

Status: Point in time view as at 01/01/1993.

Changes to legislation: New Roads and Street Works Act 1991, Cross Heading: Land Powers (Defence) Act 1958 (c.30) is up to date with all changes known to be in force on or before 19 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)

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

Extent Information

- E1** [Sch. 8](#) extends to England and Wales and to Scotland or Northern Ireland also if amended enactment so extends see [s. 169](#)

PART IV

AMENDMENTS OF OTHER ENACTMENTS

Land Powers (Defence) Act 1958 (c.30)

100 In the Land Powers (Defence) Act 1958, after section 18 insert—

“18A Modification of street works or road works provisions.

- (1) In relation to works in exercise of the powers under a wayleave order, or the powers conferred by section 12 of the Requisitioned Land and War Works Act 1948, the provisions of Part III or IV of the New Roads and Street Works Act 1991 (street works in England and Wales or road works in Scotland) have effect subject to the provisions of this section.
- (2) The provisions of Schedule 4 or 6 of that Act (settlement of plan and section for works in streets or roads with special engineering difficulties) have effect subject as follows—
 - (a) an objection to a plan and section in form shall be disregarded if a Minister certifies that in his opinion it would be against the national interest to submit a plan and section on a larger scale or giving further particulars;
 - (b) no modification of a plan and section shall be made which would involve an unacceptable diversion or change; and
 - (c) a plan and section shall not be disapproved on the ground that there should be such a diversion or change.
- (3) An arbitrator or arbiter appointed in pursuance of—
 - (a) paragraph 8(3) of Schedule 4 or 6 of that Act (settlement of plan and section in case of works in street or road with special engineering difficulties), or
 - (b) section 84(3) or 143(3) of that Act (settlement of necessary measures in case of apparatus affected by certain major works),shall not provide for an unacceptable diversion or change.

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- (4) In subsections (2) and (3) above an “unacceptable diversion or change” means—
- (a) a lateral diversion of a government oil pipe-line to which the Minister on whose behalf the works are to be executed does not consent, or
 - (b) a change of the site of accessory works which would necessitate such a diversion.”.

Commencement Information

- II** Sch. 8 para. 100 partly in force: Sch. 8 para. 100 in force at 1.1.1993 by s. 170(1) and (E.W.) by S.I. 1992/2984, art. 2(2), **Sch. 2**; (S.) by S.I. 1992/2990, art. 2(2), **Sch. 2**

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