



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART IV

ROAD WORKS IN SCOTLAND

Reinstatement

129 Duty of undertaker to reinstate.

- (1) It is the duty of the undertaker by whom road works are executed to reinstate the road.
- (2) He shall begin the reinstatement as soon after the completion of any part of the road works as is reasonably practicable and shall carry on and complete the reinstatement with all such dispatch as is reasonably practicable.
- (3) He shall before the end of the next working day after the day on which the reinstatement is completed [^{F1}give the required notice] that he has completed the reinstatement of the road, stating whether the reinstatement is permanent or interim.
- (4) If it is interim, he shall complete the permanent reinstatement of the road as soon as reasonably practicable and in any event within six months (or such other period as may be prescribed) from the date on which the interim reinstatement was completed; and he shall [^{F2}give the required notice] when he has done so.
- (5) The permanent reinstatement of the road shall include, in particular, the reinstatement of features designed to assist people with a disability.

[^{F3}(5A) For the purposes of subsection (3) or (4) an undertaker gives the required notice by—

- (a) giving to the Commissioner a notice containing such information as may be prescribed, and
- (b) entering in the SRWR a copy of that notice.]

- (6) An undertaker who fails to comply with any provision of this section commits an offence and is liable on summary conviction to a fine not exceeding [^{F4}level 5] on the standard scale.

Changes to legislation: New Roads and Street Works Act 1991, Cross Heading: Reinstatement is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (7) In proceedings against a person for an offence of failing to comply with subsection (2) it is a defence for him to show that any delay in reinstating the road was in order to avoid hindering the execution of other works, or other parts of the same works, to be undertaken immediately or shortly thereafter.

Textual Amendments

- F1** Words in s. 129(3) substituted (1.4.2008) by [Transport \(Scotland\) Act 2005 \(asp 12\), ss. 28\(a\), 54\(2\); S.S.I. 2008/15, art. 2\(2\), sch. 1](#)
- F2** Words in s. 129(4) substituted (1.4.2008) by [Transport \(Scotland\) Act 2005 \(asp 12\), ss. 28\(b\), 54\(2\); S.S.I. 2008/15, art. 2\(2\), sch. 1](#)
- F3** S. 129(5A) inserted (1.4.2008) by [Transport \(Scotland\) Act 2005 \(asp 12\), ss. 28\(c\), 54\(2\); S.S.I. 2008/15, art. 2\(2\), sch. 1](#)
- F4** Words in s. 129(6) substituted (1.4.2008) by [Transport \(Scotland\) Act 2005 \(asp 12\), s. 54\(2\), sch. 3; S.S.I. 2008/15, art. 2\(2\), sch. 1](#)

Modifications etc. (not altering text)

- C1** S. 129 excluded (28.11.1992) by [S.I. 1992/2990, art. 9](#)

Commencement Information

- II** S. 129 wholly in force: s. 129(1)-(3)(5)-(7) in force at 1.1.1993, see s. 170 and [S.I. 1992/2990, art. 2\(2\), Sch. 2](#); s. 129(4) in force at 14.7.1992 by [S. I. 1992/1671, art. 2, Sch.](#)

130 Materials, workmanship and standard of reinstatement.

- (1) An undertaker executing road works shall in reinstating the road comply with such requirements as may be prescribed as to the specification of materials to be used and the standards of workmanship to be observed.
- (2) He shall also ensure that the reinstatement conforms to such performance standards as may be prescribed—
- (a) in the case of interim reinstatement, until permanent reinstatement is effected, and
 - (b) in the case of permanent reinstatement, for the prescribed period after the completion of the reinstatement.

This obligation is extended in certain cases and restricted in others by the provisions of section 132 as to cases where a reinstatement is affected by subsequent works.

- (3) Regulations made for the purposes of this section may make different provision in relation to different classes of excavation and different descriptions of road, and in relation to interim and permanent reinstatement.
- (4) The Secretary of State may issue or approve for the purposes of this section codes of practice giving practical guidance as to the matters mentioned in subsections (1) and (2); and regulations made for the purposes of this section may provide that—
- (a) so far as an undertaker complies with such a code of practice he shall be taken to comply with his duties under this section; and
 - (b) a failure in any respect to comply with any such code is evidence of failure in that respect to comply with those duties.

