit of material on the highway in accordance with this permission, which policy was approved by the highway authority prior to the granting of this permission. The Indemnity Limit for the Approved Policy shall be a minimum of £5,000,000.
11. A licence to deposit material(s) on the highway is issued under section 171 of the Highways Act 1980 and anyone failing to observe the conditions of such licence is guilty of an offence and liable on summary conviction.
12. This permission does not allow the placing of a builder's skip on the highway. Separate permission is required this.