

2001 No. 338

ROADS

STREET WORKS

**Street Works (Sharing of Costs of Works) (Amendment)
Regulations (Northern Ireland) 2001**

Made *1st October 2001*

Coming into operation *1st December 2001*

The Department for Regional Development(a), in exercise of the powers conferred by Article 45(1) and (4) of the Street Works (Northern Ireland) Order 1995(b) and now exercisable by it(c) and of every other power enabling it in that behalf hereby makes the following regulations:

Citation and commencement

1. These Regulations may be cited as the Street Works (Sharing of Costs of Works) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 1st December 2001.

Amendment

2. The Street Works (Sharing of Costs of Works) Regulations (Northern Ireland) 1998(d) shall be amended as follows—

- (a) in regulation 2 (payments in cases where measures are executed by the undertaker), for the words “regulations 6” there shall be substituted “regulations 5A, 6”;
- (b) in regulation 3 (payments in cases where measures are executed by the authority concerned), for the words “regulation 6” there shall be substituted “regulations 5A and 6”;
- (c) in regulation 5 (payments in cases where measures are executed by another person), for the words “regulation 6” there shall be substituted “regulations 5A and 6”;
- (d) after regulation 5 there shall be inserted the following regulation—

“Payments in respect of certain major transport works

5A.—(1) This regulation applies to major transport works other than those which—

- (a) are also major bridge works, or

(a) S.I. 1999/283 (N.I. 1) Article 3(1)
(b) S.I. 1995/3210 (N.I. 19)
(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV
(d) S.R. 1998 No. 156

(b) (if carried out by the Department) would be major road works of the kind described in Article 5(2)(a) to (f) of the Street Works (Northern Ireland) Order 1995.

(2) In relation to those major transport works to which this regulation applies, for references to 82 per cent in regulations 2, 5(b) and 8(a) there shall be substituted references to 92.5 per cent and for references to 18 per cent in regulations 3 and 5(a) there shall be substituted references to 7.5 per cent.”;

(e) in regulation 8 (payment of allowable costs), at the beginning there shall be inserted “Save as provided in regulation 5A,”.

Sealed with the Official Seal of the Department for Regional Development on 1st October 2001.

(L.S.)

J. Carlisle

A senior officer of the Department for
Regional Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Street Works (Sharing of Costs of Works) Regulations (Northern Ireland) 1998 (S.R. 1998 No. 156) which make provision for the sharing of costs between the Department for Regional Development, the bridge authority or the transport authority (“the authority concerned”) and the undertaker where the undertaker’s apparatus in a street is affected by major road, bridge or transport works and measures are required to protect it.

Regulation 2(d) makes provision for a lower percentage (7.5 per cent rather than the 18 per cent previously applicable) of the costs of the diversionary works to be paid for by the undertaker where such works are necessitated by major transport works other than major bridge works or major road works (except those consisting of or including tunnelling or boring under a road) by inserting a new regulation 5A. The authority concerned pays the remaining 92.5 per cent of those costs.

Regulation 2(a) to (c) and (e) make consequential amendments to regulations 2, 3, 5 and 8.

£1.75

Published by The Stationery Office Limited

Printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty’s Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly
Dd. N10232. C3. 10/01. Gp. 130. 14567.