

Amendment to regulation 3 of the principal regulations

4. In regulation 3(2) of the principal regulations, after the words "the chairman shall be" there shall be inserted the words "the President or".

Amendment to the Schedule to the principal regulations

5. In the Schedule (Rules of Procedure) to the principal regulations, for the word "Ministry" in rule 10(3) there shall be substituted the word "President".

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 2nd day of November nineteen hundred and sixty-six.

(L.S.)

W. G. H. Quigley,
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the regulations but is intended to indicate their general purport.)

These regulations which are made under section 13 of the Industrial Training Act (Northern Ireland) 1964 and section 52 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 provide for the appointment of a President of the Industrial Tribunals and also make certain consequential amendments to the principal regulations.

1966. No. 262

[C]

PRIVATE STREETS

Standards of Construction

REGULATIONS*, DATED 12TH OCTOBER 1966, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTION 3 OF THE PRIVATE STREETS ACT (NORTHERN IRELAND) 1964.

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

	<i>Regulation</i>
Citation and commencement	1
Interpretation	2
Application	3

*The above Regulations were confirmed by Resolutions of the Senate and the House of Commons on the 3rd day of November 1966.

PART II

STANDARDS

	<i>Regulation</i>
Materials and components	4
Level of street	5
Surface water drainage	6
Crossfalls and camber	7
Sub-soil drainage	8
Construction of sewers and drains	9
Means of access to sewers and drains	10
Tests for sewers and drains	11
Preparation of sub-grade	12
Carriageway construction	13
Footpath construction	14

PART III

DETAILED REQUIREMENTS

Submission and approval	15
Further detailed requirements	16
Manner of drawing up	17
Notice of submission	18
Printing	19

PART IV

PROCEDURE

Giving of notices and deposit of plans, sections, specifications and particulars	20
Notice of commencement and completion of certain stages of work	21
Manner of giving notice and depositing plans	22
Access and facilities for inspection of work and testing of sewers and drains	23
Relaxation of requirements of the regulations	24
Penalties	25
Removal or alteration of work not in conformity with the regulations	26
Determination of questions	27

The Ministry of Development, in exercise of the powers conferred upon it by section 3 of the Private Streets Act (Northern Ireland) 1964(a), hereby makes the following regulations:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Private Streets (Construction) Regulations (Northern Ireland) 1966, and shall come into operation on the 1st day of February 1967.

Interpretation

2. In these regulations—

“the Act” means the Private Streets Act (Northern Ireland) 1964;

“construction of a street” includes provision for the sewerage thereof;

“surveyor” means the surveyor or engineer to the sanitary authority or such other person duly authorised in writing by the sanitary authority to act in place of the surveyor or engineer;

“sub-grade” means the natural foundation or the fill which directly receives the load from the street;

“manhole” means any chamber constructed on a sewer or drain so as to provide access thereto for inspection and cleansing;

“foul water” means any water contaminated by soil water, waste water or trade effluent;

“formation” means the surface of the sub-grade in its final shape after completion of earthworks.

Application

3. These regulations apply only to streets in respect of which an interim development authority have exercised street planning functions under section 1(1) of the Act.

PART II

STANDARDS

Materials and components

4.—(1) All materials and components used in the construction of a street shall be—

(a) of a suitable quality and of suitable properties for the purposes for which they are used; and

(b) sufficiently resistant to deterioration and wear having regard to the conditions to which they will be subjected; and

(c) so applied, fixed or otherwise used as adequately to perform the functions for which they are designed.

(2) All materials used in the construction of a street shall be adequately mixed or prepared.

Level of street

5. Every street shall be constructed at such level as, having regard to the intended use of the premises abutting the street, will afford the easiest practicable gradients for communicating with any street or intended street with which it may be connected.

Surface water drainage

6. Every street shall be provided with a proper and sufficient drainage system for carrying off the surface water from the street.

Crossfalls and camber

7.—(1) Every street constructed for use as a carriageway shall be constructed with such camber or crossfall as may be suitable and sufficient to carry away surface water to the surface drain in the street.

(2) Every street constructed solely as a means of access for pedestrians to any premises shall be constructed with suitable crossfalls.

