



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART IV

ROAD WORKS IN SCOTLAND

Charges, fees and contributions payable by undertakers

134 Inspection fees.

- (1) An undertaker executing road works shall, subject to the provisions of any scheme under this section, pay to the road works authority the prescribed fee in respect of each inspection of the works carried out by the authority.
- (2) Different fees may be prescribed according to the nature or extent of the excavation or other works, the place where they are executed and such other factors as appear to the Secretary of State to be relevant.
- (3) The Secretary of State may by regulations make a scheme under which undertakers pay the prescribed fee only in respect of such proportion or number of excavations or other works as may be determined in accordance with the scheme.
- (4) The scheme may make provision—
 - (a) as to the periods and areas by reference to which the proportion or number is to be determined, and
 - (b) as to the intervals at which an account is to be struck between an undertaker and a road works authority and any necessary payment or repayment made; and different provision may be made for different descriptions of undertaker and different descriptions of road works authority.
- (5) Nothing in this section applies in relation to inspections in respect of which the undertaker is obliged to bear the cost under section 131(2) (inspections consequent on his failure to comply with his duties as to reinstatement).

Status:

Point in time view as at 01/05/2020.

Changes to legislation:

New Roads and Street Works Act 1991, Section 134 is up to date with all changes known to be in force on or before 25 July 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.