

*Status: Point in time view as at 21/04/2015.*

*Changes to legislation: New Roads and Street Works Act 1991, Paragraph 101 is up to date with all changes known to be in force on or before 05 August 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 8

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Extent Information

- E1** Sch. 8 extends to England and Wales and to Scotland or Northern Ireland also if amended enactment so extends see s. 169

#### PART IV

##### AMENDMENTS OF OTHER ENACTMENTS

###### *Pipelines Act 1962 (c.58)*

<sup>x1</sup>101 (1) The Pipelines Act 1962 is amended as follows.

(2) In section 15 (power to place pipe-lines in streets), in subsections (1) to (9)—

- (a) for “street” or, in Scotland, “road” substitute “ street or, in Scotland, road ”, and
- (b) for “protected street” or, in Scotland, “protected road”, wherever occurring, substitute “ main road ”.

<sup>x1</sup>(3) For section 15(10) substitute—

“(10) In this section—

“appropriate authority” means—

- (a) in England and Wales, the street authority within the meaning of Part III of the New Roads and Street Works Act 1991, and
- (b) in Scotland, the road works authority within the meaning of Part IV of that Act;

“carriageway” has the same meaning—

- (a) in England and Wales, as in the Highways Act 1980, and
- (b) in Scotland, as in the Roads (Scotland) Act 1984;

“main road” means a special road, trunk road or a road classified as a principal road within the meaning of the Highways Act 1980 or the Roads (Scotland) Act 1984;

“road”, in Scotland, has the same meaning as in Part IV of the New Roads and Street Works Act 1991; and

“street”, in England, has the same meaning as in Part III of that Act.”.

<sup>x1</sup>(3) For sections 16 and 17 substitute—

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**“16 Modification of street works or road works provisions.**

- (1) In relation to undertakers’ works in exercise of a power conferred by section 15(1) of this Act, the provisions of Part III or IV of the New Roads and Street Works Act 1991 (street works in England and Wales or road works in Scotland) have effect subject to the provisions of this section.
  - (2) The provisions of Schedule 4 or 6 of that Act (settlement of plan and section for works in streets or roads with special engineering difficulties) have effect subject as follows—
    - (a) the period under paragraph 7(2)(b) (period for responding to plan and section as submitted) shall be two months instead of one month;
    - (b) no modification of a plan and section shall be made which would involve an unacceptable diversion; and
    - (c) a plan and section shall not be disapproved on the ground that there should be such a diversion.
  - (3) An arbitrator or arbiter appointed in pursuance of—
    - (a) paragraph 8(2) of Schedule 4 or 6 of that Act (settlement of plan and section in case of works in street or road with special engineering difficulties), or
    - (b) section 84(3) or 143(3) of that Act (settlement of necessary measures in case of apparatus affected by certain major works),
 shall not provide for an unacceptable diversion.
  - (4) In subsections (2) and (3) above an “unacceptable diversion” means a lateral diversion of a pipe-line beyond the limits of lateral diversion permissible in relation to it.
  - (5) No person shall be entitled to payment under section 85 or 144 of the New Roads and Street Works Act 1991 (sharing of costs in case of apparatus affected by certain major works) in respect of measures of his taken in connection with a pipe-line.”.
- (4) In section 31(1) (power of Minister to remove materials deposited above pipe-line), for “code-regulated works within the meaning of the Public Utilities Street Works Act 1950” substitute “ street works within the meaning of Part III of the New Roads and Street Works Act 1991 or, in Scotland, road works within the meaning of Part IV of that Act ”.
- (5) In section 66(1) (general interpretation provisions), for the definition of “emergency works” substitute—
- ““emergency works” has the same meaning as in Part III of the New Roads and Street Works Act 1991 or, in Scotland, as in Part IV of that Act;”.

**Editorial Information**

- X1** This paragraph is numbered in accordance with the authorised published version which contains two sub-paragraphs numbered "(3)".

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**Commencement Information**

- II** Sch. 8 para. 101 wholly in force at 1.1.1993 by s. 170(1) and (E.W.) by S.I. 1992/2984, art. 2(2), **Sch. 2** and (S.) by S.I. 1992/2990, art. 2(2), **Sch. 2**

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