(3) Every footpath adjoining a carriageway shall be constructed with suitable crossfalls to the kerb or outer edge.

Sub-soil drainage

8. Wherever the dampness or position of the site of a street renders it necessary, the sub-soil of the site shall be effectively drained so as to protect the street against damage from moisture.

Construction of sewers and drains

9. Every sewer or drain provided in the construction of a street shall—

- (a) be of sufficient strength having regard to the manner in which it is bedded or supported and the maximum loads and forces to which it may be subjected, and (where necessary) protected against injury; and
- (b) have all joints formed in such a manner—
 - (i) as is appropriate to the materials of which the sewer or drain is made; and
 - (ii) that where the sewer or drain is to carry foul water, the joints shall remain watertight under all working conditions; and
- (c) be laid in a straight line between points where changes of direction or gradient occur; and
- (d) be of such capacity and so designed and constructed as to ensure that it is self-cleansing and efficiently carries away the maximum volume of matter which may be discharged into it.

Means of access to sewers and drains

10. Every sewer or drain provided in the construction of a street shall have such manholes as may be necessary, and every manhole shall—

- (a) be so designed and constructed of brickwork, concrete or other not less suitable and durable material as to—
 - (i) sustain the loads which may be imposed upon it; and
 - (ii) be watertight; and
- (b) be of such size and form as to permit ready access to the sewer or drain for inspection and cleansing; and
- (c) where the depth of the manhole so requires, have such step-irons, ladder or other fitting as will provide safe access to the level of the sewer or drain; and
- (d) have a removable cover of adequate strength, constructed of suitable and durable material, and the cover shall be non-ventilating where the manhole is in a sewer or drain which is to carry foul water.

Tests for sewers and drains

11. Every sewer and drain which is to carry foul water shall be capable of withstanding a suitable test for watertightness after the work of laying the sewer or drain has been carried out (including any necessary work of haunching or surrounding the sewer or drain with concrete and backfilling the trench).

Preparation of sub-grade

12. The sub-grade of a street shall be so prepared and compacted as to carry the traffic loads for which the street is designed, without such deflection as will cause damage to the street or impair its stability.

Carriageway construction

13. The carriageway of a street shall be so constructed, laid and compacted on the sub-grade as to provide a durable and otherwise satisfactory riding surface.

Footpath construction

14. Every footpath shall be so constructed, laid and compacted on the sub-grade as to provide a durable and otherwise satisfactory walking surface. Where a footpath adjoins a carriageway, it shall be constructed with suitable kerbing at the outer edge.

PART III

DETAILED REQUIREMENTS

Submission and approval

15.—(1) Subject to the provisions of paragraph (4) a sanitary authority, in agreement with the road authority, shall draw up such detailed requirements as may be necessary in relation to all or any of the matters for which regulations may be made under section 3(3)(a) of the Act and in relation to the testing of sewers and drains and submit them for the Ministry's approval within 3 months from the coming into operation of the regulations.

(2) If it appears to the Ministry that, because of exceptional circumstances, it is not reasonably practicable for a sanitary authority to submit detailed requirements within the period specified under paragraph (1), the Ministry may authorise the authority to submit detailed requirements within such extended period as the Ministry considers appropriate.

(3) The Ministry may approve the detailed requirements with or without modifications or additions and thereafter the detailed requirements as so approved shall be deemed to be requirements of the regulations within the district of the sanitary authority.

(4) Where a sanitary authority do not submit detailed requirements for the Ministry's approval within the period specified under paragraph (1) or (2), detailed requirements shall be drawn up in default by the Ministry and shall be deemed to be requirements of the regulations within the district of the authority.

Further detailed requirements

16.—(1) A sanitary authority, in agreement with the road authority, may at any time submit further detailed requirements to the Ministry for amplifying or modifying any detailed requirements previously approved or drawn up in default by the Ministry and paragraph 15(3) shall apply to any such further detailed requirements.

(2) Where the Ministry so directs, a sanitary authority shall, within the period specified by the Ministry, submit further detailed requirements for amplifying or modifying any detailed requirements previously approved or drawn up in default by the Ministry; and paragraphs 15(3) and (4), with the substitution of the period specified under this paragraph for the period specified in paragraph 15(4), shall apply to any such further detailed requirements.

