

*Status: Point in time view as at 26/11/2007.*

*Changes to legislation: New Roads and Street Works Act 1991, Paragraph 7 is up to date with all changes known to be in force on or before 24 June 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)*

## SCHEDULES

### SCHEDULE 6

#### ROADS WITH SPECIAL ENGINEERING DIFFICULTIES

##### Modifications etc. (not altering text)

C1 Sch. 6 modified (28.11.1992) by S.I. 1992/2990, art. 3(2)

##### *Procedure on submission of plan and section*

- 7 (1) A relevant authority to whom there is submitted a plan and section of road works proposed to be executed in a road with special engineering difficulties shall give notice to the undertaker—
- (a) approving the plan and section without modification, or
  - (b) objecting to them in form as being on too small a scale or giving insufficient particulars, or
  - (c) approving them subject to modifications specified in the notice, or
  - (d) disapproving them.
- (2) The notice shall be given without avoidable delay, and at the latest before the end of the period of—
- (a) 7 working days in the case of a plan and section of works relating only to—
    - (i) a service pipe or service line, or
    - (ii) overhead electric lines or [<sup>F1</sup>electronic communications apparatus],  
and
  - (b) one month in any other case;
- and as between the undertaker and a relevant authority who do not duly give notice before the end of that period, the plan and section as submitted shall be deemed to have been settled by agreement.
- (3) The reference in sub-paragraph (2)(a)(i) to a service pipe or service line is to—
- (a) a pipe or line through or by means of which a supply of gas, electricity or water is afforded or intended to be afforded to premises—
    - (i) directly from premises from which the supply originates, or
    - (ii) from a main, that is, a pipe or line for affording a general supply;
  - (b) a pipe through or by means of which sewerage services are afforded, or intended to be afforded, which is not [<sup>F2</sup>a public sewer]; or
  - (c) underground [<sup>F1</sup>electronic communications apparatus] for the purpose of providing a service by means of [<sup>F3</sup>an electronic communications network] to or from particular premises (as opposed to apparatus for the general purposes of such [<sup>F3</sup>a network]).

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But so much of any such pipe, line or apparatus as is placed, or intended to be placed, for a continuous length of 100 metres or more in a public road shall be treated as not being a service pipe or service line.

(4) In this paragraph—

“electric line” has the same meaning as in Part I of the <sup>M1</sup>Electricity Act 1989;

F4

...

F4

...

#### Textual Amendments

- F1** Words in Sch. 6 para. 7 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), Sch. 17 para. 108(1)(b)(2) (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)
- F2** Words in Sch. 6 para. 7(3)(b) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, Sch. 7 para. 21(8)(a) (with s. 67); S.S.I. 2002/118, art. 2
- F3** Words in Sch. 6 para. 7(3)(c) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), Sch. 17 para. 108(1)(b)(3) (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)
- F4** Words in Sch. 6 para. 7(4) repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), Sch. 19(1) Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

#### Marginal Citations

- M1** 1989 c. 29.

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