
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 88

The Road Works (Scottish Road Works Register, Notices, Directions and Designations) (Scotland) Regulations 2008

Procedure for giving directions

8.—(1) Every direction under section 115(1), section 115(1A) (power to give directions as to timing of works) and section 115A(1) (power to give directions as to placing of apparatus) shall be given by the road works authority serving upon the undertaker a copy of the notice relating to the works given by the undertaker for the purposes of section 113, 114 or 116, as the case may be, and the notice shall be endorsed with the terms of the direction.

(2) The provisions of regulation 5(3) to (10) shall apply to the service of such directions.

(3) In relation to a notice for the purposes of section 113, a direction under section 115(1) or section 115A(1) shall be of no effect if given more than 10 days after its receipt by the road works authority.

(4) In relation to a notice for the purposes of section 114, a direction under section 115(1) or section 115A(1) shall be of no effect if given—

- (a) later than 1 hour after its receipt by the authority where the period of notice prescribed in either of the tables in regulation 7 is 2 hours;
- (b) later than 16:00 hours on the day before the day on which the work is proposed to start where the period of notice is by noon on the day before the proposed start date;
- (c) later than 1 day after receipt where the period of notice is 3 days; and
- (d) later than 3 days after receipt where the period of notice is 7 days pursuant to section 114.