



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART IV

ROAD WORKS IN SCOTLAND

Provisions with respect to particular authorities and undertakings

148 Sewers

- (1) An undertaker proposing to execute road works affecting a sewer vested in a local authority shall consult that authority before giving notice under section 114 (notice of starting date) in relation to the works.
- (2) References in this Part to apparatus include a sewer, drain or tunnel.
- (3) References to the undertaker in relation to such apparatus, or in relation to road works in connection with such apparatus, shall be construed—
 - (a) in the case of a sewer vested in a local authority, as references to that authority, and
 - (b) in any other case, as references to the authority, body or person having the management or control of the sewer, drain or tunnel.
- (4) Section 128 (provisions as to works likely to affect other apparatus in the road) does not apply by virtue of subsection (2) above in relation to works likely to affect a sewer vested in a local authority if, or to the extent that, Schedule 6 (works in roads with special engineering difficulties) applies.