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STATUTORY INSTRUMENTS

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**1995 No. 3210 (N.I. 19)**

The Street Works (Northern Ireland) Order 1995 <sup>F1</sup>

- - - - 13th December 1995

THE STREET WORKS (NORTHERN IRELAND) ORDER 1995

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11. Street works licences
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**Changes to legislation:** *The Street Works (Northern Ireland) Order 1995 is up to date with all changes known to be in force on or before 12 September 2022. 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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### SCHEDULES

#### SCHEDULE 1 — Street Works Licences

##### — Grant of licence

1. Before granting a street works licence the street authority shall give not less than 10...
2. The street authority may require the payment of— (a) a reasonable fee in respect of...  
— Conditions attached to licence
3. A street authority may attach to a street works licence such conditions as it considers...

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4. Where assignment of a street works licence is permitted, a condition may be attached requiring...
  - Notice of change of ownership, &c
5. (1) Where the licensee under a street works licence proposes— (a) to cease using or...
  - Withdrawal of licence
6. (1) The street authority may by notice in writing served on the licensee withdraw a...
  - Removal of apparatus
7. (1) Where a street works licence expires or is withdrawn or surrendered, the street authority...
  - Obligation of licensee to indemnify street authority
8. (1) The licensee under a street works licence shall indemnify the street authority against any...
  - Appeal against decision of Department
9. (1) Where the apparatus in respect of which an application for a street works licence...

#### SCHEDULE 1A — RESTRICTION ON WORKS FOLLOWING SUBSTANTIAL STREET WORKS

##### — Introductory

1. (1) This Schedule applies where a street authority receives a notice under Article 14 or...
  - Notice by authority of proposed restriction
2. (1) The street authority may publish a notice— (a) specifying the nature and location of...
  - Completion of notified works
3. (1) After the expiry of the notice period the street authority may issue directions to—...
  - Direction restricting further works
4. (1) After the expiry of the notice period and before completion of the works referred...
  - Effect of direction imposing restriction
5. (1) Where a direction under paragraph 4 is in force, an undertaker may not during...
  - Supplementary
6. An undertaker shall be taken not to have failed to fulfil any statutory duty to...

#### SCHEDULE 2 — Streets With Special Engineering Difficulties

##### — Introductory

1. In this Schedule a “street with special engineering difficulties” means a street for the time...
  - Requirement of plan and section
2. (1) In a street with special engineering difficulties street works (other than emergency works) involving—...
3. Emergency works may be executed without a plan and section being so submitted or settled,...
4. (1) In the case of a street which is not a road and which the...
5. (1) A relevant authority to which a plan and section of work is required to...
6. If an undertaker— (a) executes any works in contravention of paragraph 2, or (b) fails...
  - Procedure on submission of plan and section

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7. (1) A relevant authority to which there is submitted a plan and section of street...
8. (1) Where a relevant authority gives notice approving the plan and section subject to modifications,...
9. The Department or a bridge authority may not give notice— (a) approving a plan and...
  - Settlement of plan and section by arbitration
10. (1) The duty of the arbitrator where a matter is referred to arbitration is to...
11. (1) Where the reference relates to the placing, altering or changing the position of apparatus...
  - Objection to works executed without plan and section being settled
12. (1) This paragraph applies where street works have been executed in a street with special...
  - Execution of works in accordance with plan and section
13. (1) An undertaker executing street works in a street with special engineering difficulties shall, where...

#### SCHEDULE 2A — FIXED PENALTIES FOR CERTAIN OFFENCES

##### — Power to give fixed penalty notices

1. (1) An authorised officer of a street authority may, if he has reason to believe...
2. A fixed penalty notice for an offence may not be given after such time relating...
  - Contents of fixed penalty notice
3. (1) A fixed penalty notice must identify the offence to which it relates and give...
  - The amount of the penalty and the period for payment
4. (1) The penalty for a fixed penalty offence is (subject to paragraph 5) such amount, ...
  - The discounted amount
5. (1) A discounted amount is payable instead of the amount prescribed under paragraph 4(1) if...
  - Effect of notice and payment of penalty
6. (1) This paragraph applies where a person is given a fixed penalty notice in respect...
  - Power to withdraw notices
7. (1) If the street authority considers that a fixed penalty notice which has been given...
  - General and supplementary
8. The Department may, with the consent of the Department of Finance and Personnel, make regulations...
9. The Department may by regulations— (a) prescribe circumstances in which fixed penalty notices may not...

