

*Status: Point in time view as at 07/05/2014.*

*Changes to legislation: New Roads and Street Works Act 1991, Cross Heading: Settlement of plan and section by arbitration is up to date with all changes known to be in force on or before 08 September 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)*

## SCHEDULES

### SCHEDULE 4

#### STREETS WITH SPECIAL ENGINEERING DIFFICULTIES

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

**C1** Sch. 4 modified (27.11.1992) by S.I. 1992/2984, art. 3(2)

##### *Settlement of plan and section by arbitration*

- 10 (1) The duty of the arbitrator where a matter is referred to arbitration is to settle a plan and section of works of the kind proposed, as works to be executed in the street.
- (2) He may require the undertaker to submit to him a plan and section in such form, require the relevant authority to submit to him such observations on a plan and section submitted to him, and require the undertaker or the relevant authority to furnish him with such information and to take such other steps, as appear to him to be requisite.
- (3) He may treat compliance with any such requirement made of the undertaker as a condition of his proceeding with the settlement of a plan and section, and compliance with any such requirement made of the relevant authority as a condition of his settling a plan and section otherwise than as proposed by the undertaker.
- 11 (1) Where the reference relates to the placing, altering or changing the position of apparatus in a street which is carried or crossed by a bridge, then, if the arbitrator is satisfied—
- (a) that the execution of the works would be likely to affect injuriously the structure or stability of the bridge, and
- (b) that it is not practicable to meet objection on that ground to the plan and section submitted,
- he shall so declare, and shall not settle any plan and section of those works on the reference.
- (2) This does not affect the right of the undertaker to submit another plan and section.

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