SCHEDULES

SCHEDULE 2

Streets With Special Engineering Difficulties

Procedure on submission of plan and section

7.—(1) A relevant authority to which there is submitted a plan and section of street works proposed to be executed in a street with special engineering difficulties shall give notice to the undertaker—

(a) approving the plan and section without modification, or

(b) objecting to them in form as being on too small a scale or giving insufficient particulars, or

(c) approving them subject to modifications specified in the notice, or

(d) disapproving them.

(2) The notice shall be given without avoidable delay, and at the latest before the end of the period of—

(a) 7 working days in the case of a plan and section of works relating only to—

(i) a service pipe or service line, or

(ii) overhead electric lines or telecommunication apparatus, and

(b) one month in any other case;

and as between the undertaker and a relevant authority which does not duly give notice before the end of that period, the plan and section as submitted shall be deemed to have been settled by agreement.

(3) The reference in sub-paragraph (2)(a)(i) to a service pipe or service line is to—

(a) a pipe or line through or by means of which a supply of gas, electricity or water is afforded or intended to be afforded to premises—

(i) directly from premises from which the supply originates, or

(ii) from a main, that is, a pipe or line for affording a general supply;

(b) a pipe through or by means of which sewage services are afforded, or intended to be afforded, which is a private sewer or drain within the meaning of the Water and Sewerage Services (Northern Ireland) Order 1973(**1**); or

(c) underground telecommunication apparatus for the purpose of providing a service by means of a telecommunication system to or from particular premises (as opposed to apparatus for the general purposes of such a system).

But so much of any such pipe, line or apparatus as is placed or intended to be placed, for a continuous length of 100 metres or more in a road shall be treated as not being a service pipe or service line.

(4) In this paragraph—

(**1**) 1973 NI 2.

"electric lines" has the same meaning as in Part II of the Electricity (Northern Ireland) Order 1992(**2**);

"telecommunication apparatus" has the same meaning as in Schedule 2 to the Telecommunications Act 1984(**3**); and

"telecommunications system" has the meaning given by section 4(1) of that Act (read with subsection (2) of that section).

(**2**) 1992 NI 1.
(**3**) 1984 c. 12.