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STATUTORY INSTRUMENTS

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**1992 No. 2991 (S.246)**

**ROADS AND BRIDGES, SCOTLAND**

**The Road Works (Registers, Notices, Directions and Designations) (Scotland) Regulations 1992**

<i>Made</i>	- - - -	<i>30th November 1992</i>
<i>Laid before Parliament</i>		<i>30th November 1992</i>
<i>Coming into force</i>		
<i>For the purposes of regulations 11, 12 and 13 and Schedule 1</i>		<i>1st December 1992</i>
<i>For all other purposes</i>		<i>1st January 1993</i>

The Secretary of State, in exercise of the powers conferred on him by sections 108(5), 112(1), (2) (3) and (6), 113(1), (2), (3) and (4), 114(1), (2), (3) and (7), 115(2), 116(2) and (3), 117(1), (2) and (5), 121(1), 122(2), 123(1) and (2), 156 and 163(1) of the New Roads and Street Works Act 1991<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1.—(1) These Regulations may be cited as the Road Works (Registers, Notices, Directions and Designations) (Scotland) Regulations 1992.

(2) Regulations 11, 12 and 13 of these Regulations and Schedule 1 hereto shall come into force on 1st December 1992 and, except as provided in paragraph (3), all the other regulations and Schedule 2 hereto shall come into force on 1st January 1993.

(3) Regulation 2 of these Regulations shall come into force for the purposes of regulations 11, 12, and 13 of these Regulations and Schedule 1 hereto on 1st December 1992.

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the New Roads and Street Works Act 1991;

“bridleway” has the same meaning as in section 47 of the Countryside (Scotland) Act 1967<sup>(2)</sup>;

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(1) 1991 c. 22.  
(2) 1967 c. 86.

“cycle track” has the same meaning as in section 151(2) of the Roads (Scotland) Act 1984<sup>(3)</sup>;

“day” means a working day;

“footpath” has the same meaning as in section 151(2) of the Roads (Scotland) Act 1984;

“major projects” means projects which have been identified specifically in the annual operating programme of the undertaker or roads authority, or which, though not specifically identified in such programme, would normally be planned to commence at least six months in advance of works commencing;

“minor works” means works (not being emergency works or urgent works) whether in the footway, verge or carriageway, which are of a planned duration of not more than 3 days, do not form part of a rolling programme and do not involve at any one time more than 30 metres of works or leave less than 3 metres width of carriageway available for traffic or less than 2.5 metres width of carriageway where the traffic is expected to consist only of motor cars and light locomotives within the meaning of section 185(1) of the Road Traffic Act 1988<sup>(4)</sup>;

“month” means a calendar month;

“person responsible for securing registration” means, in relation to any information, the person responsible for conveying such information to the road works authority for registration in the road works register;

“statutory undertaker” means an undertaker who is entitled to carry out road works by virtue of a statutory right;

“the road works register” means a register required to be kept by virtue of section 112(1);

“standard works” means all works which are not emergency works, urgent works or minor works;

“traffic sensitive road” means a road designated by a road works authority as traffic sensitive pursuant to section 123 and in a case where a limited designation is made pursuant to section 123(3) any reference to works in a traffic sensitive road shall be construed as a reference to works to be executed at the times and dates specified in such a designation;

“urgent works” means road works (not being emergency works) whose execution at the time they are executed is required (or which the person responsible for the works believes on reasonable grounds to be required)—

- (a) to prevent or put an end to an unplanned interruption of any supply or service provided by the undertaker;
- (b) to avoid substantial loss to the undertaker in relation to an existing service; or
- (c) to reconnect supplies or services where the undertaker would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period,

and includes works which cannot reasonably be severed from such works.

(2) A reference in these Regulations to a numbered section is a reference to the section bearing that number in the Act; a reference to a numbered regulation is a reference to the regulation bearing that number in these Regulations; and a reference to a paragraph is a reference to the appropriate paragraph in the regulation in which the reference appears.

### **Road works registers**

**3.—**(1) Road works registers may be kept in any form and shall be so indexed as to enable the information referred to in paragraphs (2) and (3) relating to a particular road to be traced.