##### — Schedule 3—Amendments

##### — Schedule 4—Repeals

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- art. 13(1) words in art. 13(1) renumbered as art. 13(1)(a) by S.I. 2007/287 (N.I.) art. 4(2)
- art. 14(2) words substituted by S.I. 2007/287 (N.I.) art. 6(1)(a)
- art. 16(1) words inserted by S.I. 2007/287 (N.I.) art. 7(2)(b)
- art. 16(1)(b) words inserted by S.I. 2007/287 (N.I.) art. 7(2)(a)
- art. 17(1) words inserted by S.I. 2007/287 (N.I.) art. 10(3)(a)
- art. 17(2) words inserted by S.I. 2007/287 (N.I.) art. 10(3)(b)
- art. 18(1) words substituted by S.I. 2007/287 (N.I.) art. 9(2)
- art. 18(2) words substituted by S.I. 2007/287 (N.I.) art. 9(3)
- art. 18(3) words omitted by S.I. 2007/287 (N.I.) art. 9(4)
- art. 18(4) words substituted by S.I. 2007/287 (N.I.) art. 9(5)
- art. 18(6)(b) words inserted by S.I. 2007/287 (N.I.) art. 9(6)
- art. 18(7) words substituted by S.I. 2007/287 (N.I.) art. 9(7)
- art. 19(1) words inserted by S.I. 2007/287 (N.I.) art. 11(2)
- art. 19(2) words inserted by S.I. 2007/287 (N.I.) art. 11(3)
- art. 24(1) words inserted by S.I. 2007/287 (N.I.) art. 10(4)
- art. 27(3) words substituted by S.I. 2007/287 (N.I.) art. 12(4)
- art. 32(3) words substituted by S.I. 2007/287 (N.I.) art. 15(1)(a)
- art. 34(3) words substituted by S.I. 2007/287 (N.I.) art. 18(3)
- art. 34(3)(b) words inserted by S.I. 2007/287 (N.I.) art. 10(5)
- art. 34(4) words substituted by S.I. 2007/287 (N.I.) art. 18(4)
- art. 34(7) words substituted by S.I. 2007/287 (N.I.) art. 18(6)
- art. 35 substituted by S.I. 2007/287 (N.I.) art. 20
- art. 40(1) words substituted by S.I. 2007/287 (N.I.) art. 23(2)
- art. 40(4) words substituted by S.I. 2007/287 (N.I.) art. 23(5)
- art. 47(1) words inserted by S.I. 2007/287 (N.I.) art. 10(6)
- art. 48(1) words inserted by S.I. 2007/287 (N.I.) art. 10(7)
- art. 49(2) words substituted by S.I. 2007/287 (N.I.) art. 15(2)(a)
- art. 51(2) word substituted by S.I. 2007/287 (N.I.) art. 6(3)
- art. 53(3) words inserted by S.I. 2007/287 (N.I.) art. 21(2)
- art. 59(1) words substituted by S.I. 2007/287 (N.I.) art. 28(2)

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

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

- art. 13(1)(b) and word inserted by S.I. 2007/287 (N.I.) art. 4(2)(b)
- art. 14(3A)(3B) inserted by S.I. 2007/287 (N.I.) art. 6(1)(b)
- art. 15(8)(9) inserted by S.I. 2007/287 (N.I.) art. 6(2)
- art. 16(1A) inserted by S.I. 2007/287 (N.I.) art. 7(3)
- art. 16(3A) inserted by S.I. 2007/287 (N.I.) art. 7(4)
- art. 18(3)(f) and word inserted by S.I. 2007/287 (N.I.) art. 9(4)
- art. 18(7A) inserted by S.I. 2007/287 (N.I.) art. 9(8)
- art. 19(7) inserted by S.I. 2007/287 (N.I.) art. 11(4)
- art. 27(1A) inserted by S.I. 2007/287 (N.I.) art. 12(2)
- art. 27(2A)-(2C) inserted by S.I. 2007/287 (N.I.) art. 12(3)
- art. 27(4)(c) and word inserted by S.I. 2007/287 (N.I.) art. 12(5)

- art. 30(1A) inserted by S.I. 2007/287 (N.I.) art. 13(2)
- art. 30(3)-(4B) substituted for art. 30(3)(4) by S.I. 2007/287 (N.I.) art. 13(3)
- art. 32(2A)(2B) inserted by S.I. 2007/287 (N.I.) art. 14
- art. 32(3A) inserted by S.I. 2007/287 (N.I.) art. 15(1)(b)
- art. 34(2A) inserted by S.I. 2007/287 (N.I.) art. 18(2)
- art. 34(5A)(5B) inserted by S.I. 2007/287 (N.I.) art. 18(5)
- art. 34(7A) inserted by S.I. 2007/287 (N.I.) art. 18(7)
- art. 39(1A) inserted by S.I. 2007/287 (N.I.) art. 22(2)
- art. 39(2A) inserted by S.I. 2007/287 (N.I.) art. 22(3)
- art. 39(3A) inserted by S.I. 2007/287 (N.I.) art. 22(4)
- art. 40(1A) inserted by S.I. 2007/287 (N.I.) art. 23(3)
- art. 40(2)(2A) substituted for art. 40(2)(3) by S.I. 2007/287 (N.I.) art. 23(4)
- art. 40(5)(6) added by S.I. 2007/287 (N.I.) art. 23(6)
- art. 49(2A) inserted by S.I. 2007/287 (N.I.) art. 15(2)(b)
- art. 59(1A) inserted by S.I. 2007/287 (N.I.) art. 28(3)