



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART III

#### STREET WORKS IN ENGLAND AND WALES

##### *Supplementary provisions*

#### **106 Index of defined expressions.**

The expressions listed below are defined or otherwise fall to be construed for the purposes of this Part in accordance with the provisions indicated—

---

affected by (in relation to apparatus and works)	section 105(4)
apparatus	sections 89(3) and 105(1)
arbitration	section 99
bridge	section 88(1)(a)
bridge authority	section 88(1)(b)
carriageway	section 105(1)
costs	section 96
disability	(see section 105(5))
emergency works	section 52
enactment	section 105(1)
expenses	section 96
[ <sup>F1</sup> fixed penalty offence]	section 95A(1)]
footway	section 105(1)

*Status: Point in time view as at 01/09/2020. This version of this provision has been superseded.*

**Changes to legislation:** *New Roads and Street Works Act 1991, Section 106 is up to date with all changes known to be in force on or before 28 June 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)*

highway authority	section 86(1)
in (in a context referring to works, apparatus or other property in a street)	section 105(1)
licensee (in relation to a street works licence)	section 50(3)
local highway authority	section 86(1)
maintainable highway	section 86(1)
major bridge works	section 88(2)
major highway works	section 86(3)
major transport works	section 91(2)
notice	section 97
prescribed	section 104
public sewer	section 89(1)(a)
railway	section 105(1)
reinstatement	section 105(1) (and see sections 70(5) and 90(1))
relevant authority (in relation to street works)	section 49(6) (and see section 91(3))
sewer	section 89(1)(a)
sewer authority	section 89(1)(b)
special enactment	section 105(1)
statutory right	section 105(1)
[ <sup>F2</sup> strategic highways company]	[ <sup>F3</sup> section 86(1A)]
street	section 48(1)
street authority	section 49(1)
street managers	section 49(4)
street works	section 48(3) (and see section 105(2) and (3))
street works licence	section 50(1)
traffic	section 105(1)
traffic authority	section 105(1)
traffic sign	section 105(1)
tramway	section 105(1)
transport authority	section 91(1)(a)
transport undertaking	section 91(1)(b)
undertaker (in relation to street works or apparatus)	sections 48(4) and(5) and 89(4)

*Status: Point in time view as at 01/09/2020. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 106 is up to date with all changes known to be in force on or before 28 June 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)*

working day	section 98(2)
works for road purposes	section 86(2).

#### Textual Amendments

- F1** Words in s. 106 inserted (12.5.2008) by Traffic Management Act 2004 (c. 18), **ss. 41(2)**, 99(1); S.I. 2007/1890, **art. 2, Sch.**; S.I. 2007/3174, **art. 2, Sch.**
- F2** Words in s. 106 inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 122(a)**; S.I. 2015/481, **reg. 2(a)**
- F3** Words in s. 106 inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 122(b)**; S.I. 2015/481, **reg. 2(a)**

