
WELSH STATUTORY INSTRUMENTS

2008 No. 540

The Street Works (Registers, Notices, Directions and Designations) (Wales) (No 2) Regulations 2008

Interpretation

3.—(1) In these Regulations —

“the 1984 Act” (“*Deddf 1984*”) means the Road Traffic Regulation Act 1984(1);

“the 1991 Act” (“*Deddf 1991*”) means the New Roads and Street Works Act 1991;

“the 2002 Regulations” (“*Rheoliadau 2002*”) means the Traffic Signs Regulations 2002(2);

“day” (“*diwrnod*”) means a working day;

“immediate works” (“*gwaith disymwth*”) means urgent works or emergency works;

“limited designation” (“*dynodiad cyfyngedig*”) means a designation in accordance with regulation 16(3) for particular times or on particular dates;

“major works” (“*gwaith pwysig*”) means —

(a) street works which have been identified in the annual operating programme of an undertaker, or which, though not specifically identified in such programme, would normally be planned or known about at least six months in advance of the date proposed for the works;

(b) street works, other than immediate works, where —

(i) the street authority has indicated to an undertaker; or

(ii) an undertaker considers,

that an order under section 14 of the 1984 Act (temporary prohibition or restriction on roads) is required; or

(c) street works, other than immediate works, the planned duration of which exceeds ten days;

“minor works” (“*mân weithiau*”) means street works, other than immediate works or major works, the planned duration of which does not exceed three days;

“road category” (“*catgori o ffordd*”) means one of the road categories specified in paragraph 1.3.1 of Chapter S1 of the Code of Practice 2006 no 72, entitled: “The Specification for the Reinstatement of Openings in Highways” dated November 2006 and approved by the National Assembly for Wales on 24th January 2007;

“standard works” (“*gwaith safonol*”) means street works, other than immediate works or major works, the planned duration of which exceeds three days but does not exceed ten days;

“statutory undertaker” (“*ymgymerwr statudol*”) means a person entitled by virtue of a statutory right to carry out street works;

(1) 1984 c. 27. Section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991, section 1(1) and Schedule 1. Section 138(3) was amended by the Road Traffic (Consequential Provisions) Act 1988, section 4 and Schedule 3, paragraph 25(8).

(2) Part 1 of S.I. 2002/3113, as amended by S.I. 2005/1670. There are other amendments not relevant to these Regulations.

“street with special engineering difficulties” (“*stryd ag iddi anawsterau peirianyddol arbennig*”) means a street designated as having special engineering difficulties under section 63 of the 1991 Act;

“street works register” (“*cofrestr gwaith stryd*”) means a register required to be kept by a street authority by section 53 of the 1991 Act;

“the Technical Specification” (“*y Fanyleb Dechnolegol*”) means The Technical Specification for the Electronic Transfer of Notices produced by the Department for Transport and dated 5th July 2007 as revised or reissued from time to time;

“traffic-sensitive street” (“*stryd sy'n sensitif i draffig*”) means a street designated as traffic-sensitive under section 64 of the 1991 Act;

“traffic-sensitive time” (“*amser sy'n sensitif i draffig*”), in relation to a traffic-sensitive street, means —

- (a) the times or dates specified in the case of a limited designation; and
- (b) any time in any other case; and

“urgent works” (“*gwaith brys*”)—

- (a) means street works, other than emergency works, whose execution at the time when they are executed is required (or which the person responsible for the works believes on reasonable grounds to be required) —
 - (i) to prevent or put an end to an unplanned interruption of any supply or service provided by an undertaker;
 - (ii) to avoid substantial loss to an undertaker in relation to an existing service; or
 - (iii) to reconnect supplies or services where an undertaker would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and
- (b) includes works which cannot reasonably be severed from such works.

(2) Unless it is expressly provided otherwise, a reference in these Regulations to a numbered section is a reference to the section so numbered in the 1991 Act.