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STATUTORY INSTRUMENTS

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**1995 No. 3210**

**The Street Works (Northern Ireland) Order 1995**

*Provisions with respect to particular authorities and undertakings*

**Works affecting level crossings or tramways**

**51.**—(1) This Article applies to street works at a crossing of a railway on the level or which affect a tramway.

In this Article “the relevant transport authority” means the authority having the management of the railway or tramway undertaking concerned.

(2) An undertaker proposing to begin to execute works to which this Article applies shall give the prescribed notice to the relevant transport authority notwithstanding that such notice is not required under Article 15 (notice of starting date).

The provisions of paragraphs (2) to (7) of that Article (contents of notice when works may be begun, &c) apply in relation to the notice required by this paragraph as in relation to a notice under paragraph (1) of that Article.

(3) An undertaker executing works to which this Article applies shall comply with any reasonable requirements made by the relevant transport authority—

- (a) for securing the safety of persons employed in connection with the works, or
- (b) for securing that interference with traffic on the railway or tramway caused by the execution of works is reduced so far as is practicable;

and, except where submission of a plan and section is required, he shall defer beginning the works for such further period as the relevant transport authority may reasonably request as needed for formulating its requirements under this paragraph or making its traffic arrangements.

(4) Nothing in paragraph (2) or (3) affects the right of an undertaker to execute emergency works.

(5) An undertaker executing emergency works shall give notice to the relevant transport authority as soon as reasonably practicable of his intention or, as the case may be, of his having begun to do so notwithstanding that such notice is not required by Article 17 (notice of emergency works).

The provisions of paragraphs (3) and (4) of that Article (contents of notice and penalty for failure to give notice) apply in relation to the notice required by this paragraph as in relation to a notice under paragraph (2) of that Article.