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(3) 1984 c. 54.

(4) 1988 c. 52.

(2) The information with respect to road works to be shown on the register and, in each case, the person responsible for securing its registration are specified in column (1) and (2) respectively of the table below.

TABLE

	Information (1)	Person responsible for securing its registration (2)
1.	Copies of all notices pursuant to sections 113, 114 and 116 served upon the roads authority relating to road works in any road which is a public road.	The roads authority.
2.	Description and location of road works involving breaking up the road not requiring prior notice in any road which is a public road.	The undertaker concerned.
3.	Description and location of works for which plans and sections have been submitted under Schedule 6 to the Act.	The undertaker concerned.
4.	Particulars of notices given by any relevant authority under Schedule 6 to the Act.	The relevant authority.

(3) The information with respect to other descriptions of works and other matters to be shown on the register and, in each case, the person responsible for securing its registration are specified in column (1) and (2) respectively of the table below.

TABLE

	Information (1)	Person responsible for securing its registration (2)
1.	Every road, for which the local roads authority are the road works authority.	The local roads authority.
2.	Every road, which is a prospective public road.	The local roads authority.
3.	Every road for which the Secretary of State is the roads authority but in relation to which the local roads authority acts as his agent under section 4 of the Roads (Scotland) Act 1984.	The local roads authority.
4.	Every public road, which is—	The local roads authority.

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	Information (1)	Person responsible for securing its registration (2)
	(a) a protected road; (b) a road with special engineering difficulties; (c) a traffic-sensitive road including details of any limited designation, and including in each case, where appropriate, details of the parts of the road designated.	
5.	Description and location of works for road purposes.	The road works authority concerned.
6.	Copies of all notices published under section 117 and of consents under that section.	The road works authority concerned.
7.	Particulars of permissions granted under section 109, including details of conditions.	The road works authority concerned.
8.	Information under section 129(3) as to completion of reinstatements.	The undertaker concerned.
9.	Particulars of apparatus notified to the road works authority under section 139(2).	The road works authority concerned.
10.	Every notice of works pursuant to section 144(2).	The authority concerned.
11.	The classification of the road as a type of road for the purposes of regulation 3 of the Road Works (Reinstatement) (Scotland) Regulations 1992(5).	The road works authority concerned.

(4) Information of the following types is restricted information for the purpose of section 112(3):

- (a) information certified by, or with the authorisation of, the Secretary of State as being restricted information the interests of national security;
- (b) information certified by, or with the authorisation of, an undertaker as being restricted information in accordance with the commercial interests of the undertaking.

### **Prescribed notice**

4.—(1) Any notice for the purposes of sections 113, 114 and 116 shall be in the form, or to the like effect as the form, contained in Schedule 2 hereto.

(2) Any such notice shall include such information as may be required to complete the parts of the form referred to in paragraph (1) which are indicated in that form as being relevant to the notice.

(3) Any notice required or authorised to be given for the purposes of any other provision of Part IV of the Act shall be in writing, shall refer to the provision of the Act pursuant to which it is given and, subject to the foregoing, may be in any form.

### **Prescribed manner of service of notices**

5.—(1) Where under the Act or these Regulations an undertaker is under an obligation to give notice within a specified period of works beginning, such notice, at the option of the person giving it, shall be given by delivering it to the person to whom it is addressed at his proper address, or by sending it to such address by telefacsimile or electronic means, or by any other means agreed between the person giving it and the person to whom it is to be sent, provided that, for the purposes of this paragraph, where the person to whom notice has to be given does not have arrangements for receiving and responding to notices for any period between 4.30 pm and 8.00 am the following day the undertaker shall have complied with his obligation if he serves a notice by 10.00 am on that day.

(2) In any other case under the Act, or these Regulations, where any person is required or authorised to give a notice, such notice, at the option of the person giving it, shall be given by delivering it to the person to whom it is addressed, or by leaving it at his proper address, or by telefacsimile or electronic means, or by sending it by first class post to him at that address, or by any other means agreed between the person giving it and the person to whom it is to be sent.

