



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART III

#### STREET WORKS IN ENGLAND AND WALES

##### *Reinstatement*

#### **70 Duty of undertaker to reinstate.**

- (1) It is the duty of the undertaker by whom street works are executed to reinstate the street.
- [<sup>F1</sup>(1A) The reinstatement required by subsection (1) may be permanent or interim.]
- (2) He shall begin the reinstatement as soon after the completion of any part of the street works as is reasonably practicable and shall carry on and complete the reinstatement with all such dispatch as is reasonably practicable.
- [<sup>F2</sup>(3) He shall within [<sup>F3</sup>10] working days from the date on which the reinstatement is completed give notice to the street authority of that completion—
  - (a) stating whether the reinstatement is permanent or interim; and
  - (b) giving such other information about the reinstatement as may be prescribed.
- (4) If the reinstatement is interim, he shall complete the permanent reinstatement of the street as soon as reasonably practicable, and in any event within 6 months from the date on which the interim reinstatement was completed.
- (4A) He shall, within [<sup>F4</sup>10] working days from the date on which the permanent reinstatement required by subsection (4) is completed, give notice to the street authority of that completion, giving such other information about the reinstatement as may be prescribed.
- (4B) The Secretary of State may by regulations modify the period specified in subsection (3), (4) or (4A).]

*Status: Point in time view as at 25/03/2016. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 70 is up to date with all changes known to be in force on or before 30 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)*

- (5) The permanent reinstatement of the street shall include, in particular, the reinstatement of features designed to assist people with a disability.
- (6) An undertaker who fails to comply with any provision of this section commits an offence and is liable on summary conviction—
- [<sup>F5</sup>(a) in the case of an offence consisting of a failure to comply with subsection (3) or (4A), to a fine not exceeding level 4 on the standard scale; and
- (b) in any other case, to a fine not exceeding level 5 on that scale.]
- (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 street 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** S. 70(1A) inserted (29.6.2007 for E. for specified purposes, 26.11.2007 for W. for specified purposes, 1.4.2008 for E.W. in so far as not already in force) by [Traffic Management Act 2004 \(c. 18\), ss. 54\(2\), 99\(1\)](#); S.I. 2007/1890, art. 2, [Sch.](#) (with art. 8); S.I. 2007/3174, art. 2, [Sch.](#) (with art. 9)
- F2** S. 70(3)-(4B) substituted for s. 70(3)(4) (29.6.2007 for E. for specified purposes, 26.11.2007 for W. for specified purposes, 1.4.2008 for E.W. in so far as not already in force) by [Traffic Management Act 2004 \(c. 18\), ss. 54\(3\), 99\(1\)](#); S.I. 2007/1890, art. 2, [Sch.](#) (with art. 8); S.I. 2007/3174, art. 2, [Sch.](#) (with art. 9)
- F3** Word in s. 70(3) substituted (E.) (1.4.2008) by [The Street Works \(Registers, Notices, Directions and Designations\) \(England\) Regulations 2007 \(S.I. 2007/1951\), regs. 1\(1\), 17 \(with reg. 19\)](#); and word in s. 70(3) substituted (W.) (1.4.2008) by [The Street Works \(Registers, Notices, Directions and Designations\) \(Wales\) Regulations 2008 \(S.I. 2008/101\), regs. 1, 17\(2\) \(with reg. 19\)](#)
- F4** Word in s. 70(4A) substituted (E.) (1.4.2008) by [The Street Works \(Registers, Notices, Directions and Designations\) \(England\) Regulations 2007 \(S.I. 2007/1951\), regs. 1\(1\), 17 \(with reg. 19\)](#); and word in s. 70(4A) substituted (W.) (1.4.2008) by [The Street Works \(Registers, Notices, Directions and Designations\) \(Wales\) Regulations 2008 \(S.I. 2008/101\), regs. 1, 17\(2\) \(with reg. 19\)](#)
- F5** S. 70(6)(a)(b) substituted for words in s. 70(6) (4.10.2004 for E. for specified purposes, 26.11.2007 for W. for specified purposes, 1.4.2008 for E.W. in so far as not already in force) by [Traffic Management Act 2004 \(c. 18\), ss. 40\(3\), 99\(1\)](#); S.I. 2004/2380, [art. 2\(d\)\(ii\)](#) (with art. 3); S.I. 2007/1890, art. 2, [Sch.](#); S.I. 2007/3174, art. 2, [Sch.](#) (with art. 4)

