



# Pipe-lines Act 1962

## 1962 CHAPTER 58

### *Pipe-lines in Streets*

#### **16 Modification of the street works code in the Public Utilities Street Works Act, 1950, in its application to pipe-line works in streets**

- (1) Section five of the Public Utilities Street Works Act, 1950 (which empowers a street authority in certain circumstances to disapprove a plan and section submitted under subsection (1) of section three of that Act of works proposed to be executed in a street which is a maintainable highway or is prospectively a maintainable highway on the ground that the works ought to be executed in controlled land abutting on the street, or to approve the plan and section subject to modifications excluding some of the works on the ground that they ought to be executed in such land), shall not have effect in relation to a plan and section of undertakers' works to be executed in exercise of the power to execute such works conferred by subsection (1) of section fifteen of this Act, and accordingly subsection (4) of section four of that Act shall, in relation to such a plan and section, have effect with the omission of proviso (i) thereto (which precludes the settlement under that subsection by an arbitrator of a plan and section of works if the case falls within the said section five and the only modifications or disapproval notified with respect to the plan and section as submitted under subsection (1) of section three of that Act are on the part of the street authority and on the ground that some or all of the works ought to be executed in controlled land).
- (2) For the purposes of the application of the said section four in relation to a plan and section of undertakers' works to be executed in exercise of the power to execute such works conferred by subsection (1) of section fifteen of this Act.—
  - (a) fortythree days shall be substituted for twenty-nine days (in paragraph (a) of subsection (2)) as the period before the expiration of which the notice required by subsection (1) must be given in the case mentioned in that paragraph;
  - (b) any modification of a plan and section shall be disregarded in so far as the modification would involve lateral diversion of a pipe-line beyond the limits of lateral deviation permissible in relation thereto, any disapproval of a plan and section shall be disregarded in so far as the ground therefor is or involves that there ought to be such a diversion, and an arbitrator settling a plan and section shall not thereby provide for any such diversion.