(3) Where a notice may be served by telefacsimile or other electronic means, then, unless the contrary is proved, service is deemed to be effected at the time when the transmitting apparatus records satisfactory completion of the transmission, provided that where, after three attempts (duly recorded by the person serving the notice) to effect service by such means, service cannot be effected the notice may be given by telephone and a copy thereof served upon the person to whom it is addressed by any of the means referred to in paragraph (2) as soon as practicable.

(4) For the purposes of this regulation, the proper address of any person to whom notice is to be given shall be, where such person has furnished to the person giving the notice an address for service of notices under the Act, that address, and otherwise, in the case of a corporation, the registered or principal office of the corporation, or, in any other case, the last known address of such person, provided that a person may furnish different addresses for different notices or different classes of notice.

### **Advance notice of works**

6.—(1) For the purposes of section 113, an undertaker, in addition to giving notice in accordance with regulation 7, shall give one month's advance notice of road works to which this regulation applies.

(2) This regulation applies to—

- (a) major projects;
- (b) in traffic-sensitive roads, standard works and minor works involving breaking up the road.

### **Notice of starting date of works**

7.—(1) Subject to the proviso in regulation 5(1) and to paragraphs (2) and (4), for the purposes of section 114, an undertaker proposing to execute road works in a traffic-sensitive road shall, for

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each of the categories of work specified in column (1) of the table below, give a period of notice in relation to that category not less than that shown in column (2) of the table.

TABLE

Category of works (1)	Notice period (2)
Urgent works	2 hours.
Minor works not involving breaking up the road and the replacement of poles, lamps, columns and signs, pole testing and similar works involving minimal breaking up the road.	3 days.
Standard works.	7 days.
Minor works involving breaking up the road.	7 days.
Remedial works by an undertaker to a reinstatement not causing danger to users of the road.	3 days.

(2) Subject to the proviso in regulation 5(1), in a case where urgent works to which this paragraph applies are to be carried out in a traffic-sensitive road, which are works of a kind of which notice is required under section 114, the undertaker shall give notice as soon as reasonably practicable, and in any event within 2 hours of beginning the works. This paragraph applies to works—

- (a) for the purpose of restoring a supply or service where the supply or service is to premises to which it has been agreed in advance between the undertaker and the road works authority that this paragraph applies, and
- (b) where, without knowing, or having reasonable grounds for believing in the existence of circumstances justifying the execution of emergency works, the undertaker fears that, in the circumstances, persons or property might be endangered unless the works are carried out immediately,

and to such other works as cannot reasonably be severed from such works.

(3) Subject to the proviso in regulation 5(1) and paragraph (4), for the purposes of section 114, an undertaker proposing to execute road works in a road which is not a traffic-sensitive road shall, for each of the categories of work specified in column (1) of the table below, give a period of notice in relation to that category not less than that shown in column (2) of the table.

TABLE

Category of works (1)	Notice period (2)
Standard works.	7 days.
Urgent works.	As soon as reasonably practicable and in any event within 2 hours of the works being begun.

Provided, however, that in relation to roads to which this paragraph applies no notice is required in the case of minor works or remedial works by an undertaker to a reinstatement not causing danger to users of the road.

- (a) (4) (a) No notice pursuant to section 114 is required to be given by a statutory undertaker to any person to whom this paragraph applies, unless such a person has requested such a notice;
- (b) This paragraph applies—
  - (i) to any statutory undertaker having apparatus in a road which is likely to be affected by the works; and
  - (ii) to any person who would otherwise be entitled to such notice solely by virtue of his having in the road part of a service pipe lying between the boundary of the road and the stopcock on such pipe in that road, or his having a drain in that road;
- (c) In this paragraph “drain”, “service pipe” and “stopcock” have the same meaning as in the Water Industry Act 1991(6).

(5) For the purposes of section 114(7) the period at the end of which a notice shall cease to have effect in relation to any road works shall be the same as the period of notice specified for that category of works in the appropriate table in paragraph (1) or paragraph (3) as the case may be.