#### Modifications etc. (not altering text)

- C1** Pt. 3 applied (with modifications) (9.4.2013) by The Hinkley Point C (Nuclear Generating Station) Order 2013 (S.I. 2013/648), **arts. 1, 9** (with arts. 48, 68, 79)
- C2** Pt. 3 restricted (6.8.2014) by The Rampion Offshore Wind Farm Order 2014 (S.I. 2014/1873), **art. 1, Sch. 12 Pt. 2 para. 3** (with arts. 12, 13, Sch. 12 Pt. 1 paras. 6(3), 19, Pt. 2 paras. 3, 6, 13, Pt. 3 para. 5, Pt. 4 para. 4, Pt. 5 para. 4)
- C3** Pt. 3 modified (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), **arts. 1, 10(5)**, 11(4)
- C4** Pt. 3 applied (with modifications) (2.8.2016) by The Midland Metro (Wolverhampton City Centre Extension) Order 2016 (S.I. 2016/684), **arts. 1, 5(1)(2)** (with arts. 46, 47, Sch. 8 para. 2(7), Sch. 9 para. 4, Sch. 10 para. 12(2))
- C5** Pt. 3 modified (23.9.2016) by The M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016 (S.I. 2016/863), **arts. 1, 9(2)**
- C6** Pt. 3 modified (29.3.2017) by The Glyn Rhonwy Pumped Storage Generating Station Order 2017 (S.I. 2017/330), **arts. 1, 12(1)** (with art. 31)
- C7** Pt. 3 applied (with modifications) (27.2.2020) by The A30 Chiverton to Carland Cross Development Consent Order 2020 (S.I. 2020/121), **arts. 1, 12(1)(2)** (with art. 3(1))
- C8** Pt. 3 modified (11.6.2020) by The M42 Junction 6 Development Consent Order 2020 (S.I. 2020/528), **arts. 1, 13(1)(2)** (with art. 37)
- C9** Ss. 54-106 applied (28.2.2013) by The Rookery South (Resource Recovery Facility) Order 2011 2013 (S.I. 2013/680), **art. 10(3)**
- C10** Ss. 54-106 applied (9.4.2013) by The Lancashire County Council (Torrisholme to the M6 Link (A683 Completion of Heysham to M6 Link Road)) Order 2013 (S.I. 2013/675), **arts. 1, 9(2)**
- C11** Ss. 54-106 applied (15.6.2013) by The Galloper Wind Farm Order 2013 (S.I. 2013/1203), **arts. 1, 13(3)** (with arts. 11, 12)
- C12** Ss. 54-106 applied (15.8.2013) by The North Blyth Biomass Power Station Order 2013 (S.I. 2013/1873), **arts. 1, 9(3)** (with art. 30)
- C13** Ss. 54-106 applied (7.7.2014) by The East Anglia ONE Offshore Wind Farm Order 2014 (S.I. 2014/1599), **arts. 1, 8(3)** (with arts. 37, 38, Sch. 9 para. 19)
- C14** Ss. 54-106 applied (6.8.2014) by The Rampion Offshore Wind Farm Order 2014 (S.I. 2014/1873), **arts. 1, 15(3)** (with arts. 7(6), 12, 13, Sch. 12 Pt. 1 para. 19, Sch. 12 Pt. 2 para. 6, sch. 12 Pt. 3 para. 5, Sch. 12 Pt. 4 para. 4, Sch. 12 Pt. 5 para. 4)
- C15** Ss. 54-106 applied (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), **arts. 1, 10(4)**, 11(5) (with arts. 55, 56)
- C16** Ss. 54-106 applied (2.10.2014) by The North Killingholme (Generating Station) Order 2014 (S.I. 2014/2434), **arts. 1, 9(3)** (with arts. 6, 9(4), 13, Sch. 8 Pt. 1 para. 6, Sch. 8 Pt. 3 paras. 4(3), 6, 17, Sch. 8 Pt. 5 para. 9)
- C17** Ss. 54-106 applied (29.10.2014) by The Able Marine Energy Park Development Consent Order 2014 (S.I. 2014/2935), **art. 15(3)** (with arts. 30(4), 53)

*Status: Point in time view as at 01/09/2020. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 106 is up to date with all changes known to be in force on or before 28 June 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)*