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- (5) An undertaker who fails to comply with his duties under this section commits an offence and is liable on summary conviction to a fine not exceeding [^{F5}level 5] on the standard scale.

Textual Amendments

- F5** Words in s. 130(5) substituted (1.4.2008) by [Transport \(Scotland\) Act 2005 \(asp 12\), s. 54\(2\), sch. 3](#); [S.S.I. 2008/15, art. 2\(2\), sch. 1](#)

131 Powers of road works authority in relation to reinstatement.

- (1) The road works authority may carry out such investigatory works as appear to them to be necessary to ascertain whether an undertaker has complied with his duties under this Part with respect to reinstatement.

If such a failure is disclosed, the undertaker shall bear the cost of the investigatory works; if not, the road works authority shall bear the cost of the investigatory works and of any necessary reinstatement.

- (2) Where an undertaker has failed to comply with his duties under this Part with respect to reinstatement, he shall bear the cost of—
- (a) a joint inspection with the road works authority to determine the nature of the failure and what remedial works need to be undertaken,
 - (b) an inspection by the authority of the remedial works in progress, and
 - (c) an inspection by the authority when the remedial works have been completed.
- (3) The road works authority may by notice require an undertaker who has failed to comply with his duties under this Part with respect to reinstatement to carry out the necessary remedial works within such period [^{F6}, not being shorter than such period as may be prescribed,] as may be specified in the notice.

If he fails to comply with the notice, the authority may carry out the necessary works and recover from him the costs reasonably incurred by them in doing so.

- [^{F7}(3A) Different minimum periods may be prescribed under subsection (3) for different descriptions of remedial works; and cases may be so prescribed in which no minimum period applies.]

- (4) If it appears to the road works authority that a failure by an undertaker to comply with his duties under this Part as to reinstatement is causing danger to users of the road, the authority may carry out the necessary works without first giving notice and may recover from him the costs reasonably incurred by them in doing so.

They shall, however, give notice to him as soon as reasonably practicable stating their reasons for taking immediate action.

Textual Amendments

- F6** Words in s. 131(3) substituted (1.4.2008) by [Transport \(Scotland\) Act 2005 \(asp 12\), ss. 29\(1\)\(a\), 54\(2\)](#); [S.S.I. 2008/15, art. 2\(2\), sch. 1](#)
- F7** [S. 131\(3A\)](#) inserted (1.4.2008) by [Transport \(Scotland\) Act 2005 \(asp 12\), ss. 29\(1\)\(b\), 54\(2\)](#); [S.S.I. 2008/15, art. 2\(2\), sch. 1](#)

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Modifications etc. (not altering text)

- C2** S. 131: power to contract out functions of the Secretary of State conferred (16.3.1996) by S.I. 1996/878, art. 2, **Sch. para. 6(h)**

