

SCHEDULE 2

FUNCTIONS CONFERRED BY OR UNDER THE 1991 ACT OR REGULATIONS MADE UNDER THAT ACT

1. Functions conferred on a strategic highways company, as the street authority⁽¹⁾ for a street, by or under any of the following provisions of the 1991 Act—

- (a) section 53⁽²⁾ (the street works register);
- (b) section 54(1), (4), (4A) and (4B)⁽³⁾ (advance notice of certain works);
- (c) section 55(1), (4) and (8)⁽⁴⁾ (notice of starting date of works);
- (d) section 56(1), (1A) and (4)⁽⁵⁾ (power to give directions as to timing of street works);
- (e) section 56A(1), (3) and (8)⁽⁶⁾ (power to give directions as to placing of apparatus);
- (f) section 57(2)⁽⁷⁾ (notice of emergency works);
- (g) section 58⁽⁸⁾ (restriction on works following substantial road works);
- (h) section 58A and Schedule 3A, paragraphs 1(1), 2(1) and (4), 3(1) and 4(1), (6), (8), (9) and (10), and 5(2)(b) and (3)⁽⁹⁾ (restriction on works following substantial street works);
- (i) section 59⁽¹⁰⁾ (general duty of street authority to co-ordinate works);
- (j) section 60(1) (general duty of undertakers to co-operate);
- (k) section 61 (protected streets), except for sub-paragraph (b) in the second paragraph of subsection (1);
- (l) section 65(5) (safety measures);
- (m) section 66(3) and (4) (avoidance of unnecessary delay or obstruction);
- (n) section 68(1) (facilities to be afforded to street authority);
- (o) section 70(3) and (4A)⁽¹¹⁾ (duty of undertaker to reinstate);
- (p) section 72⁽¹²⁾ (powers of street authority in relation to reinstatement);
- (q) section 75⁽¹³⁾ (inspection fees);
- (r) section 81 (duty to maintain apparatus);
- (s) section 82(1) (liability for damage or loss caused);
- (t) section 87(4) (prospectively maintainable highways); and
- (u) section 94(1) and (2) (power of street authority or district council to undertake street works).

(1) Section 49 of the New Roads and Street Works Act 1991 contains a definition of “street authority”.

(2) Section 53 is prospectively amended by the Traffic Management Act 2004 (c.18), section 45.

(3) Section 54(4A) and (4B) were inserted by the Traffic Management Act 2004, section 49(1)(b).

(4) Section 55(8) was inserted by the Traffic Management Act 2004, section 49(2).

(5) Section 56(1) was amended by the Traffic Management Act 2004, section 43(1) and (2). Subsection (1A) was inserted by section 43(1) and (3) of that Act.

(6) Section 56A was inserted by the Traffic Management Act 2004, section 44.

(7) Section 57(2) was amended by the Traffic Management Act 2004, section 52(3)(b).

(8) Section 58 was amended by the Traffic Management Act 2004, sections 40(1) and (2) and 51 and Schedule 1.

(9) Section 58A and Schedule 3A were inserted by the Traffic Management Act 2004, section 52(1) and (2) and Schedule 4.

(10) Section 59 was amended and is prospectively amended by the Traffic Management Act 2004, section 42.

(11) Section 70(3) was substituted, and (4A) inserted, by the Traffic Management Act 2004, section 54(1) and (3). Subsections (3) and (4A) were further amended by the Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007 (S.I. 2007/1951), regulation 17.

(12) Section 72 is prospectively amended by the Traffic Management Act 2004, sections 53(1) and 58(1).

(13) Section 75 is prospectively substituted by the Traffic Management Act 2004, section 58(2).

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