Manner of drawing up

17. Detailed requirements submitted by a sanitary authority shall be drawn up under seal of the authority and shall be submitted to the Ministry in triplicate.

Notice of submission

18. Where a sanitary authority have submitted detailed requirements to the Ministry in accordance with regulation 15 or 16, they shall cause to be published in one or more than one newspaper circulating in the area, a notice—

- (a) stating that detailed requirements have been submitted to the Ministry; and
- (b) stating that copies of the requirements may be inspected within 28 days from the date on which notice of the requirements was last published, and specifying the place and times at which copies may be so inspected.

Printing

19. Detailed requirements approved or drawn up in default by the Ministry shall be printed, and a copy of the detailed requirements which apply in the district of a sanitary authority shall be made available by the sanitary authority, at a reasonable cost, to any person on application to the authority.

PART IV

PROCEDURE

Giving of notices and deposit of plans, sections, specifications and particulars

20.—(1) A person who intends to construct a street to which the regulations apply shall give to the sanitary authority notice in writing of his intention.

(2) He shall also send or deliver to the authority—

- (a) a location plan to a scale of not less than 1/2500 showing the proposed site of the street in clear relation to existing development in the area; and
- (b) a plan and longitudinal section and cross sections of the street. The plan and longitudinal section shall be to a scale not less than 1/500 horizontally and 1 inch to every 10 feet vertically; and the cross sections to a scale not less than 1 inch to every 10 feet horizontally and vertically; and
- (c) a specification of the works proposed and the materials and components to be used.

(3) Drawings shall be executed or reproduced in a clear and intelligible manner with suitable and durable materials and the scale shall be indicated on them.

(4) There shall be shown upon the plan referred to in paragraph 2(b) the width, position and arrangement of the street and the land to be regarded for the purposes of Part II of the Act as being comprised in the street, as determined under Part I of the Act, together with all particulars necessary to show whether the street complies with all such provisions of the regulations as apply to it, including—

- (a) the provision intended for carrying off the surface water from the street;
- (b) the position, levels and gradients of intended sewers; and
- (c) the position of the street in relation to the nearest existing streets.

(5) There shall also be shown upon the plan—

- (a) the names of the owners of the land occupied by the street and of the lands on each side of the street;

- (b) the name and address of the person intending to construct the street;
- (c) the name, if any, of the street; and
- (d) the direction of the north point of the compass.

(6) There shall be shown upon the sections all particulars necessary to show whether the street complies with all such provisions of the regulations as apply to it, including—

- (a) the levels of the present surface of the ground over or through which the street is to pass, taken from some known datum;
- (b) the levels and gradients of the street;
- (c) the levels of the ground immediately abutting on each side of the street, and, so far as necessary and practicable, the intended levels of the building sites on each side of the street;
- (d) the provision intended for carrying off the surface water from the street;
- (e) the levels and gradients of intended sewers; and
- (f) the levels and gradients of any intended or existing streets with which it is intended that the street shall connect, so far as it is necessary to show the levels and gradients at which the new street will connect with such intended or existing streets.

Notice of commencement and completion of certain stages of work

21.—(1) For the purposes of this regulation, the expression “24-hours’ notice” shall not include a Saturday, Sunday, Bank Holiday or day appointed for public thanksgiving or mourning.

(2) A person who intends to construct a street to which the regulations apply shall give to the surveyor not less than 24-hours’ notice in writing of the date and time at which—

- (a) the construction of the street will be commenced; and
- (b) the covering-up of any sewer or drain to which the regulations apply will be commenced; and
- (c) the covering-up of the formation will be commenced; and
- (d) the covering-up of the base of the street will be commenced.

(3) Such a person shall—

- (a) if he neglects or refuses to give any such notice, comply with a notice in writing by the surveyor requiring him within a reasonable time to cut into or lay open so much of the street as prevents the surveyor from ascertaining whether any of the regulations have been contravened;
- (b) if he has received a notice in writing from the surveyor pointing out the respects in which the street contravenes the regulations, and as a result of such notice has altered or added to the street so as to secure compliance with the regulations, within a reasonable time after the completion of such work give to the surveyor notice in writing of its completion; and
- (c) within a reasonable time after the completion of the construction of the street give to the surveyor notice in writing of the completion.