132 Reinstatement affected by subsequent works.

- (1) The provisions of this section apply in relation to an undertaker's duty under section 130(2) to ensure that a reinstatement conforms to the prescribed performance standards for the requisite period; and references to responsibility for a reinstatement and to the period of that responsibility shall be construed accordingly.
- (2) Where a reinstatement is affected by remedial works executed by the undertaker in order to comply with his duties under this Part with respect to reinstatement and the extent of the works exceeds that prescribed, the subsequent reinstatement shall be treated as a new reinstatement as regards the period of his responsibility.
- (3) Where the road works authority carry out investigatory works in pursuance of section 131(1) and the investigation does not disclose any failure by the undertaker to comply with his duties under this Part with respect to reinstatement, then, to the extent that the original reinstatement has been disturbed by the investigatory works, the responsibility of the undertaker for the reinstatement shall cease.
- (4) Where a reinstatement is affected by remedial works executed by the road works authority in exercise of their powers under section 131(3) or (4) (powers to act in default of undertaker)—
 - (a) the undertaker is responsible for the subsequent reinstatement carried out by the authority, and
 - (b) if the extent of the works exceeds that prescribed, the subsequent reinstatement shall be treated as a new reinstatement as regards the period of his responsibility.
- (5) The following provisions apply where a reinstatement is affected by subsequent works in the road otherwise than as mentioned above.
- (6) If the reinstatement is dug out to any extent in the course of the subsequent works, the responsibility of the undertaker for the reinstatement shall cease to that extent.
- (7) If in any other case the reinstatement ceases to conform to the prescribed performance standards by reason of the subsequent works, the responsibility of the undertaker for the reinstatement is transferred to the person executing the subsequent works; and the provisions of this Part apply in relation to him as they would have applied in relation to the undertaker.
- (8) Where there are successive subsequent works affecting a reinstatement, then as between earlier and later works—
 - (a) subsections (6) and (7) apply in relation to the cessation or transfer of the responsibility of the person for the time being responsible for the reinstatement; and
 - (b) if the reinstatement ceases to conform to the prescribed performance standards by reason of the works or any of them, it shall be presumed until the contrary is proved that this was caused by the later or last of the works.

Changes to legislation: *New Roads and Street Works Act 1991, Cross Heading: Reinstatement is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Modifications etc. (not altering text)

C3 S. 132(5)-(8) extended (28.11.1992) by S.I. 1992/2990, **art.11**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 53(1)(a) words in s. 53(1) renumbered as s. 53(1)(a) by [2004 c. 18 s. 45\(2\)\(a\)](#)
- s. 53(1)(b) and word added by [2004 c. 18 s. 45\(2\)\(b\)](#)
- s. 53A inserted by [2004 c. 18 s. 48](#)
- s. 67(1A) inserted by [2004 c. 18 s. 50\(2\)](#)
- s. 67(2A)-(2C) inserted by [2004 c. 18 s. 50\(3\)](#)
- s. 67(4)(c) and word inserted by [2004 c. 18 s. 50\(5\)](#)
- s. 72(2A)(2B) inserted by [2004 c. 18 s. 58\(1\)](#)
- s. 72(3A) inserted by [2004 c. 18 s. 53\(1\)\(b\)](#)
- s. 73A excluded by [S.I. 2005/120 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2006/2905 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2007/2297 art. 3\(2\)](#)
- s. 73A excluded by [S.I. 2008/1261 art. 6\(2\)](#)
- s. 73A excluded by [S.I. 2009/1300 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2009/2364 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2013/1933 art. 3\(2\)](#)
- s. 73A excluded by [S.I. 2013/2587 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2013/2808 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2013/3244 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2014/2027 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2014/2269 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2014/2637 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2014/3102 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2014/909 art. 12\(2\)](#)
- s. 73A excluded by [S.I. 2015/129 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2015/2044 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2016/1035 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2016/547 art. 10\(3\)](#)
- s. 73A excluded by [S.I. 2016/73 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2016/863 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2017/1150 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2017/1214 art. 5\(3\)](#)
- s. 73A excluded by [S.I. 2017/1329 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2017/830 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2018/446 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2018/574 art. 7\(3\)](#)
- s. 73A excluded by [S.I. 2018/994 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2019/359 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2020/1075 art. 11\(3\)](#)
- s. 73A excluded by [S.I. 2020/114 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2020/1297 art. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 73A excluded by [S.I. 2020/402 art. 9\(3\)](#)