### **Procedure for giving directions**

8.—(1) Every direction under section 115(1) shall be given by the road works authority serving upon the undertaker a copy of the notice relating to the works given by the undertaker in accordance with these Regulations and the notice shall be endorsed with the terms of the direction.

(2) The provisions of regulation 5(2), (3) and (4) shall apply to the service of such directions.

(3) In relation to a notice pursuant to regulation 6, a direction shall be of no effect if given more than 10 days after its receipt by the road works authority, and in relation to a notice pursuant to regulation 7, a direction shall be of no effect if given later than one hour after its receipt by the authority where the period of notice prescribed in either of the tables in that regulation is 2 hours, later than one day after receipt where the period of notice is 3 days and later than 3 days after receipt where the period of notice is 7 days.

### **Substantial works**

9.—(1) For the purposes of section 117(1), substantial works means works for road purposes which comprise a reconstruction, widening, alteration in the level, resurfacing or specialist non-skid surface dressing of the part of the road concerned; and

- (a) if executed in a footpath, footway, bridleway or cycle track, extend for more than 30 metres of continuous length and result in the width of the footpath or cycle track available for pedestrians or cyclists, as the case may be, being reduced by more than two-thirds; and
- (b) if carried out in the carriageway, extend for more than 30 metres of continuous length and result in the use by vehicles of the carriageway being prohibited or the width of the carriageway available for vehicular traffic being reduced by more than one-third.

(2) A notice under section 117 in relation to a restriction on works following substantial works carried out for road purposes shall be published on two consecutive weeks in at least one newspaper circulating in the locality likely to be affected by the proposed restriction, and in addition in an edition of the Edinburgh Gazette published no later than the date of the publication of the last of the said newspaper notices.

(3) For the purposes of section 117(5), in addition to the works specified in that subsection, the following works may be executed by an undertaker:—

- (a) urgent works;

- (b) works required to respond to a request for a new service or supply to a customer which was not received at a time when it was practicable for the works to be done before the period of restriction began; and
- (c) the following:—
  - (i) works not involving breaking up the road,
  - (ii) repairing, resetting and replacing manhole or chamber covers and frames,
  - (iii) resurfacing up to 20 square metres,
  - (iv) pole, lamp, column or sign replacement in the same location,
  - (v) pole testing, and
  - (vi) works of a similar nature.

### **Exemptions**

**10.** Road managers are exempted from the provisions of section 112(1).

### **Designation of protected roads**

**11.—(1)** A road works authority shall not designate a road as a protected road pursuant to section 120 unless—

- (a) the road fulfils a specific strategic traffic need,
- (b) the road is subject to such high and constant traffic flows that designation as a traffic-sensitive road would not be sufficient to avoid serious disruption to traffic caused by road works, and
- (c) there exists a reasonable alternative for placing undertakers' apparatus which could lawfully be placed in the road.

(2) The procedure for making or withdrawing such a designation is specified in Schedule 1 hereto.

(3) The information to be made available by the road works authority in respect of roads for the time being designated by them under section 120(1)(b) shall include the date of designation, details of the road which is the subject of designation in sufficient detail to enable it to be identified, and particulars of all consents to the placing of apparatus in the road.

### **Designation of roads with special engineering difficulties**

**12.—(1)** The criteria for designating a road as having special engineering difficulties pursuant to section 122 are—

- (a) in the case of a road, that there is a specific engineering feature identified as fundamental to the structure and integrity of the road as a whole requiring special measures to be taken in the planning and execution of road works in order to avoid serious failure of the road as a whole, or
- (b) in the case of an engineering structure associated with a road, that its fundamental integrity and safety is dependent upon special measures being taken in the planning and execution of road works in the relevant part of the road in order to avoid serious failure of the structure concerned.

(2) The procedure for making or withdrawing such a designation is specified in Schedule 1 hereto.

(3) The information to be made available by the road works authority in respect of each road for the time being designated by them under section 122 shall include the date of designation, particulars of the road in sufficient detail to enable it to be identified, the features which justify the designation and particulars of the authority or undertaker with an interest in the road.



