



Development Services Roads Services

Falkirk Council

ROADS (SCOTLAND) ACT 1984 SECTION 85

Application for Permission to Deposit a Builders Skip on a road.

Guidance Notes for Applicant

Under Section 85 of the Roads (Scotland) Act 1984, it is an offence to deposit a builders skip on any road without permission of the Roads Authority. It should be noted that the terms 'road' encompasses the carriageway, footway and/or verge of **any** road and any remote public footpaths or cycle track.

A copy of a location plan, to a scale of not less than 1:1250 must be submitted at least seven days in advance of the required siting date, along with the attached application form to: roads@falkirk.gov.uk or by post to: Director of Development Services, Roads Services, Earls Road, Grangemouth, FK3 8XD. Telephone enquiries 01324 504600.

The applicant's attention is drawn to the following:

- a) Section 85 (1), (2), (5) of the Roads (Scotland) Act 1984 empowers the local Roads Authority to impose conditions to its permission relating in particular to the siting and lighting of the skip, the care and contents of the skip and the removal of the skip at the end of the period of the permission. Section 85 (3) makes it an offence to use a skip in contravention of the Act and specifies a fine not exceeding £1000.
- b) Section 86 of the Roads (Scotland) Act 1984 empowers a police officer to have removed or repositioned any builder's skip which is causing or likely to cause a danger or obstruction irrespective of permission being granted under Section 85 and empowers the Roads Authority to remove or reposition a builder's skip where there is a contravention of a condition attached to permission, and in each case any reasonable costs incurred may be recovered from the owner. Failure to comply with a request to remove or reposition a skip may result in a charge not exceeding £100.