

SCHEDULE 1

Procedures for Designations and Withdrawal of Designations

Part I

Designation of protected streets

1. Before making a designation of a protected street the street authority shall publish a notice of its intention to make the designation and specifying a time, not less than one month, within which objections may be made, in one or more newspapers circulating in the locality in which the street to which the proposed designation relates is situated. The notice shall include a statement that all objections must be in writing and must specify the grounds on which they are made.

2. The street authority shall not later than the date on which the publication required by paragraph 1 is made serve a copy of that notice on—

- (a) every undertaker who the authority knows to have apparatus in any street to which the proposed designation refers or who has given notice under Article 14 of the Order of his intention to execute street works in any such street;
- (b) every local authority (other than the street authority) in whose area any street to which the proposed designation relates is situated;
- (c) the owner or reputed owners, and the occupiers or reputed occupiers of any land which is adjacent to the street;
- (d) any person who has requested the street authority in writing to be given notice of a proposed designation.

3. If within the specified period no objection is received by the street authority, or if all objections have been withdrawn, the street authority may make the designation.

4. If within that period an objection is received by the street authority from any person on whom a copy of a notice is required to be served under paragraph 2 or from any other person appearing to the street authority to be affected by the proposed designation and the objection is not withdrawn the street authority shall before making the designation cause a local inquiry to be held.

5. Where a local inquiry has been held the street authority shall consider the objections and the report of the person who held the inquiry and may make the designation with or without modifications, or may decide not to make the designation, as it thinks fit.