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

- C1** Pt. 3 applied (with modifications) (9.4.2013) by [The Hinkley Point C \(Nuclear Generating Station\) Order 2013 \(S.I. 2013/648\), arts. 1, 9 \(with arts. 48, 68, 79\)](#)
- C2** 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\(1\)](#)
- C3** 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\(9\) \(with arts. 57, 58, Sch. 11 para. 19\)](#)
- C4** 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\(1\)\(2\) \(with arts. 57, 58, Sch. 11 para. 19\)](#)
- C5** Pt. 3 restricted (6.8.2014) by [The Rampion Offshore Wind Farm Order 2014 \(S.I. 2014/1873\), art. 1, Sch. 12 Pt. 2 para. 3 \(with arts. 12, 13, Sch. 12 Pt. 1 paras. 6\(3\), 19, Pt. 2 paras. 3, 6, 13, Pt. 3 para. 5, Pt. 4 para. 4, Pt. 5 para. 4\)](#)
- C6** Pt. 3 modified (24.9.2014) by [The Thames Water Utilities Limited \(Thames Tideway Tunnel\) Order 2014 \(S.I. 2014/2384\), arts. 1, 10\(5\), 11\(4\)](#)
- C7** S. 70 excluded (27.11.1992) by S.I. 1992/2984, [art. 9](#)

*Status: Point in time view as at 25/03/2016. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 70 is up to date with all changes known to be in force on or before 30 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)*

