



# Roads (Scotland) Act 1984

## 1984 CHAPTER 54

### PART VIII

#### INTERFERENCE AND DAMAGE

##### *General obstruction*

#### **85 Control of builders' skips on road.**

- (1) A builders' skip shall not be deposited on a road without—
  - (a) the [<sup>F1</sup>written] permission of the roads authority; and
  - (b) its being clearly and indelibly marked with its owner's name and with his telephone number or address.
- (2) Such permission as is mentioned in subsection (1)(a) above may be granted either unconditionally or subject to such conditions as may be specified in the permission; and the conditions may in particular relate to the siting and lighting of the skip, the care of the contents of the skip and the removal of the skip at the end of the period of permission.
- (3) An owner of a skip who uses it, or causes or permits it to be used, on a road in contravention of this section commits an offence.
- (4) In proceedings for an offence under subsection (3) above it shall be a defence, except in relation to a contravention of subsection (1)(b) above, to prove that some other person undertook the responsibility of complying with the permission or condition contravened, and that the offence was committed without the consent or connivance of the owner; and that other person may be charged with and convicted of the contravention as if he were the owner.
- (5) In this section and in section 86 of this Act, "builders' skip" means a container designed to be carried on a road vehicle and to be placed on a road for the removal and disposal of builders' materials, rubble, waste, household and other rubbish or earth.

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*Changes to legislation: Roads (Scotland) Act 1984, Section 85 is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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#### **Textual Amendments**

- F1** Word in [s. 85\(1\)\(a\)](#) inserted (1.1.1993) by New Roads and Street Works Act (c. 22, SIF 59, 108), s. 168(1), Sch. 8 para. 89; [S.I. 1992/2990, art. 2\(2\)](#), [Sch. 2](#)
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#### **Modifications etc. (not altering text)**

- C1** [S. 85](#): power to contract out functions of Secretary of State (16.3.1996) by [S.I. 1996/878, art. 2](#), [Sch. para. 5\(v\)](#)
- C2** [S. 85](#) excluded (11.4.2017) by [The Network Rail \(Glasgow Queen Street Station\) Order 2017 \(S.S.I. 2017/100\)](#), arts. 1, [9\(b\)](#) (with art. 37)

**Changes to legislation:**

Roads (Scotland) Act 1984, Section 85 is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)