



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART III

STREET WORKS IN ENGLAND AND WALES

Introductory provisions

51 Prohibition of unauthorised street works.

- (1) It is an offence for a person other than the street authority—
 - (a) to place apparatus in a street, or
 - (b) to break up or open a street, or a sewer, drain or tunnel under it, or to tunnel or bore under a street, for the purpose of placing, inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, or of changing the position of apparatus or removing it,otherwise than in pursuance of a statutory right or a street works licence.
- (2) A person committing an offence under this section is liable on summary conviction to a fine not exceeding [^{F1}level 5] on the standard scale.
- (3) This section does not apply to works for road purposes or to emergency works of any description.
- (4) If a person commits an offence under this section, the street authority may—
 - (a) in the case of an offence under subsection (1)(a), direct him to remove the apparatus in respect of which the offence was committed, and
 - (b) in any case, direct him to take such steps as appear to them necessary to reinstate the street or any sewer, drain or tunnel under it.

If he fails to comply with the direction, the authority may remove the apparatus or, as the case may be, carry out the necessary works and recover from him the costs reasonably incurred by them in doing so.

Status: Point in time view as at 07/05/2014. This version of this provision has been superseded.

Changes to legislation: New Roads and Street Works Act 1991, Section 51 is up to date with all changes known to be in force on or before 27 May 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)

Textual Amendments

- F1** Words in s. 51(2) substituted (4.10.2004 for E., 26.11.2007 for W.) by [Traffic Management Act 2004](#) (c. 18), ss. 40(1)(2), 99(1), [Sch. 1](#); S.I. 2004/2380, art. 2(d)(i) (with art. 3); S.I. 2007/3174, art. 2, Sch. (with art. 4)

Modifications etc. (not altering text)

- C1** Pt. 3 modified (9.1.2014) by [The National Grid \(King's Lynn B Power Station Connection\) Order 2013](#) (S.I. 2013/3200), arts. 1, [9\(1\)](#)
- C2** Pt. 3 applied (with modifications) (9.1.2014) by [The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013](#) (S.I. 2013/3244), arts. 1, [4\(9\)](#) (with arts. 57, 58, Sch. 11 para. 19)
- C3** Pt. 3 modified (9.1.2014) by [The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013](#) (S.I. 2013/3244), arts. 1, [4\(1\)\(2\)](#) (with arts. 57, 58, Sch. 11 para. 19)
- C4** Pt. 3 modified (7.5.2014) by [The National Grid \(North London Reinforcement Project\) Order 2014](#) (S.I. 2014/1052), arts. 1, [13\(1\)](#)
- C5** S. 51(1) modified (9.1.2014) by [The National Grid \(King's Lynn B Power Station Connection\) Order 2013](#) (S.I. 2013/3200), arts. 1, [10\(2\)](#)
- C6** S. 51(1) modified (7.5.2014) by [The National Grid \(North London Reinforcement Project\) Order 2014](#) (S.I. 2014/1052), arts. 1, [9\(2\)](#)

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