## Designation of roads as traffic sensitive

13.—(1) In any case where a road works authority have not by agreement with a majority of statutory undertakers having apparatus in the road, or a reasonable likelihood of having apparatus in the road, designated the road as traffic-sensitive, the road works authority shall not designate the road as traffic-sensitive pursuant to section 123 unless one or more of the following criteria apply:—

- (a) the road is one on which at any time the road works authority estimate the traffic flow to be greater than that shown in the table below and on both sides of which the parking of vehicles is prohibited or restricted on the relevant day by an order under section 1 or 9 of the Road Traffic Regulation Act 1984(7) between 7.30 am and 9.30 am and between 3.30 pm and 7.00 pm (whether or not the parking of vehicles is prohibited or restricted on the road at any other hours) or on which parking does not normally take place on either side during these hours.

TABLE

Width of carriageway	Traffic flows (vehicles per hour)		
	<10.25m	10.25—13.25m	>13.25m
Single carriageway	1050 (2-way)	1320 (1-way)	3330 (2-way)
Dual carriageway/one—way street	1390 (1-way)	2770 (1-way)	4090 (1-way)

The traffic flow figures used in this table assume a traffic mix containing up to 12 per cent of buses or heavy goods vehicles or both. If, in the case of any road, the number of buses or heavy goods vehicles or both counted exceeds that percentage of the total number of vehicles counted, a conversion factor of 2 may be applied to the number of buses or heavy goods vehicles or both in excess of such percentage;

- (b) the road is—
- (i) within the area of a critical signalised junction or 100 metres of the major arm, or 50 metres of the minor arm, of such junction, measured in each case from the junction, or
- (ii) within the area of a critical gyratory or roundabout system or 40 metres of the major arm, or 20 metres of the minor arm of the approach to or exit from such system, measured in each case from the junction of that arm with the system;
- (c) the road is a road in respect of which there is in force an order made under section 1, or 9 of the Road Traffic Regulation Act 1984 prohibiting (with or without exemptions) the use of the road by vehicular traffic for more than 8 hours in any period of 24 hours or an order made under section 201(2) of the Town and Country Planning (Scotland) Act 1972(8); and the two way pedestrian traffic flow is at least 22 persons per minute per metre width during the busiest hour on the relevant day;
- (d) the road is a single carriageway two way road less than 6.5 metres wide having a traffic flow of not less than 600 vehicles per hour which is a trunk road or a principal road within the meaning of the Roads (Scotland) Act 1984(9),

provided that a road works authority may only designate a road as traffic-sensitive for the times and on the dates when one or more of the criteria set out in sub-paragraphs (a) to (d) above apply.

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(7) 1984 c. 27; section 1 was amended by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, paragraph 17 and partially repeated by Schedule 9 of that Act; and section 9 was amended by the New Roads and Street Works Act 1991, Schedule 8, paragraph 23.

(8) 1972 c. 52; section 201(2) was amended by the Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23), Schedule 2, paragraph 27(1)(a).

(9) See section 11 for the classification of a road as a principal road.

(2) The procedure for making or withdrawing such a designation is specified in Schedule 1 hereto.

(3) The information to be made available by the road works authority in respect of each road for the time being designated under section 123 shall include the date of designation, particulars of the road in sufficient detail to enable it to be identified and, in the case of a limited designation, the times of day, days, periods or occasions to which the designation applies.

(4) In this regulation—

“critical signalised junction” means a traffic signal junction at which, in the absence of road works or works for road purposes and at times when the exit is not blocked, no less than 5 per cent of peak hour vehicles on average fail to clear the junction on the first green signal;

“critical gyratory or roundabout system” means a gyratory or roundabout system where, in the absence of road works or works for road purposes, no less than 5 per cent of peak hour vehicles on average are delayed by more than 20 seconds;

“major arm” of a critical signalised junction means the arm which receives more than 10 seconds of green time per cycle or which is the exit for at least 10 per cent of traffic passing through the junction in the peak hour and “minor arm” of such a junction shall be construed accordingly;

“major arm” of a critical gyratory or roundabout system means an arm which is used by no less than 20 per cent of the vehicles using that system and “minor arm” of such a system shall be construed accordingly;

“peak hour” means between 7.30 am and 9.30 am and between 3.30 pm and 7.00 pm on the relevant day.