- s. 73A excluded by S.I. 2020/474 art. 7(3)
- s. 73A excluded by S.I. 2020/528 art. 13(3)
- s. 73A excluded by S.I. 2020/556 art. 9(3)
- s. 73A excluded by S.I. 2020/746 art. 9(3)
- s. 73A excluded by S.I. 2021/74 art. 10(3)
- s. 73A excluded by S.I. 2022/1067 art. 4(2)
- s. 73A excluded by S.I. 2022/1070 art. 11(3)
- s. 73A excluded by S.I. 2022/1194 art. 12(3)(e)
- s. 73A excluded by S.I. 2022/1248 art. 12(3)
- s. 73A excluded by S.I. 2022/299 art. 3(3)(d)
- s. 73A excluded by S.I. 2022/475 art. 9(3)
- s. 73A excluded by S.I. 2022/549 art. 11(3)
- s. 73A excluded by S.I. 2022/573 art. 10(3)
- s. 73A excluded by S.I. 2022/738 art. 11(3)(e)
- s. 73A excluded by S.I. 2022/853 art. 15(2)
- s. 73A excluded by S.I. 2022/911 art. 10(3)(e)
- s. 73A excluded by S.I. 2022/922 art. 10(3)
- s. 73A excluded by S.I. 2022/934 art. 11(3)
- s. 73A excluded by S.I. 2023/218 art. 11(3)
- s. 73A excluded by S.I. 2023/778 art. 11(3)
- s. 73A excluded by S.I. 2023/834 art. 8(3)
- s. 73A excluded by S.I. 2024/360 art. 8(3)
- s. 73A excluded by S.I. 2024/393 art. 12(3)
- s. 73A excluded by S.I. 2024/60 art. 12(3)
- s. 73A-73C inserted by 2004 c. 18 s. 55(1)
- s. 73A modified by S.I. 2009/3188 Sch. para. 3.12
- s. 73A modified by S.I. 2013/1781 art. 2Sch. para. 2.4
- s. 73A modified by S.I. 2013/2389 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2013/2398 Sch. para. 1.5AppendixA
- s. 73A modified by S.I. 2013/2399 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2013/805 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/806 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/808 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/809 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/810 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/811 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/812 art. 2Sch. Appendix C (When in force)
- s. 73A modified by S.I. 2013/813 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/814 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2014/3105 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2014/3106 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2014/3107 art. 2Sch. para. 1.9
- s. 73A modified by S.I. 2014/3108 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2014/3109 art. 2Sch. para. 1.5AppendixE
- s. 73A modified by S.I. 2014/3109 art. 2Sch. para. 1.5
- s. 73A modified by S.I. 2014/3112 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2015/105 Sch. 1 para. 2.8.1
- s. 73A modified by S.I. 2015/107 Sch. 1 para. 3.5
- s. 73A modified by S.I. 2015/34 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2015/38 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2015/90 Sch. para. 2.8.1
- s. 73A modified by S.I. 2015/91 Sch. para. 2.7.1
- s. 73A(1) excluded by S.I. 2014/2384 Sch. 19 Pt. 1 para. 4(8)
- s. 73A(1) excluded by S.I. 2019/1358 Sch. 14 para. 3(8)
- s. 73A(1) restricted by 2008 c. 18 Sch. 14 para. 14(8)
- s. 73A(1) restricted by 2017 c. 7 Sch. 24 para. 2(8)
- s. 73A(1) restricted by 2021 c. 2 Sch. 24 para. 2(8)
- s. 73A(1) restricted by S.I. 2020/511 Sch. 14 para. 3(8)

