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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 88**

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

**Substantial works**

9.—(1) For the purposes of section 117(1), substantial works means works for road purposes which comprise a reconstruction, widening, alteration in the level, resurfacing or specialist non skid surface dressing of the part of the road concerned and—

- (a) if executed in a footpath, footway, bridleway or cycle track, extend for more than 30 metres of continuous length and result in the width of the footpath, footway, bridleway or cycle track available for pedestrians, cyclists, or others having right to use the way as the case may be, being reduced by more than two thirds; or
- (b) if carried out in the carriageway, extend for more than 30 metres of continuous length and result in the use by vehicles of the carriageway being prohibited or the width of the carriageway available for vehicular traffic being reduced by more than one third.

(2) In paragraph (1)—

“bridleway” has the same meaning as in section 47 of the Countryside (Scotland) Act 1967 (interpretation of Part 3)(1);

“cycle track” has the same meaning as in section 151(2) of the Roads (Scotland) Act 1984 (interpretation)(2); and

“footpath” has the same meaning as in section 151(2) of the Roads (Scotland) Act 1984.

(3) For the purposes of section 117(5), in addition to the works specified in that subsection, the following works may be executed by an undertaker—

- (a) urgent works;
- (b) works required to respond to a request for a new service or supply to a customer which was not received at a time when it was practicable for the works to be done before the period of restriction began; and
- (c) the following—
  - (i) works not involving breaking up the road;
  - (ii) repairing, resetting and replacing manhole or chamber covers and frames;
  - (iii) resurfacing up to 20 square metres;
  - (iv) pole, lamp, column or sign replacement in the same location;
  - (v) pole testing; and
  - (vi) works of a similar nature.

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(1) 1967 c. 86. Section 47 was relevantly amended by the [Land Reform \(Scotland\) Act 2003 \(asp 2\)](#), schedule 2, paragraph 5.  
(2) 1984 c. 54.