

SCHEDULE 1

Regulations 4(4) and 5(3)

Exempt physical infrastructure

Water

1.—(1) Any physical infrastructure used, or intended for use, in the production, transport or distribution of water⁽¹⁾ (including disposal or treatment of waste water and sewage, and drainage systems) which is—

- (a) a pipe with an internal diameter less than 225 millimetres;
- (b) a sewer downstream of a combined storm overflow and is within 100 metres of that overflow;
- (c) a sewer in an area of known inundation or hydraulic incapacity;
- (d) a sewer in respect of which, if cables were to be installed as part of a high-speed electronic communications network, they would need to be installed in the invert;
- (e) a sewer in respect of which the mandatory maintenance work required is greater than may normally be expected for a sewer; or
- (f) equipment used to pump sewage.

(2) “Mandatory maintenance work” is the work done by, or on behalf of, the undertaking responsible for the sewer in consequence of any requirement to maintain the sewer imposed on the undertaking under the law of the United Kingdom, or the law of any part of the United Kingdom.

Gas

2. A pipe used, or intended for use, in the production, transport or distribution of gas with an internal diameter less than 225 millimetres.

SCHEDULE 2

Regulations 8(4) and 9(3)

Exempt civil works

Minor works

1.—(1) Any civil works concerning physical infrastructure used, or intended for use, in the production, transport, transmission or distribution of water (including disposal or treatment of waste water and sewage, and drainage systems), gas or electricity where those works satisfy condition 1 or condition 2.

(2) Condition 1 is that the works directly relate to the connection between the network over which the water, gas or electricity has been transported, transmitted or distributed and the premises of a customer.

(3) Condition 2 is that the works have a cost of less than £10,000, a duration of less than 10 working days or a total length of less than 100 metres.

(4) “Premises” includes any land, building or other structure.

2.—(1) Any civil works concerning physical infrastructure used, or intended to be used, to provide a public electronic communications network which have a cost of less than £40,000, a

(1) In relation to water intended for human consumption, see the definition of “physical infrastructure” in regulation 2.

Status: This is the original version (as it was originally made).

duration of less than 25 working days or, subject to sub-paragraph (2), a total length of less than 1000 metres.

(2) The exemption for civil works with a total length of less than 1000 metres does not apply to works concerning infrastructure intended to host elements of a wireless electronic communications network.

3.—(1) Any civil works concerning the physical infrastructure of a railway (except the Docklands Light Railway) which have a cost of less than £7,000,000, a duration of less than 14 working days or a total length of less than 500 metres.

(2) “Railway” has the meaning given in section 67(1) of the Transport and Works Act 1992⁽²⁾.

4.—(1) Any civil works concerning the physical infrastructure of the Docklands Light Railway or a tramway, which have a cost of less than £1,500,000, a duration of less than 14 working days or a total length of less than 500 metres.

(2) “Tramway” has the meaning given in section 67(1) of the Transport and Works Act 1992.

5. The “total length” for the purposes of paragraphs 1 to 4 is the length of all the physical infrastructure that is the subject of the civil works added together.

(2) 1992 c. 42.