St Andrew’s House,  
Edinburgh  
30th November 1992

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State, Scottish  
Office

## SCHEDULE 1

Regulations 11, 12 and 13

### PROCEDURES FOR DESIGNATIONS AND WITHDRAWAL OF DESIGNATIONS

#### PART I

##### **Designations of protected roads**

1. Before making a designation of a protected road the road works authority shall publish a notice of their intention to make the designation and specifying a time, not less than one month, within which objections may be made, in one or more newspapers circulating in the locality in which the road to which the proposed designation relates is situated.

2. The road works authority shall not later than the date on which the publication required by paragraph 1 above is made serve a copy of that notice on—

- (a) every undertaker which the authority know to have apparatus in any road to which the proposed designation refers or which has given notice under section 113 of his intention to execute road works in any such road;
- (b) every local authority (other than the road works authority) in whose area any road to which the proposed designation relates is situated;
- (c) the owners or reputed owners, and the occupiers or reputed occupiers of any land which is adjacent to the road;
- (d) any person who has requested the road works authority in writing to be given notice of a proposed designation.

3. If within the specified period no objection is received by the road works authority, or if all objections have been withdrawn, that authority may make the designation.

4. If within that period an objection is received by the road works authority from any person on whom a copy of a notice is required to be served under paragraph 2 above or from any other person appearing to the road works authority to be affected by the proposed designation and the objection is not withdrawn the road works authority shall before making the designation cause a local inquiry to be held.

5. Where a local inquiry has been held the road works authority shall consider the objections and the report of the person who held the inquiry and may make the designation, with or without modifications, or may decide not to make the designation, as they think fit.

#### PART II

##### **Designation of roads with special engineering difficulties and traffic-sensitive roads**

6. Before making a designation of a road either as a road with special engineering difficulties or as a traffic-sensitive road the road works authority shall give notice of its proposal specifying a time, not less than one month, within which objections may be made, to—

- (a) every undertaker which the authority know to have apparatus in any road to which the proposed designation refers or which has given notice under section 113 of his intention to execute road works in any such road;
- (b) every local authority (other than the road works authority) in whose area any road to which the proposed designation relates is situated;

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(c) any person who has requested the road works authority in writing to be given notice of a proposed designation.

7. If within the specified period no objection is received by the road works authority, or if all objections have been withdrawn, that authority may make the designation.

8. If within that period an objection is received by the road works authority from any person on whom notice is required to be served under paragraph 7 above or from any other person appearing to the road works authority to be affected by the proposed designation and the objection is not withdrawn the road works authority shall before making the designation consider the objection and may make the designation, with or without modifications, or may decide not to make the designation, as they think fit.

### PART III

9. A road works authority may at any time withdraw—

- (a) the designation of a road as a protected road;
- (b) the designation of a road as traffic-sensitive.

10. Subject to the provisions of paragraph 12 below, a road works authority may at any time withdraw the designation of a road as a road with special engineering difficulties.

11. No withdrawal as mentioned in paragraph 11 above shall occur without prior consultation with the transport authority or undertaker at whose request the designation was made, or without the consent of the Secretary of State where the designation was made in pursuance of a direction by him.

12. If a road works authority withdraws such a designation they shall publish a notice in one or more newspapers circulating in the locality in which the road to which the withdrawn designation related.

13. The road works authority shall ensure that the road works register records the making or withdrawal of a designation within 7 days of the making or withdrawal.

### PART IV

14. In this Schedule—

“designation” means a designation of a road as a protected road within section 120, as a road having special engineering difficulties within section 122, or as traffic-sensitive within section 123.