- C8** Ss. 54-106 applied (28.2.2013) by The Rookery South (Resource Recovery Facility) Order 2011 2013 (S.I. 2013/680), **art. 10(3)**
- C9** Ss. 54-106 applied (9.4.2013) by The Lancashire County Council (Torrisholme to the M6 Link (A683 Completion of Heysham to M6 Link Road)) Order 2013 (S.I. 2013/675), arts. 1, **9(2)**
- C10** Ss. 54-106 applied (15.6.2013) by The Galloper Wind Farm Order 2013 (S.I. 2013/1203), arts. 1, **13(3)** (with arts. 11, 12)
- C11** Ss. 54-106 applied (15.8.2013) by The North Blyth Biomass Power Station Order 2013 (S.I. 2013/1873), arts. 1, **9(3)** (with art. 30)
- C12** S. 70 applied (with modifications) (9.1.2014) by The National Grid (King's Lynn B Power Station Connection) Order 2013 (S.I. 2013/3200), arts. 1, **9(2)(3)**
- C13** Ss. 54-106 applied (7.7.2014) by The East Anglia ONE Offshore Wind Farm Order 2014 (S.I. 2014/1599), arts. 1, **8(3)** (with arts. 37, 38, Sch. 9 para. 19)
- C14** Ss. 54-106 applied (6.8.2014) by The Rampion Offshore Wind Farm Order 2014 (S.I. 2014/1873), arts. 1, **15(3)** (with arts. 7(6), 12, 13, Sch. 12 Pt. 1 para. 19, Sch. 12 Pt. 2 para. 6, sch. 12 Pt. 3 para. 5, Sch. 12 Pt. 4 para. 4, Sch. 12 Pt. 5 para. 4)
- C15** Ss. 54-106 applied (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), arts. 1, **10(4)**, 11(5) (with arts. 55, 56)
- C16** Ss. 54-106 applied (2.10.2014) by The North Killingholme (Generating Station) Order 2014 (S.I. 2014/2434), arts. 1, **9(3)** (with arts. 6, 9(4), 13, Sch. 8 Pt. 1 para. 6, Sch. 8 Pt. 3 paras. 4(3), 6, 17, Sch. 8 Pt. 5 para. 9)
- C17** Ss. 54-106 applied (29.10.2014) by The Able Marine Energy Park Development Consent Order 2014 (S.I. 2014/2935), **art. 15(3)** (with arts. 30(4), 53)
- C18** Ss. 54-106 applied (28.11.2014) by The Walney Extension Offshore Wind Farm Order 2014 (S.I. 2014/2950), arts. 1, **10(3)** (with arts. 38, 39)
- C19** Ss. 54-106 applied (7.1.2015) by The Willington C Gas Pipeline Order 2014 (S.I. 2014/3328), arts. 1, **10(3)**
- C20** Ss. 54-106 applied (2.2.2015) by The Northumberland County Council (A1 – South East Northumberland Link Road (Morpeh Northern Bypass)) Development Consent Order 2015 (S.I. 2015/23), arts. 1, **9(2)**
- C21** Ss. 54-106 applied (26.2.2015) by The Cornwall Council (A30 Temple to Higher Carblake Improvement) Order 2015 (S.I. 2015/147), arts. 1, **9(3)**
- C22** Ss. 54-106 applied (11.3.2015) by The Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 (S.I. 2015/318), arts. 1, **13(3)** (with arts. 8(5), 35, 40, 41, **Sch. 12 Pt. 1 paras. 4, 9(2), 10, Pt. 2 paras. 4(2)(3), 19, Pt. 4 paras. 3, 4, 16**)
- C23** Ss. 54-106 applied (1.4.2015) by The Knottingley Power Plant Order 2015 (S.I. 2015/680), arts. 1, **10(3)** (with art. 7(6), Sch. 8 para. 10)
- C24** Ss. 54-106 applied (23.6.2015) by The Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T))) Order 2015 (S.I. 2015/1347), arts. 1, **9(2)**
- C25** Ss. 54-106 applied (30.6.2015) by The Swansea Bay Tidal Generating Station Order 2015 (S.I. 2015/1386), arts. 1, **9(3)** (with arts. 51, 53)
- C26** Ss. 54-106 applied (7.8.2015) by The Preesall Underground Gas Storage Facility Order 2015 (S.I. 2015/1561), arts. 1, **9(3)** (with art. 44)
- C27** Ss. 54-106 applied (14.8.2015) by The Progress Power (Gas Fired Power Station) Order 2015 (S.I. 2015/1570), arts. 1, **10(3)**
- C28** Ss. 54-106 applied (26.8.2015) by The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (S.I. 2015/1592), arts. 1, **14(3)** (with arts. 35, 40, 41)
- C29** Ss. 54-106 applied (19.11.2015) by The Ferrybridge Multifuel 2 Power Station Order 2015 (S.I. 2015/1832), arts. 1(2), **9(3)**
- C30** Ss. 54-106 applied (30.12.2015) by The Port Talbot Steelworks Generating Station Order 2015 (S.I. 2015/1984), arts. 1, **9(3)** (with art. 26)
- C31** Ss. 54-106 applied (with modifications) (25.3.2016) by The Thorpe Marsh Gas Pipeline Order 2016 (S.I. 2016/297), arts. 1, **12(3)** (with art. 39)

---

*Status: Point in time view as at 25/03/2016. This version of this provision has been superseded.*

**Changes to legislation:** *New Roads and Street Works Act 1991, Section 70 is up to date with all changes known to be in force on or before 30 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)*

---

- C32** S. 70(3) modified (W.) (1.4.2008) by [The Street Works \(Registers, Notices, Directions and Designations\) \(Wales\) \(No 2\) Regulations 2008 \(S.I. 2008/540\)](#), regs. 1, **17(2)**
- C33** S. 70(4A) modified (W.) (1.4.2008) by [The Street Works \(Registers, Notices, Directions and Designations\) \(Wales\) \(No 2\) Regulations 2008 \(S.I. 2008/540\)](#), regs. 1, **17(2)**

---

**Commencement Information**

- I1** S. 70 wholly in force: s.70(1)-(3)(5)-(7) in force at 1.1.1993 see s. 170(1) and S.I. 1992/2984, art. 2(2), **Sch. 2**; s. 70(4) in force at 14.7.1992, see s. 170 and S.I. 1992/1686, art. 2, **Sch.**

**Status:**

Point in time view as at 25/03/2016. This version of this provision has been superseded.

**Changes to legislation:**

New Roads and Street Works Act 1991, Section 70 is up to date with all changes known to be in force on or before 30 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.