



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART III

STREET WORKS IN ENGLAND AND WALES

Notice and co-ordination of works

56 Power to give directions as to timing of street works.

- (1) If it appears to the street authority—
 - (a) that proposed street works are likely to cause serious disruption to traffic, and
 - (b) that the disruption would be avoided or reduced if the works were carried out only at certain times [^{F1}or on certain days (or at certain times on certain days)],the authority may give the undertaker such directions as may be appropriate as to the times [^{F1}or days (or both)] when the works may or may not be carried out.
- (2) The procedure for giving a direction shall be prescribed by the Secretary of State.
- (3) An undertaker who executes works in contravention of a direction under this section commits an offence and is liable on summary conviction to a fine not exceeding [^{F2}level 5] on the standard scale.
- [^{F3}(3A) An undertaker shall be taken not to have failed to fulfil any statutory duty to afford a supply or service if, or to the extent that, his failure is attributable to a direction under this section.]
- (4) The Secretary of State may issue or approve for the purposes of this section a code of practice giving practical guidance as to the exercise by street authorities of the power conferred by this section; and in exercising that power a street authority shall have regard to the code of practice.

Status: Point in time view as at 26/08/2005. This version of this provision has been superseded.

Changes to legislation: New Roads and Street Works Act 1991, Section 56 is up to date with all changes known to be in force on or before 13 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. (See end of Document for details)

Textual Amendments

- F1** Words in s. 56(1) inserted (4.1.2005 for E.) by [Traffic Management Act 2004 \(c. 18\)](#), **ss. 43(2)**, 99(1); S.I. 2004/3110, art. 2(b)
- F2** Words in s. 56(3) substituted (4.10.2004 for E.) by [Traffic Management Act 2004 \(c. 18\)](#), ss. 40(1)(2), 99(1), **Sch. 1**; S.I. 2004/2380, art. 2(d)(i) (with art. 3)
- F3** S. 56(3A) inserted (4.1.2005 for E.) by [Traffic Management Act 2004 \(c. 18\)](#), **ss. 43(4)**, 99(1); S.I. 2004/3110, art. 2(b)

Modifications etc. (not altering text)

- C1** Pt. 3 modified (2.4.2004) by [The Docklands Light Railway \(Woolwich Arsenal Extension\) Order 2004 \(S.I. 2004/757\)](#), arts. 1, **3(1)**
- C2** Pt. 3 modified (11.2.2005) by [The Merseytram \(Liverpool City Centre to Kirkby\) Order 2005 \(S.I. 2005/120\)](#), arts. 1, **4(1)(2)** (with arts. 65, 66)
- C3** Pt. 3 modified (22.3.2005) by [The Midland Metro \(Wednesbury to Brierley Hill and Miscellaneous Amendments\) Order 2005 \(S.I. 2005/927\)](#), **art. 3(1)(2)** (with art. 51)
- C4** Pt. 3 modified (22.7.2005) by [The Midland Metro \(Birmingham City Centre Extension, etc.\) Order 2005 \(S.I. 2005/1794\)](#), arts. 1, **3(1)(2)** (with art. 47)
- C5** Pt. 3 applied (3.8.2005) by [The Greater Manchester \(Leigh Busway\) Order 2005 \(S.I. 2005/1918\)](#), arts. 1, **3(1)**
- C6** Pt. 3 modified (26.8.2005) by [The River Tyne \(Tunnels\) Order 2005 \(S.I. 2005/2222\)](#), arts. 1, **8(7)** (with arts. 45(1), 48, Sch. 10 paras. 21, 29)
- C7** S. 56 excluded (11.11.1996) by S.I. 1996/2714, **art. 4(1)**
S. 56 excluded (27.8.1998) by S.I. 1998/1936, **art. 4(1)**
S. 56 excluded (21.5.1997) by S.I. 1997/1266, **art. 5(1)**
S. 56 excluded (24.7.2001) by S.I. 2001/3627, **art. 4(2)**
- C8** S. 56 excluded (30.4.2002) by [The Docklands Light Railway \(Silvertown and London City Airport Extension\) Order 2002 \(S.I. 2002/1066\)](#), **art. 3(2)**
S. 56 excluded (31.5.2002) by [The Greater Manchester \(Light Rapid Transit System\) \(Trafford Depot\) Order 2002 \(S.I. 2002/1327\)](#), **art. 3(1)**
- C9** S. 56 excluded (2.4.2004) by [The Docklands Light Railway \(Woolwich Arsenal Extension\) Order 2004 \(S.I. 2004/757\)](#), arts. 1, **3(2)**
- C10** S. 56 excluded (11.2.2005) by [The Merseytram \(Liverpool City Centre to Kirkby\) Order 2005 \(S.I. 2005/120\)](#), arts. 1, **4(3)** (with arts. 65, 66)
- C11** S. 56 excluded (3.8.2005) by [The Greater Manchester \(Leigh Busway\) Order 2005 \(S.I. 2005/1918\)](#), arts. 1, **3(2)**
- C12** S. 56 excluded (26.8.2005) by [The River Tyne \(Tunnels\) Order 2005 \(S.I. 2005/2222\)](#), arts. 1, **8(8)** (with arts. 45(1), 48, Sch. 10 paras. 21, 29)
- C13** S. 56(1)(4): functions of a local authority made exercisable by, or by employees of, such person as may be authorised in that behalf by the local highway authority whose function it is (23.7.1999) by S.I. 1999/2106, art. 2, **Sch. 2 para. 1(d)**

Status:

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