## SCHEDULE 2

Regulation 4

### PRESCRIBED FORM OF NOTICE

The notice prescribed by regulation 4 shall be in the following form:—

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<b>PART N</b>		<b>NEW ROADS &amp; STREET WORKS ACT 1991 NOTIFICATION &amp; RESPONSES</b>											
<b>TO</b>		PURPOSE		Notice				Follow up Notice					
		Road Works Authority Response				Other Response							
<b>FROM</b>		REFERENCE No. RECIPIENT'S		Part				of					
		CROSS REF. No.		Part				of					
		REFERENCE No. ORIGINATOR'S		Part				of					
		CROSS REF. No.		Part				of					
		DATE OF ISSUE									d	m	y
		TIME OF ISSUE (Emergency & Urgent Only)											
		EXPECTED START DATE											
		EXPECTED COMPLETION DATE											
<b>NOTICE PERIOD</b>		<b>TYPE OF WORKS</b>											
		EMER'CY	URGENT (SPECIAL CASES)	URGENT	MINOR NO EXCAV.	MINOR (WITH EXCAV)		STANDARD		MAJOR		REINSTATEMENT	
						NOTICE	CONFIRM START DATE	NOTICE	CONFIRM START DATE	NOTICES REQUIRED	REMEDIAL DANGEROUS	REMEDIAL (OTHER)	
R O A D	S T A T U S	NON TRAFFIC SENSITIVE	WITHIN 2 HOURS OF WORK START- ING	WITHIN 2 HOURS OF WORK START- ING	WITHIN 2 HOURS	NOTIFY BY DAILY WHEREABOUTS		7 DAYS		1 MONTH	7 DAYS	WITHIN 2 HOURS OF WORK STARTING	BY DAILY WHERE- ABOUTS
		TRAFFIC SENSITIVE SITUATION	2 HRS IN ADV	3 DAYS	1 MONTH	7 DAYS	1 MONTH	7 DAYS			3 DAYS	3 DAYS	
		IS SPECIAL ENGINEERING DIFFICULTY INVOLVED?		YES/NO	HAS THE RELEVANT AUTHORITY APPROVED THE WORKS?		YES/NO						
<b>LOCATION</b>													
DESCRIPTION OR HOUSE NAME OR NUMBER													
ROAD NAME													
LOCAL AREA NAME													
DISTRICT													
POST CODE		[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]				NATIONAL GRID REF.		[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]					
<b>DESCRIPTION OF WORKS (INCL. CONSTRUCTION METHODS - IF KNOWN) COMMENTS (TRAFFIC MANAGEMENT OR OTHER)</b>													
											<b>ESTIMATED INSPECTION UNITS</b>		
											[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]		

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<b>PART R1</b>	<b>NEW ROADS &amp; STREET WORKS ACT 1991 WHOLE LIFE OF WORKS</b>									
<b>TO</b>	Has part N been sent? (Y/N)									
	<b>PART R2</b> Give number of R2 continuation sheets									
	<b>REFERENCE No. RECIPIENT'S CROSS REF. No.</b>	<b>Part</b>		<b>of</b>						
		<b>Part</b>		<b>of</b>						
	<b>REFERENCE No. ORIGINATOR'S CROSS REF. No.</b>	<b>Part</b>		<b>of</b>						
	<b>Part</b>		<b>of</b>							
<b>FROM</b>	<b>ALL WORKS ON THIS NOTICE COMPLETE? (Y/N)</b>									
	<b>IF Y, ACTUAL INSPECTION UNITS</b>									
	<b>No. of barholes/core drills plugged</b>									
	<b>date</b>								d	m
<b>LOCATION</b>										
DESCRIPTION OR HOUSE NAME OR NUMBER										
ROAD NAME										
LOCAL AREA NAME										
DISTRICT										
POST CODE <input style="width: 50px;" type="text"/> NATIONAL GRID REF. <input style="width: 100px;" type="text"/>										
<b>DESCRIPTION OF WORKS</b> COMMENTS (TRAFFIC MANAGEMENT OR OTHER)										
<b>REINSTATEMENT CLOSING DIMENSIONS LOCATION GUARANTEE START DATE</b>										
Item	Location	Length	Width	C.F or V	Deep Ex	Interim			Permanent	
						d	m	y	d	m
1										
2										
3										
4										
5										

