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STATUTORY INSTRUMENTS

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**2009 No. 104**

**HIGHWAYS, ENGLAND**

**The Street Works (Inspection Fees)  
(England) (Amendment) Regulations 2009**

<i>Made</i>	- - - -	<i>19th January 2009</i>
<i>Laid before Parliament</i>		<i>26th January 2009</i>
<i>Coming into force</i>	- -	<i>6th April 2009</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 75 and 104(1) of the New Roads and Street Works Act 1991<sup>(1)</sup>:

**Citation and commencement**

1. These Regulations may be cited as the Street Works (Inspection Fees) (England) (Amendment) Regulations 2009 and shall come into force on 6th April 2009.

**Preliminary**

2. The Street Works (Inspection Fees) (England) Regulations 2002<sup>(2)</sup> are amended as follows.

**Amendment to regulations 3 (inspection fees)**

3. In regulation 3, in paragraphs (1) and (8), for “£25.00” there shall be substituted “£50.00”.

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(1) [1991 c.22](#). The functions of the Secretary of State under sections 75 and 104(1) are transferred, so far as exercisable in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 ([S. I. 1999/672](#)), article 2 and Schedule 1. Following the repeal of the Government of Wales Act [1998 \(c. 38\)](#), sections 22 and 155(2), that Order has effect as if made under the Government of Wales Act [2006 \(c.32\)](#), section 25 and 158(3), by virtue of Schedule 11, paragraph 26(1) and (3). Section 75 is prospectively substituted by section 58(2) of the Traffic Management Act [2004 \(c.18\)](#).

(2) [S. I. 2002/2092](#), as amended by [S. I. 2004/572](#), [2007/584](#) and [2008/589](#).

Signed by authority of the Secretary of State for Transport

19th January 2009

*Paul Clark*  
Parliamentary Under Secretary of State  
Department for Transport

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## EXPLANATORY NOTE

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

These Regulations amend the Street Works (Inspection Fees) (England) Regulations 2002 so as to increase the fee payable by undertakers for inspections of their work by street authorities in England under regulation 3 of those Regulations.

The fee for such inspections, which was last altered in April 2008, is increased by 100% from £25 to £50.

The fee increase does not count as an impact as defined by the relevant guidance and no impact assessment is needed as it has been recommended to government by the industry involved. An Explanatory Memorandum has been prepared and is available alongside the instrument on the OPSI website. The Memorandum may also be found by visiting the Department for Transport website at [www.dft.gov.uk](http://www.dft.gov.uk).