
STATUTORY INSTRUMENTS

1995 No. 3210

The Street Works (Northern Ireland) Order 1995

Streets subject to special controls

Supplementary provisions as to designation of protected streets

22.—(1) The Department may prescribe—

- (a) the criteria for designating a street as protected,
- (b) the procedure for making or withdrawing such a designation, and
- (c) the information to be made available by the street authority as to the streets for the time being so designated by it.

(2) Where a street has been designated as protected the street authority may direct an undertaker to remove or change the position of apparatus placed in the street at a time when it was not so designated.

The authority shall indemnify the undertaker in respect of his reasonable expenses in complying with such a direction.

(3) Where a designation is withdrawn the street authority may give such directions as it considers appropriate as to—

- (a) the continuance in force of any conditions subject to which consent was given for the placing of apparatus in the street, and
- (b) the continuance of entitlement to any contributions in respect of the expenses of an undertaker in complying with such conditions.

(4) Where a designation is made or withdrawn the street authority may give such directions as it considers appropriate with respect to works in progress in the street when the designation comes into force or ceases to have effect.

(5) Any dispute between the street authority and an undertaker as to the exercise by the authority of its powers under paragraph (2), (3) or (4) shall be settled by arbitration.