



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART IV

#### ROAD WORKS IN SCOTLAND

##### *Introductory provisions*

#### **108 The road works authority and other relevant authorities.**

- (1) In this Part “the road works authority” in relation to a road means, subject to the following provisions—
  - (a) if the road is a public road, the roads authority, and
  - (b) if the road is not a public road, the road managers.
- (2) In the case of a road for which the Secretary of State is the roads authority but in relation to which a local roads authority acts as his agent under section 4 of the Roads (Scotland) Act 1984, the local roads authority shall be regarded as the road works authority for the purposes of section 112 (the road works register) and sections 113 to 119 (advance notice and co-ordination of works).
- (3) Subsection (1)(b) has effect subject to section 146 as regards the application of this Part to prospective public roads.
- (4) In this Part the expression “road managers”, used in relation to a road which is not a public road, means the authority, body or person liable to the public to maintain or repair the road or, if there is none, any authority, body or person having the management or control of the road.
- (5) The Secretary of State may by regulations make provision for exempting road managers from provisions of this Part which would otherwise apply to them as the road works authority in relation to a road.
- (6) References in this Part to the relevant authorities in relation to any road works are to the roads authority and also—

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*Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.*

**Changes to legislation:** *New Roads and Street Works Act 1991, Section 108 is up to date with all changes known to be in force on or before 23 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)*

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- (a) where the works include the breaking up or opening in the road of a sewer vested in [<sup>F1</sup>a sewerage authority, that] authority;
- (b) where the road is carried or crossed by a bridge vested in a transport authority, or crosses or is crossed by any other property held or used for the purposes of a transport authority, that authority; and
- (c) where in any other case the road, not being a public road, is carried or crossed by a bridge, the bridge authority.

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#### **Textual Amendments**

- F1** Words in s. 108(6)(a) substituted (1.4.1996) by 1994 c. 39 s. 180(1), Sch. 13 para. 168(2); S.I. 1996/323 art. 4(c)

**Status:**

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