- s. 73A(2)(a) modified by S.I. 2007/3372 reg. 37(3)
- s. 73A(2)(a) modified by S.I. 2009/1267 reg. 37(3)
- s. 73B excluded by S.I. 2005/120 art. 4(3)
- s. 73B excluded by S.I. 2006/2905 art. 3(3)
- s. 73B excluded by S.I. 2007/2297 art. 3(2)
- s. 73B excluded by S.I. 2008/1261 art. 6(2)
- s. 73B excluded by S.I. 2009/1300 art. 4(3)
- s. 73B excluded by S.I. 2009/2364 art. 3(3)
- s. 73B excluded by S.I. 2013/1933 art. 3(2)
- s. 73B excluded by S.I. 2013/2587 art. 4(3)
- s. 73B excluded by S.I. 2013/2808 art. 8(3)
- s. 73B excluded by S.I. 2013/3244 art. 4(3)
- s. 73B excluded by S.I. 2014/2027 art. 4(2)
- s. 73B excluded by S.I. 2014/2269 art. 8(3)
- s. 73B excluded by S.I. 2014/2637 art. 8(3)
- s. 73B excluded by S.I. 2014/3102 art. 3(3)
- s. 73B excluded by S.I. 2014/909 art. 12(2)
- s. 73B excluded by S.I. 2015/129 art. 9(3)
- s. 73B excluded by S.I. 2015/2044 art. 4(3)
- s. 73B excluded by S.I. 2016/1035 art. 4(3)
- s. 73B excluded by S.I. 2016/547 art. 10(3)
- s. 73B excluded by S.I. 2016/73 art. 8(3)
- s. 73B excluded by S.I. 2016/863 art. 9(3)
- s. 73B excluded by S.I. 2017/1150 art. 4(2)
- s. 73B excluded by S.I. 2017/1214 art. 5(3)
- s. 73B excluded by S.I. 2017/1329 art. 3(3)
- s. 73B excluded by S.I. 2017/830 art. 3(3)
- s. 73B excluded by S.I. 2018/446 art. 4(2)
- s. 73B excluded by S.I. 2018/574 art. 7(3)
- s. 73B excluded by S.I. 2018/994 art. 9(3)
- s. 73B excluded by S.I. 2019/359 art. 9(3)
- s. 73B excluded by S.I. 2020/1075 art. 11(3)
- s. 73B excluded by S.I. 2020/114 art. 4(2)
- s. 73B excluded by S.I. 2020/1297 art. 8(3) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 73B excluded by S.I. 2020/402 art. 9(3)
- s. 73B excluded by S.I. 2020/474 art. 7(3)
- s. 73B excluded by S.I. 2020/528 art. 13(3)
- s. 73B excluded by S.I. 2020/556 art. 9(3)
- s. 73B excluded by S.I. 2020/746 art. 9(3)
- s. 73B excluded by S.I. 2021/74 art. 10(3)
- s. 73B excluded by S.I. 2022/1067 art. 4(2)
- s. 73B excluded by S.I. 2022/1070 art. 11(3)
- s. 73B excluded by S.I. 2022/1194 art. 12(3)(f)
- s. 73B excluded by S.I. 2022/1248 art. 12(3)
- s. 73B excluded by S.I. 2022/299 art. 3(3)(e)
- s. 73B excluded by S.I. 2022/475 art. 9(3)
- s. 73B excluded by S.I. 2022/549 art. 11(3)
- s. 73B excluded by S.I. 2022/573 art. 10(3)
- s. 73B excluded by S.I. 2022/738 art. 11(3)(f)
- s. 73B excluded by S.I. 2022/853 art. 15(2)
- s. 73B excluded by S.I. 2022/911 art. 10(3)(f)
- s. 73B excluded by S.I. 2022/922 art. 10(3)