- C18** Ss. 54-106 applied (28.11.2014) by The Walney Extension Offshore Wind Farm Order 2014 (S.I. 2014/2950), arts. 1, **10(3)** (with arts. 38, 39)
- C19** Ss. 54-106 applied (7.1.2015) by The Willington C Gas Pipeline Order 2014 (S.I. 2014/3328), arts. 1, **10(3)**
- C20** Ss. 54-106 applied (2.2.2015) by The Northumberland County Council (A1 – South East Northumberland Link Road (Morpeh Northern Bypass)) Development Consent Order 2015 (S.I. 2015/23), arts. 1, **9(2)**
- C21** Ss. 54-106 applied (26.2.2015) by The Cornwall Council (A30 Temple to Higher Carblake Improvement) Order 2015 (S.I. 2015/147), arts. 1, **9(3)**
- C22** Ss. 54-106 applied (11.3.2015) by The Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 (S.I. 2015/318), arts. 1, **13(3)** (with arts. 8(5), 35, 40, 41, **Sch. 12 Pt. 1 paras. 4, 9(2), 10, Pt. 2 paras. 4(2)(3), 19, Pt. 4 paras. 3, 4, 16**)
- C23** Ss. 54-106 applied (1.4.2015) by The Knottingley Power Plant Order 2015 (S.I. 2015/680), arts. 1, **10(3)** (with art. 7(6), **Sch. 8 para. 10**)
- C24** Ss. 54-106 applied (23.6.2015) by The Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T))) Order 2015 (S.I. 2015/1347), arts. 1, **9(2)**
- C25** Ss. 54-106 applied (30.6.2015) by The Swansea Bay Tidal Generating Station Order 2015 (S.I. 2015/1386), arts. 1, **9(3)** (with arts. 51, 53)
- C26** Ss. 54-106 applied (7.8.2015) by The Preesall Underground Gas Storage Facility Order 2015 (S.I. 2015/1561), arts. 1, **9(3)** (with art. 44)
- C27** Ss. 54-106 applied (14.8.2015) by The Progress Power (Gas Fired Power Station) Order 2015 (S.I. 2015/1570), arts. 1, **10(3)**
- C28** Ss. 54-106 applied (26.8.2015) by The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (S.I. 2015/1592), arts. 1, **14(3)** (with arts. 35, 40, 41)
- C29** Ss. 54-106 applied (19.11.2015) by The Ferrybridge Multifuel 2 Power Station Order 2015 (S.I. 2015/1832), arts. 1(2), **9(3)**
- C30** Ss. 54-106 applied (30.12.2015) by The Port Talbot Steelworks Generating Station Order 2015 (S.I. 2015/1984), arts. 1, **9(3)** (with art. 26)
- C31** Ss. 54-106 applied (with modifications) (25.3.2016) by The Thorpe Marsh Gas Pipeline Order 2016 (S.I. 2016/297), arts. 1, **12(3)** (with art. 39)
- C32** Ss. 54-106 applied (2.8.2016) by The Meaford Gas Fired Generating Station Order 2016 (S.I. 2016/779), arts. 1, **11(3)**
- C33** Ss. 54-106 applied (10.8.2016) by The York Potash Harbour Facilities Order 2016 (S.I. 2016/772), arts. 1, **10(3)** (with arts. 35, 36)
- C34** Ss. 54-106 applied (19.8.2016) by The North Wales Wind Farms Connection Order 2016 (S.I. 2016/818), arts. 1, **10(5)** (with art. 35)
- C35** Ss. 54-106 applied (with modifications) (15.9.2016) by The River Humber Gas Pipeline Replacement Order 2016 (S.I. 2016/853), arts. 1, **11(3)** (with art. 43)
- C36** Ss. 54-106 applied (23.9.2016) by The M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016 (S.I. 2016/863), arts. 1, **11(3)**
- C37** Ss. 54-106 applied (27.9.2016) by The Triton Knoll Electrical System Order 2016 (S.I. 2016/880), arts. 1(2), **8(3)** (with arts. 39, 40, **Sch. 8 para. 19**)
- C38** Ss. 54-106 applied (18.3.2017) by The North London Heat and Power Generating Station Order 2017 (S.I. 2017/215), arts. 1, **10(3)**
- C39** Ss. 54-106 applied (29.3.2017) by The Glyn Rhonwy Pumped Storage Generating Station Order 2017 (S.I. 2017/330), arts. 1, **10(3)** (with art. 31)
- C40** Ss. 54-106 applied (5.4.2017) by The Keuper Underground Gas Storage Facility Order 2017 (S.I. 2017/433), arts. 1, **10(4)**
- C41** Ss. 54-106 applied (8.8.2017) by The Wrexham Gas Fired Generating Station Order 2017 (S.I. 2017/766), arts. 1, **10(3)**
- C42** Ss. 54-106 applied (29.8.2017) by The East Anglia THREE Offshore Wind Farm Order 2017 (S.I. 2017/826), arts. 1, **8(3)** (with arts. 5(9), 36, 37, **Sch. 8 para. 34**)

---

*Status: Point in time view as at 01/09/2020. This version of this provision has been superseded.*

**Changes to legislation:** *New Roads and Street Works Act 1991, Section 106 is up to date with all changes known to be in force on or before 28 June 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)*

---

- C43** Ss. 54-106 applied (12.10.2018) by The Eggborough Gas Fired Generating Station Order 2018 (S.I. 2018/1020), arts. 1, **8(3)** (with arts. 6, 42)
- C44** Ss. 54-106 applied (3.4.2019) by The Millbrook Gas Fired Generating Station Order 2019 (S.I. 2019/578), arts. 1, **9(3)**
- C45** Ss. 54-106 applied (10.10.2019) by The Abergelli Power Gas Fired Generating Station Order 2019 (S.I. 2019/1268), arts. 1, **9(3)**
- C46** Ss. 54-106 applied (25.10.2019) by The Drax Power (Generating Stations) Order 2019 (S.I. 2019/1315), arts. 1, **9(3)**
- C47** Ss. 54-106 applied (27.2.2020) by The A30 Chiverton to Carland Cross Development Consent Order 2020 (S.I. 2020/121), arts. 1, **11(3)** (with art. 3(1))
- C48** Ss. 54-106 applied (14.4.2020) by The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020 (S.I. 2020/325), arts. 1, **10(4)** (with art. 7)
- C49** Ss. 54-106 applied (1.5.2020) by The Riverside Energy Park Order 2020 (S.I. 2020/419), arts. 1, **11(3)** (with art. 7)
- C50** Ss. 54-106 applied (11.6.2020) by The M42 Junction 6 Development Consent Order 2020 (S.I. 2020/528), arts. 1, **12(3)** (with art. 37)
- C51** Ss. 54-106 applied (1.9.2020) by The Immingham Open Cycle Gas Turbine Order 2020 (S.I. 2020/847), arts. 1, **9(3)** (with Sch. 9 para. 144)

**Status:**

Point in time view as at 01/09/2020. This version of this provision has been superseded.

**Changes to legislation:**

New Roads and Street Works Act 1991, Section 106 is up to date with all changes known to be in force on or before 28 June 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.