
SCOTTISH STATUTORY INSTRUMENTS

2024 No. 23

The Road Works (Scottish Road Works Register Fees and Miscellaneous Amendment) Regulations 2024

Citation and commencement

1. These Regulations may be cited as the Road Works (Scottish Road Works Register Fees and Miscellaneous Amendment) Regulations 2024 and come into force on 1 April 2024.

Interpretation

2. In these Regulations—

“the Act” means the New Roads and Street Works Act 1991,

“financial year 2024/2025” means the period of 12 months commencing on 1 April 2024,

“relevant period” means the period of 12 months ending on 31 December 2023,

“relevant undertaker” means an undertaker who has entered a notice in the SRWR(1) in the relevant period,

“undertaker” has the same meaning as in section 107(4) of the Act but excludes those persons granted permission under section 109 of the Act to execute road works.

Prescribed fees

3.—(1) For financial year 2024/2025—

(a) payment to the Commissioner(2) of the prescribed fee, calculated in accordance with paragraph (3), is a condition of access to the SRWR by roads authorities(3) under section 112A(3) of the Act,

(b) payment to the Commissioner of the prescribed fee, calculated in accordance with paragraph (4), is a condition of access to the SRWR by relevant undertakers under section 112A(3) of the Act.

(2) Payments due to the Commissioner under this regulation must be made within 60 days of receipt of the invoice from the Commissioner.

(3) For each roads authority, the prescribed fee for financial year 2024/2025 for the purposes of section 112A(4)(a) of the Act must be calculated in accordance with the formula—

$$R \times (\pounds 901,314 - \pounds A)$$

where—

(1) The Scottish Road Works Register is kept in terms of section 112A(1) of the New Roads and Street Works Act 1991 (“the 1991 Act”), which also defines “the SRWR”.

(2) The Scottish Road Works Commissioner, created by section 16(1) of the Transport (Scotland) Act 2005, has functions under section 112A(1) of the 1991 Act, which also defines “the Commissioner”.

(3) Section 145(1) of the 1991 Act defines “roads authority” as having the same meaning as in section 151 of the Roads (Scotland) Act 1984 (c. 54).

R is the figure shown in column 2 of the schedule of these Regulations in relation to the roads authority specified in the corresponding entry in column 1 of the schedule to which the calculation relates, and

£A is the total amount payable to the Commissioner by way of prescribed amounts for financial year 2024/2025 pursuant to regulation 3 of the Scottish Road Works Register (Prescribed Fees and amounts) Regulations 2008(4).

(4) For each relevant undertaker, the prescribed fee for financial year 2024/2025 for the purpose of section 112A(4)(a) of the Act must be calculated in accordance with the formula—

$$\frac{N}{TN} \times (£901,314 - £A) \times 0.65$$

where—

N is the number of notices entered by the relevant undertaker to which the calculation relates in the SRWR in the relevant period,

TN is the total number of notices entered by all relevant undertakers in the SRWR in the relevant period, and

£A has the same meaning as in paragraph (3).

Revocation

4. The Scottish Road Works Register (Prescribed Fees) Regulations 2022(5) are revoked.

Amendment of the Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017

5.—(1) The Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017(6) are amended in accordance with paragraph (2).

(2) In regulation 8(1) (qualification registration)—

- (a) in sub-paragraph (c) omit “and”,
- (b) at the end of sub-paragraph (d) insert—
- “,
- (e) Highfield Qualifications(7), and
- (f) EUIAS(8).”.

Amendment of the Road Works (Reinstatement Quality Plans, Qualifications of Supervisors and Operatives and Miscellaneous Amendments) (Scotland) Regulations 2023

6.—(1) The Road Works (Reinstatement Quality Plans, Qualifications of Supervisors and Operatives and Miscellaneous Amendments) (Scotland) Regulations 2023(9) are amended in accordance with paragraph (2).

(2) In regulation 10(1) (qualification registration)—

- (a) in sub-paragraph (c) omit “and”,

(4) [S.S.I. 2008/16](#). Regulation 3(4) was amended by regulation 5 of [S.S.I. 2014/58](#).

(5) [S.S.I. 2022/9](#).

(6) [S.S.I. 2017/147](#), as relevantly amended by [S.S.I. 2019/159](#).

(7) Highfield Qualifications means Highfield Awarding Body for Compliance Limited, a limited company registered in England and Wales under company number 06478925.

(8) EUIAS means Energy and Utility Skills Limited, a company limited by guarantee and registered in England and Wales under company number 03812163.

(9) [S.S.I. 2023/33](#).

(b) at the end of sub-paragraph (d) insert—

“

(e) Highfield Qualifications(10), and

(f) EUIAS(11).”.

St Andrew’s House,
Edinburgh
23rd January 2024

FIONA HYSLOP
Authorised to sign by the Scottish Ministers

(10) Highfield Qualifications means Highfield Awarding Body for Compliance Limited, a limited company registered in England and Wales under company number 06478925.

(11) EUIAS means Energy and Utility Skills Limited, a company limited by guarantee and registered in England and Wales under company number 03812163.