- s. 73B excluded by [S.I. 2022/934 art. 11\(3\)](#)
- s. 73B excluded by [S.I. 2023/218 art. 11\(3\)](#)
- s. 73B excluded by [S.I. 2023/778 art. 11\(3\)](#)
- s. 73B excluded by [S.I. 2023/834 art. 8\(3\)](#)
- s. 73B excluded by [S.I. 2024/360 art. 8\(3\)](#)
- s. 73B excluded by [S.I. 2024/393 art. 12\(3\)](#)
- s. 73B excluded by [S.I. 2024/60 art. 12\(3\)](#)
- s. 73C excluded by [S.I. 2005/120 art. 4\(3\)](#)
- s. 73C excluded by [S.I. 2006/2905 art. 3\(3\)](#)
- s. 73C excluded by [S.I. 2007/2297 art. 3\(2\)](#)
- s. 73C excluded by [S.I. 2008/1261 art. 6\(2\)](#)
- s. 73C excluded by [S.I. 2009/1300 art. 4\(3\)](#)
- s. 73C excluded by [S.I. 2009/2364 art. 3\(3\)](#)
- s. 73C excluded by [S.I. 2013/1933 art. 3\(2\)](#)
- s. 73C excluded by [S.I. 2013/2587 art. 4\(3\)](#)
- s. 73C excluded by [S.I. 2013/2808 art. 8\(3\)](#)
- s. 73C excluded by [S.I. 2013/3244 art. 4\(3\)](#)
- s. 73C excluded by [S.I. 2014/2027 art. 4\(2\)](#)
- s. 73C excluded by [S.I. 2014/2269 art. 8\(3\)](#)
- s. 73C excluded by [S.I. 2014/2637 art. 8\(3\)](#)
- s. 73C excluded by [S.I. 2014/3102 art. 3\(3\)](#)
- s. 73C excluded by [S.I. 2014/909 art. 12\(2\)](#)
- s. 73C excluded by [S.I. 2015/129 art. 9\(3\)](#)
- s. 73C excluded by [S.I. 2015/2044 art. 4\(3\)](#)
- s. 73C excluded by [S.I. 2016/1035 art. 4\(3\)](#)
- s. 73C excluded by [S.I. 2016/547 art. 10\(3\)](#)
- s. 73C excluded by [S.I. 2016/73 art. 8\(3\)](#)
- s. 73C excluded by [S.I. 2016/863 art. 9\(3\)](#)
- s. 73C excluded by [S.I. 2017/1150 art. 4\(2\)](#)
- s. 73C excluded by [S.I. 2017/1214 art. 5\(3\)](#)
- s. 73C excluded by [S.I. 2017/1329 art. 3\(3\)](#)
- s. 73C excluded by [S.I. 2017/830 art. 3\(3\)](#)
- s. 73C excluded by [S.I. 2018/446 art. 4\(2\)](#)
- s. 73C excluded by [S.I. 2018/574 art. 7\(3\)](#)
- s. 73C excluded by [S.I. 2018/994 art. 9\(3\)](#)
- s. 73C excluded by [S.I. 2019/359 art. 9\(3\)](#)
- s. 73C excluded by [S.I. 2020/1075 art. 11\(3\)](#)
- s. 73C excluded by [S.I. 2020/114 art. 4\(2\)](#)
- s. 73C excluded by [S.I. 2020/1297 art. 8\(3\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 73C excluded by [S.I. 2020/402 art. 9\(3\)](#)
- s. 73C excluded by [S.I. 2020/474 art. 7\(3\)](#)
- s. 73C excluded by [S.I. 2020/528 art. 13\(3\)](#)
- s. 73C excluded by [S.I. 2020/556 art. 9\(3\)](#)
- s. 73C excluded by [S.I. 2020/746 art. 9\(3\)](#)
- s. 73C excluded by [S.I. 2021/74 art. 10\(3\)](#)
- s. 73C excluded by [S.I. 2022/1067 art. 4\(2\)](#)
- s. 73C excluded by [S.I. 2022/1070 art. 11\(3\)](#)
- s. 73C excluded by [S.I. 2022/1194 art. 12\(3\)\(g\)](#)
- s. 73C excluded by [S.I. 2022/1248 art. 12\(3\)](#)
- s. 73C excluded by [S.I. 2022/299 art. 3\(3\)\(f\)](#)
- s. 73C excluded by [S.I. 2022/475 art. 9\(3\)](#)
- s. 73C excluded by [S.I. 2022/549 art. 11\(3\)](#)