Manner of giving notice and depositing plans

22.—(1) A person who is required by the regulations to give, send or deliver any notice or any plans, sections, specifications or particulars shall sign them or cause them to be signed by his duly authorised agent.

(2) If such notice or other document is signed by such agent, it shall state the name and address of the person on whose behalf it has been given, sent or delivered.

(3) Any such notice or other document together with a duplicate thereof shall be sent or delivered either to the office of the sanitary authority or to the office of the person to whom the notice is required by the regulations to be sent or delivered.

Access and facilities for inspection of work and testing of sewers and drains

23. A person duly authorised by the sanitary authority and any person accompanying such person shall at all times during the construction of a street and thereafter until a certificate is issued in respect of the street under section 5(4)(b) or 32(1)(b) of the Act, be afforded free access to the street and to any work to which the regulations apply, for the purpose of inspection of work and the testing of sewers and drains, and be afforded all reasonable facilities for such inspection and testing.

Relaxation of requirements of the regulations

24. Where a sanitary authority are satisfied that the operation of any provision of the regulations in force in their district is unreasonable in relation to a particular case, they may, with the consent of the Ministry, relax the requirements of the regulations or dispense with the compliance therewith.

Penalties

25. Any person guilty of an offence against the regulations shall be liable on summary conviction to a penalty not exceeding five pounds, and in the case of a continuing offence to a further penalty not exceeding forty shillings for each day during which the offence continues after written notice of the offence from the sanitary authority.

Removal or alteration of work not in conformity with the regulations

26.—(1) If any work to which the regulations are applicable contravenes any of the regulations, the sanitary authority may by notice require any person by whom, or on whose behalf, the work was executed, either to remove the work, or, if he so elects, to effect such alterations therein as may be necessary to make it comply with the regulations.

(2) If a person to whom a notice has been given under paragraph (1) fails to comply with the notice before the expiration of 28 days from the date of the service of the notice on him or such longer period as may be specified in the notice, the sanitary authority by whom the notice was given may remove the work in question, or effect such alterations therein as they deem necessary.

(3) No such notice as is mentioned in paragraph (1) shall be given after the expiration of twelve months from the date of the completion of the work in question, and it shall not be open to an authority to give a notice in a case where—

- (a) the work contravenes the regulations only as to the giving of notices, the deposit of plans, sections, specifications and particulars or as to access and facilities for inspection of work and the testing of sewers and drains; or
- (b) all notices required by the regulations have been duly given and the surveyor has not within seven days after the notice of the completion of the work given notice in writing that the work contravenes the regulations.

Determination of questions

27.—(1) Any question arising under the regulations between a sanitary authority and the person by whom or on whose behalf plans are deposited, whether the plans are defective, or whether the proposed work contravenes any of the regulations shall, on the application of that person, be determined by the Ministry.

(2) No such application referred to in paragraph (1) shall be entertained unless it is made before the proposed work has been substantially begun.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 12th day of October 1966.

(L.S.)

W. K. Fitzsimmons,

Minister of Development.

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations prescribe standards for the construction of streets to which section 1(1) of the Private Streets Act (Northern Ireland) 1964 applies; and provide for the observance of the standards.

They replace new street and building byelaws so far as streets dealt with under section 1(1) are concerned.

Provision is made in Part III of the regulations for the standards to be supplemented by detailed requirements to be drawn up by each sanitary authority or in default by the Ministry.

1966. No. 263

[C]

AGRICULTURAL EMPLOYMENT**SAFETY, HEALTH AND WELFARE****Field Machinery**

REGULATIONS, DATED 3RD NOVEMBER 1966, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 1 OF THE AGRICULTURE (SAFETY, HEALTH AND WELFARE PROVISIONS) ACT (NORTHERN IRELAND) 1959(a).

The Ministry of Agriculture in exercise of the powers conferred on it by section 1 of the Agriculture (Safety, Health and Welfare Provisions) Act (Northern Ireland) 1959, and of all other powers enabling it in that behalf, after consultation with such organisations as appear to it to represent the interests concerned, hereby makes the following regulations:—

(a) 1959. c. 24.