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<b>PART R2</b>	<b>NEW ROADS &amp; STREET WORKS ACT 1991 WHOLE LIFE OF WORKS</b>										
<b>CONTINUATION SHEET No.</b> <input style="width: 40px;" type="text"/>				<b>REFERENCE No. RECIPIENT'S CROSS REF. No.</b>		<b>Part</b>		<b>of</b>			
						<b>Part</b>		<b>of</b>			
<b>ADD ITEM NUMBERS AS NEEDED TO CONTINUE FROM PREVIOUS SHEET(S)</b>				<b>REFERENCE No. ORIGINATOR'S CROSS REF. No.</b>		<b>Part</b>		<b>of</b>			
						<b>Part</b>		<b>of</b>			
<b>REINSTATEMENT CLOSING DIMENSIONS</b>						<b>LOCATION</b>			<b>GUARANTEE START DATE</b>		
Item	Location	Length	Width	C.F or V	Deep Ex	Interm			Permanent		
						d	m	y	d	m	y

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 2 includes definitions of “major projects”, “minor works”, “standard works” and “urgent works”.

Regulation 3 prescribed the information with respect to road works which is to be held in the register a road works authority is required to keep pursuant to section 112(1) of the New Roads and Street Works 1991 (“the Act”), together with information about certain categories of roads, other works, notices, permissions, apparatus and reinstatements which are also to be held in the register. Provision is made for information certified by the Secretary of State in the interests of national security and for information which is commercially sensitive to an undertaker to be restricted for the purposes of section 112(3) of the Act (regulation 3(4)).

Regulation 4 and Schedule 2 prescribe the form of notice to be given for the purposes of sections 113, 114 and 116 of the Act (advance notice of certain works, notice of starting date of works and notice of emergency works). Regulation 5 prescribes the manner in which service of notices under the Act or the Regulations is to be effected. Regulation 6 prescribes the instances in which an advance notice of works (section 113 of the Act) is required and provides that the period of such notice shall be one month. Regulation 7 prescribes the period of notice of starting date of road works (required to be given under section 114 of the Act) for urgent and standard works and, in the case of traffic-sensitive roads, for urgent, standard, minor and remedial works.

Regulation 8 sets out the procedure to be followed where a road works authority gives a direction under section 115(1) of the Act as to the timing of road works. Regulation 9 defines “substantial works” for the purposes of section 117(1) of the Act, prescribes the manner in which a notice under that section shall be published and prescribes exceptions (additional to those set out in section 117(5) of the Act) to the restriction on the execution of road works for a period of 12 months following substantial works carried out for road purposes imposed by section 117(1) of the Act.

Regulation 10 exempts road managers from the requirement to keep a road works register under section 112(1) of the Act.

Regulations 11(1), 12(1) and 13(1) prescribe the criteria which a road works authority shall use when designating a road as a protected road pursuant to section 120 of the Act, as a road having special engineering difficulties pursuant to section 122 of the Act or (except where a designation is by agreement between the road works authority and the majority of the relevant undertakers) as traffic-sensitive pursuant to section 123 of the Act.

Regulations 11(3), 12(3) and 13(3) set out the information which a road works authority shall make available when designating a road as a protected road, as having special engineering difficulties or as traffic-sensitive.

Regulation 11(2) and Part I of Schedule 1 to the Regulations prescribe the procedure for designating protected roads. Provision is made for the publication of a notice, its service upon specified bodies and persons and for the holding of a public inquiry before designation is made if there are objections.

Regulations 12(2), 13(2) and Part II of Schedule 1 to the Regulations prescribe the procedure for designating roads as having special engineering difficulties or as traffic-sensitive. Provision is made for the giving of a notice of the proposal to specified bodies and persons and for the consideration of objections before a designation is made.



Regulations 11(2), 12(2) and 13(2) and Part III of Schedule 1 to the Regulations make provision for the withdrawal by the road works authority of a designation of a road as a protected road, as having special engineering difficulties or as traffic-sensitive.