- s. 73C excluded by S.I. 2022/573 art. 10(3)
- s. 73C excluded by S.I. 2022/738 art. 11(3)(g)
- s. 73C excluded by S.I. 2022/853 art. 15(2)
- s. 73C excluded by S.I. 2022/911 art. 10(3)(g)
- s. 73C excluded by S.I. 2022/922 art. 10(3)
- s. 73C excluded by S.I. 2022/934 art. 11(3)
- s. 73C excluded by S.I. 2023/218 art. 11(3)
- s. 73C excluded by S.I. 2023/778 art. 11(3)
- s. 73C excluded by S.I. 2023/834 art. 8(3)
- s. 73C excluded by S.I. 2024/360 art. 8(3)
- s. 73C excluded by S.I. 2024/393 art. 12(3)
- s. 73C excluded by S.I. 2024/60 art. 12(3)
- s. 73D73E inserted by 2004 c. 18 s. 56
- s. 78A excluded by S.I. 2005/120 art. 4(3)
- s. 78A excluded by S.I. 2006/2905 art. 3(3)
- s. 78A excluded by S.I. 2007/2297 art. 3(2)
- s. 78A excluded by S.I. 2008/1261 art. 6(2)
- s. 78A excluded by S.I. 2009/1300 art. 4(3)
- s. 78A excluded by S.I. 2009/2364 art. 3(3)
- s. 78A excluded by S.I. 2013/1933 art. 3(2)
- s. 78A excluded by S.I. 2013/2587 art. 4(3)
- s. 78A excluded by S.I. 2013/2808 art. 8(3)
- s. 78A excluded by S.I. 2013/3244 art. 4(3)
- s. 78A excluded by S.I. 2014/2027 art. 4(2)
- s. 78A excluded by S.I. 2014/2269 art. 8(3)
- s. 78A excluded by S.I. 2014/2637 art. 8(3)
- s. 78A excluded by S.I. 2014/3102 art. 3(3)
- s. 78A excluded by S.I. 2014/909 art. 12(2)
- s. 78A excluded by S.I. 2015/129 art. 9(3)
- s. 78A excluded by S.I. 2015/2044 art. 4(3)
- s. 78A excluded by S.I. 2016/1035 art. 4(3)
- s. 78A excluded by S.I. 2016/547 art. 10(3)
- s. 78A excluded by S.I. 2016/73 art. 8(3)
- s. 78A excluded by S.I. 2016/863 art. 9(3)
- s. 78A excluded by S.I. 2017/1150 art. 4(2)
- s. 78A excluded by S.I. 2017/1214 art. 5(3)
- s. 78A excluded by S.I. 2017/1329 art. 3(3)
- s. 78A excluded by S.I. 2017/830 art. 3(3)
- s. 78A excluded by S.I. 2018/446 art. 4(2)
- s. 78A excluded by S.I. 2018/574 art. 7(3)
- s. 78A excluded by S.I. 2018/994 art. 9(3)
- s. 78A excluded by S.I. 2019/359 art. 9(3)
- s. 78A excluded by S.I. 2020/1075 art. 11(3)
- s. 78A excluded by S.I. 2020/114 art. 4(2)
- s. 78A excluded by S.I. 2020/1297 art. 8(3) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 78A excluded by S.I. 2020/402 art. 9(3)
- s. 78A excluded by S.I. 2020/474 art. 7(3)
- s. 78A excluded by S.I. 2020/528 art. 13(3)
- s. 78A excluded by S.I. 2020/556 art. 9(3)
- s. 78A excluded by S.I. 2020/746 art. 9(3)
- s. 78A excluded by S.I. 2021/74 art. 10(3)
- s. 78A excluded by S.I. 2022/1067 art. 4(2)

