



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART III

#### STREET WORKS IN ENGLAND AND WALES

##### *Notice and co-ordination of works*

#### **[<sup>F1</sup>56A Power to give directions as to placing of apparatus**

- (1) Where—
  - (a) an undertaker is proposing to execute street works consisting of the placing of apparatus in a street (“street A”),
  - (b) placing the apparatus in street A is likely to cause disruption to traffic, and
  - (c) it appears to the street authority that—
    - (i) there is another street (“street B”) in which the apparatus could be placed, and
    - (ii) the conditions in subsection (2) are satisfied,the authority may by direction require the undertaker not to place the apparatus in street A (but may not require him to place the apparatus in street B).
- (2) The conditions referred to in subsection (1)(c) are that—
  - (a) disruption to traffic would be avoided or reduced if the apparatus were to be placed in street B;
  - (b) placing the apparatus in street B would be a reasonable way of achieving the purpose for which the apparatus is to be placed; and
  - (c) it is reasonable to require the undertaker not to place the apparatus in street A.
- (3) A direction under this section may be varied or revoked by a further such direction.
- (4) The procedure for giving a direction under this section shall be prescribed by the Secretary of State.

*Status: Point in time view as at 19/11/2015. This version of this provision has been superseded.*

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- (5) The Secretary of State may by regulations make provision for appeals against directions under this section, including provision as to the persons who may determine appeals and the procedure to be followed on an appeal.
- (6) An undertaker who executes works in contravention of a direction under this section commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (7) An undertaker shall be taken not to have failed to fulfil any statutory duty to afford a supply or service if, or to the extent that, his failure is attributable to a direction under this section.
- (8) The Secretary of State may issue or approve for the purposes of this section a code of practice giving practical guidance as to the exercise by street authorities of the power conferred by this section; and in exercising that power a street authority shall have regard to the code of practice.]

#### Textual Amendments

- F1** S. 56A inserted (29.6.2007 for E. for specified purposes, 26.11.2007 for W. for specified purposes, 1.4.2008 for E.W. in so far as not already in force) by [Traffic Management Act 2004 \(c. 18\)](#), **ss. 44, 99(1)**; S.I. 2007/1890, **art. 2, Sch.** (with **art. 4**); S.I. 2007/3174, **art. 2, Sch.** (with **art. 5**)

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

- C1** Pt. 3 modified (16.5.2008) by [The London Gateway Port Harbour Empowerment Order 2008 \(S.I. 2008/1261\)](#), **arts. 1, 6(6)** (with **arts. 41(1), 45, 54(2), 55, 56, 57, 58(6)**)
- C2** Pt. 3 modified (16.5.2008) by [The London Gateway Port Harbour Empowerment Order 2008 \(S.I. 2008/1261\)](#), **arts. 1, 6(1)** (with **arts. 41(1), 45, 54(2), 55, 56, 57, 58(6)**)
- C3** Pt. 3 modified (22.7.2008) by [Crossrail Act 2008 \(c. 18\)](#), **Sch. 3 para. 8**
- C4** Pt. 3 excluded (22.7.2008) by [Crossrail Act 2008 \(c. 18\)](#), **Sch. 17 para. 1(3)**
- C5** Pt. 3 modified (9.6.2009) by [The Nottingham Express Transit System Order 2009 \(S.I. 2009/1300\)](#), **arts. 1, 4(1)(2)** (with **Sch. 13 para. 14(2), Sch. 14 para. 19, Sch. 16**)
- C6** Pt. 3 modified (18.9.2009) by [The London Underground \(Victoria Station Upgrade\) Order 2009 \(S.I. 2009/2364\)](#), **arts. 1, 3(1)(2)**
- C7** Pt. 3 modified (1.2.2011) by [The River Mersey \(Mersey Gateway Bridge\) Order 2011 \(S.I. 2011/41\)](#), **arts. 1, 3(1)** (with **art. 51, Sch. 10 paras. 68, 85**)
- C8** 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**)
- C9** Pt. 3 modified (22.8.2013) by [The Leeds Railway Station \(Southern Entrance\) Order 2013 \(S.I. 2013/1933\)](#), **arts. 1, 3(1)**
- C10** Pt. 3 modified (6.11.2013) by [The Transport for Greater Manchester \(Light Rapid Transit System\) \(Second City Crossing\) Order 2013 \(S.I. 2013/2587\)](#), **arts. 1, 4(1)(2)** (with **arts. 42, 43**)
- C11** Pt. 3 modified (20.11.2013) by [The M1 Junction 10a \(Grade Separation\) Order 2013 \(S.I. 2013/2808\)](#), **arts. 1, 8(1)(2)**
- C12** Pt. 3 modified (9.1.2014) by [The National Grid \(King's Lynn B Power Station Connection\) Order 2013 \(S.I. 2013/3200\)](#), **arts. 1, 9(1)**
- C13** Pt. 3 applied (with modifications) (9.1.2014) by [The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013 \(S.I. 2013/3244\)](#), **arts. 1, 4(9)** (with **arts. 57, 58, Sch. 11 para. 19**)
- C14** Pt. 3 modified (9.1.2014) by [The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013 \(S.I. 2013/3244\)](#), **arts. 1, 4(1)(2)** (with **arts. 57, 58, Sch. 11 para. 19**)
- C15** 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**)

