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STATUTORY RULES OF NORTHERN IRELAND

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**2002 No. 10**

**The Street Works (Register, Notices, Directions and Designations) Regulations (Northern Ireland) 2002**

**Notice of starting date of works**

7.—(1) Subject to paragraphs (2) and (4), for the purposes of Article 15 of the Order, an undertaker proposing to execute street works in a traffic-sensitive street shall, for each of the categories of work specified in column (2) of the Table, give a period of notice in relation to that category not less than that shown in column (3).

**TABLE**

<i>Item</i> (1)	<i>Category of works</i> (2)	<i>Notice period</i> (3)
1	Urgent works	2 hours
2	Minor works not involving breaking up the street and the replacement of poles, lamps, columns and signs, pole testing and similar works involving minimal breaking up the street	3 days
3	Standard works	7 days
4	Minor works involving breaking up the street	7 days
5	Remedial works by an undertaker to a reinstatement not causing danger to users of the street	3 days

(2) In a case where urgent works to which this paragraph applies are to be carried out in a traffic-sensitive street, which are works of a kind of which notice is required under Article 15 of the Order, the undertaker shall give notice as soon as reasonably practicable, and in any event within 2 hours of beginning the works. This paragraph applies to works—

- (a) for the purpose of restoring a supply or service where the supply or service is to premises to which it has been agreed in advance between the undertaker and the street authority that this paragraph applies, and
- (b) where, without knowing or having reasonable grounds for believing in the existence of circumstances justifying the execution of emergency works, the undertaker fears that, in the circumstances, persons or property might be endangered unless the works are carried out immediately,

and to such other works as cannot reasonably be severed from such works.

(3) Subject to paragraph (4), for the purposes of Article 15 of the Order, an undertaker proposing to execute street works in a street which is not a traffic-sensitive street shall, for each of the categories of work specified in column (2) of the Table, give a period of notice in relation to that category not less than that shown in column (3).

**TABLE**

<i>Item</i> (1)	<i>Category of works</i> (2)	<i>Notice period</i> (3)
1	Standard works	7 days
2	Urgent works	As soon as reasonably practicable and in any event within 2 hours of the works being begun

Provided, however, that in relation to streets to which this paragraph applies no notice is required in the case of minor works or remedial works by an undertaker to a reinstatement not causing danger to users of the street.

- (a) (4) (a) No notice pursuant to Article 15 of the Order is required to be given by a statutory undertaker to any person to whom this paragraph applies, unless such person has requested such a notice.
- (b) This paragraph applies—
- (i) to any statutory undertaker having apparatus in the street which is likely to be affected by the works, and
  - (ii) to any person who would otherwise be entitled to such notice solely by virtue of his having in the street part of a service pipe lying between the boundary of the street and the stopcock on such pipe in that street, or his having a drain in that street.
- (c) In this paragraph—
- “stopcock” includes any box or pit in which a stopcock is enclosed and the cover to any such box or pit; and
- “drain” and “service pipe” shall have the same meaning as in the Water and Sewerage Services (Northern Ireland) Order 1973(1).

(5) For the purposes of Article 15(7) of the Order the period at the end of which a notice shall cease to have effect in relation to any street works shall be the same as the period of notice specified for that category of works in the appropriate Table in paragraph (1) or paragraph (3) as the case may be.