- s. 78A excluded by S.I. 2022/1070 art. 11(3)
- s. 78A excluded by S.I. 2022/1194 art. 12(3)(h)
- s. 78A excluded by S.I. 2022/1248 art. 12(3)
- s. 78A excluded by S.I. 2022/299 art. 3(3)(g)
- s. 78A excluded by S.I. 2022/475 art. 9(3)
- s. 78A excluded by S.I. 2022/549 art. 11(3)
- s. 78A excluded by S.I. 2022/573 art. 10(3)
- s. 78A excluded by S.I. 2022/738 art. 11(3)(h)
- s. 78A excluded by S.I. 2022/853 art. 15(2)
- s. 78A excluded by S.I. 2022/911 art. 10(3)(h)
- s. 78A excluded by S.I. 2022/922 art. 10(3)
- s. 78A excluded by S.I. 2022/934 art. 11(3)
- s. 78A excluded by S.I. 2023/218 art. 11(3)
- s. 78A excluded by S.I. 2023/778 art. 11(3)
- s. 78A excluded by S.I. 2023/834 art. 8(3)
- s. 78A excluded by S.I. 2024/360 art. 8(3)
- s. 78A excluded by S.I. 2024/393 art. 12(3)
- s. 78A excluded by S.I. 2024/60 art. 12(3)
- s. 78A inserted by 2004 c. 18 s. 57(1)
- s. 78A modified by 2017 c. 7 Sch. 24 para. 2(10)
- s. 78A(1) excluded by S.I. 2014/2384 Sch. 19 Pt. 1 para. 4(8)
- s. 78A(1) excluded by S.I. 2019/1358 Sch. 14 para. 3(8)
- s. 78A(1) restricted by S.I. 2020/511 Sch. 14 para. 3(8)
- s. 78A(1)(b) modified by 2021 c. 2 Sch. 24 para. 2(10)
- s. 78A(1)(b) restricted by 2008 c. 18 Sch. 14 para. 14(9)
- s. 79(1A) inserted by 2004 c. 18 s. 46(2)
- s. 79(2A) inserted by 2004 c. 18 s. 46(3)
- s. 79(3A) inserted by 2004 c. 18 s. 46(4)
- s. 80(1A) inserted by 2004 c. 18 s. 47(3)
- s. 80(2)(2A) substituted for s. 80(2)(3) by 2004 c. 18 s. 47(4)
- s. 80(5)(6) added by 2004 c. 18 s. 47(6)
- s. 90(2A) inserted by 2004 c. 18 s. 53(2)(b)
- s. 97(3) inserted by 2004 c. 18 s. 64(4)
- s. 112B(2A) inserted by 2019 asp 17 s. 117(2)(a)
- s. 112B(5A) inserted by 2019 asp 17 s. 117(2)(b)
- s. 112B(9) inserted by 2019 asp 17 s. 117(2)(d)
- s. 114A inserted by 2019 asp 17 s. 117(3)
- s. 126(1ZA) inserted by 2019 asp 17 s. 116(2)(a)
- s. 126(2ZA) inserted by 2019 asp 17 s. 116(2)(b)
- s. 126(2ZB) inserted by 2019 asp 17 s. 116(2)(c)
- s. 129(5B) inserted by 2019 asp 17 s. 117(4)(c)
- s. 130A-130C inserted by 2019 asp 17 s. 118(2)
- s. 130B inserted by 2005 asp 12 s. 38(1)
- s. 132A-132C and cross-heading inserted by 2005 asp 12 s. 30(1)
- s. 132A-132E repealed by 2019 asp 17 sch. para. 6(7)
- s. 132D132E inserted by 2005 asp 12 s. 31
- s. 137A inserted by 2005 asp 12 s. 32(1)
- s. 137A repealed by 2019 asp 17 sch. para. 6(7)
- s. 138A substituted for s. 138 by 2019 asp 17 s. 119(2)
- s. 139(1A)(1B) substituted for s. 139(1) by 2019 asp 17 s. 119(3)(a)
- s. 143(2)(b)(i) words inserted by 2005 asp 12 s. 38(2)
- s. 153A-153I and cross-heading inserted by 2019 asp 17 s. 111(2)
- s. 154B inserted by 2005 asp 12 s. 35
- s. 163(2A) inserted by 2019 asp 17 s. 111(3)
- Sch. 6B para. 1(2)(a) Sch. 6B para. 1(2) renumbered as Sch. 6B para. 1(2)(a) by 2019 asp 17 s. 112(3)(c)(i)
- Sch. 6B para. 1(1A) inserted by 2019 asp 17 s. 112(3)(b)
- Sch. 6B para. 1(2)(b) inserted by 2019 asp 17 s. 112(3)(c)(ii)

- Sch. 6B para. 4(1A) inserted by [2019 asp 17 s. 112\(3\)\(d\)\(ii\)](#)
- Sch. 6B para. 5(A1) inserted by [2019 asp 17 s. 112\(3\)\(e\)](#)
- Sch. 6B para. 13A inserted by [2019 asp 17 s. 112\(3\)\(g\)](#)