
STATUTORY INSTRUMENTS

1993 No. 3160

The Roads (Northern Ireland) Order 1993

PART VII

LAWFUL AND UNLAWFUL INTERFERENCE WITH ROADS

Other interference with roads

Removal of builders' skips

97.—(1) Where a builder's skip has been deposited on a road an officer authorised by the Department or a constable in uniform may require the owner of the skip to remove or reposition it, or cause it to be removed or repositioned, notwithstanding that the skip has been deposited on the road in accordance with conditions specified in regulations made under Article 96(2).

(2) A person required to remove or reposition, or cause to be removed or repositioned, a skip under a requirement made by virtue of paragraph (1) shall comply with the requirement as soon as practicable, and if he fails to do so he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) An officer authorised by the Department or a constable in uniform may remove or reposition a builder's skip or cause it to be removed or repositioned.

(4) Where a skip has been removed under paragraph (3), the Department or, as the case may be, a police officer shall, where practicable, notify the owner of its removal, but if the owner cannot be traced, or if after a reasonable period of time after being so notified he has not paid any expenses recoverable from him under paragraph (5) and recovered the skip, the Department or a police officer may dispose of the skip and its contents.

(5) Any expenses reasonably incurred by the Department or a police officer in the removal or repositioning of a skip under paragraph (3) or the disposal of a skip under paragraph (4) may be recovered from the owner of the skip.

(6) The Department or a police officer may retain any skip removed under paragraph (3) until any expenses recoverable by virtue of paragraph (5) in respect of the removal have been recovered.

(7) Any proceeds of such a disposal as is mentioned in paragraph (4) shall be used in the first place to meet the expenses reasonably incurred in the removal and disposal of the skip and its contents and thereafter any surplus shall be given to the person entitled thereto if known and if not shall be applied in the same manner as is provided for with respect to fines by section 20 of the Administration of Justice Act (Northern Ireland) 1954^{F1}.

(8) References in this Article to expenses incurred in the removal of a builder's skip shall include references to expenses incurred in storing the skip until it is recovered by the owner or, as the case may be, disposed of.

F1 1954 c. 9 (N.I.)

Changes to legislation:

There are currently no known outstanding effects for the The Roads (Northern Ireland) Order 1993, Section 97.