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- C16** Pt. 3 modified (18.9.2014) by The A556 (Knutsford to Bowdon Improvement) Development Consent Order 2014 (S.I. 2014/2269), arts. 1, **8(1)(2)**
- C17** 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)
- C18** Pt. 3 modified (21.10.2014) by The Central Bedfordshire Council (Woodside Link Houghton Regis) Development Consent Order 2014 (S.I. 2014/2637), arts. 1, **8(1)(2)**
- C19** Pt. 3 modified (15.12.2014) by The London Underground (Northern Line Extension) Order 2014 (S.I. 2014/3102), arts. 1, **3(2)** (with Sch. 8 para. 45)
- C20** S. 56A excluded (11.2.2005) by The Merseytram (Liverpool City Centre to Kirkby) Order 2005 (S.I. 2005/120), arts. 1, **4(3)** (with arts. 65, 66)
- C21** S. 56A excluded (22.11.2006) by The Docklands Light Railway (Stratford International Extension) Order 2006 (S.I. 2006/2905), arts. 1, **3(3)** (with art. 43)
- C22** S. 56A excluded (23.8.2007) by The Docklands Light Railway (Capacity Enhancement and 2012 Games Preparation) Order 2007 (S.I. 2007/2297), arts. 1, **3(2)** (with arts. 3(3)(6), 12(3))
- C23** S. 56A excluded (16.5.2008) by The London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261), arts. 1, **6(2)** (with arts. 41(1), 45, 54(2), 55, 56, 57, 58(6))
- C24** S. 56A excluded (22.7.2008) by Crossrail Act 2008 (c. 18), **Sch. 14 para. 14(2)**
- C25** S. 56A excluded (9.6.2009) by The Nottingham Express Transit System Order 2009 (S.I. 2009/1300), arts. 1, **4(3)** (with Sch. 13 para. 14(2), Sch. 14 para. 19, Sch. 16)
- C26** S. 56A excluded (18.9.2009) by The London Underground (Victoria Station Upgrade) Order 2009 (S.I. 2009/2364), arts. 1, **3(3)**
- C27** Ss. 54-106 applied (28.2.2013) by The Rookery South (Resource Recovery Facility) Order 2011 2013 (S.I. 2013/680), **art. 10(3)**
- C28** 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)**
- C29** 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)
- C30** 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)
- C31** S. 56A excluded (22.8.2013) by The Leeds Railway Station (Southern Entrance) Order 2013 (S.I. 2013/1933), arts. 1, **3(2)**
- C32** S. 56A excluded (6.11.2013) by The Transport for Greater Manchester (Light Rapid Transit System) (Second City Crossing) Order 2013 (S.I. 2013/2587), arts. 1, **4(3)** (with arts. 42, 43)
- C33** S. 56A excluded (20.11.2013) by The M1 Junction 10a (Grade Separation) Order 2013 (S.I. 2013/2808), arts. 1, **8(3)**
- C34** S. 56A excluded (9.1.2014) by The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013 (S.I. 2013/3244), arts. 1, **4(3)** (with arts. 57, 58, Sch. 11 para. 19)
- C35** S. 56A excluded (21.4.2014) by The Network Rail (Norton Bridge Area Improvements) Order 2014 (S.I. 2014/909), arts. 1, **12(2)** (with art. 34(2))
- C36** 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)
- C37** 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)
- C38** S. 56A excluded (19.8.2014) by The Network Rail (Huyton) Order 2014 (S.I. 2014/2027), arts. 1, **4(2)** (with art. 31(2))
- C39** S. 56A excluded (18.9.2014) by The A556 (Knutsford to Bowdon Improvement) Development Consent Order 2014 (S.I. 2014/2269), arts. 1, **8(3)**
- C40** 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)
- C41** S. 56A excluded (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), art. 1, **Sch. 19 Pt. 1 para. 4(2)**

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- C42** 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)
- C43** S. 56A excluded (21.10.2014) by The Central Bedfordshire Council (Woodside Link Houghton Regis) Development Consent Order 2014 (S.I. 2014/2637), arts. 1, **8(3)**
- C44** 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)
- C45** 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)
- C46** S. 56A excluded (15.12.2014) by The London Underground (Northern Line Extension) Order 2014 (S.I. 2014/3102), arts. 1, **3(3)** (with Sch. 8 para. 45)
- C47** Ss. 54-106 applied (7.1.2015) by The Willington C Gas Pipeline Order 2014 (S.I. 2014/3328), arts. 1, **10(3)**
- C48** Ss. 54-106 applied (2.2.2015) by The Northumberland County Council (A1 – South East Northumberland Link Road (Morpeth Northern Bypass)) Development Consent Order 2015 (S.I. 2015/23), arts. 1, **9(2)**
- C49** S. 56A excluded (25.2.2015) by The A160/A180 (Port of Immingham Improvement) Development Consent Order 2015 (S.I. 2015/129), arts. 1, **9(3)**
- C50** 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)**
- C51** 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**)
- C52** 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)
- C53** 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)**
- C54** 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)
- C55** 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)
- C56** 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)**
- C57** 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)
- C58** 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)**

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