



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART III

#### STREET WORKS IN ENGLAND AND WALES

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

#### **59 General duty of street authority to co-ordinate works.**

- (1) A street authority shall use their best endeavours to co-ordinate the execution of works of all kinds (including works for road purposes) [<sup>F1</sup>and the carrying out of relevant activities] in the streets for which they are responsible—
  - (a) in the interests of safety,
  - (b) to minimise the inconvenience to persons using the street (having regard, in particular, to the needs of people with a disability), and
  - (c) to protect the structure of the street and the integrity of apparatus in it.
- (2) That duty extends to co-ordination with other street authorities where works [<sup>F2</sup>or relevant activities] in a street for which one authority are responsible affect streets for which other authorities are responsible.
- (3) The Secretary of State shall issue or approve for the purposes of this section codes of practice giving practical guidance as to the matters mentioned above; and in discharging their general duty of co-ordination a street authority shall have regard to any such code of practice.
- (4) If it appears to the Secretary of State that a street authority are not properly discharging their general duty of co-ordination, he may direct the authority to supply him with such information as he considers necessary to enable him to decide whether that is the case and if so what action to take.

The direction shall specify the information to be provided and the period within which it is to be provided.

*Status: Point in time view as at 26/09/2012. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 59 is up to date with all changes known to be in force on or before 26 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)*

- (5) If after the end of that period (whether or not the direction has been complied with) it appears to the Secretary of State that the authority are not properly discharging their general duty of co-ordination, he may direct the authority to take such steps as he considers appropriate for the purpose of discharging that duty.

The direction shall specify the steps to be taken and the period within which they are to be taken, and may include a requirement to make a report or periodic reports to the Secretary of State as to what steps have been taken and the results of taking them.

- (6) A direction under this section may be varied or revoked by a further direction.

- [<sup>F3</sup>(7) In this section “relevant activities” means any activity, other than the execution of works in the street or the use of the street by traffic (including pedestrians), which—
- (a) involves the temporary occupation or use of space in a street;
  - (b) is subject to regulation by the street authority by virtue of provision made by or under any Act other than this Act; and
  - (c) is prescribed by regulations made by the Secretary of State.]

#### Textual Amendments

- F1** Words in s. 59(1) inserted (29.6.2007 for E. for specified purposes, 26.11.2007 for W. for specified purposes) by [Traffic Management Act 2004 \(c. 18\)](#), **ss. 42(2)**, 99(1); S.I. 2007/1890, art. 2, Sch.; S.I. 2007/3174, art. 2, Sch.
- F2** Words in s. 59(2) inserted (29.6.2007 for E. for specified purposes, 26.11.2007 for W. for specified purposes) by [Traffic Management Act 2004 \(c. 18\)](#), **ss. 42(3)**, 99(1); S.I. 2007/1890, art. 2, Sch.; S.I. 2007/3174, art. 2, Sch.
- F3** S. 59(7) inserted (29.6.2007 for E. for specified purposes, 26.11.2007 for W. for specified purposes) by [Traffic Management Act 2004 \(c. 18\)](#), **ss. 42(4)**, 99(1); S.I. 2007/1890, art. 2, Sch.; S.I. 2007/3174, art. 2, Sch.

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

- C1** Pt. 3 modified (2.4.2004) by [The Docklands Light Railway \(Woolwich Arsenal Extension\) Order 2004 \(S.I. 2004/757\)](#), arts. 1, **3(1)**
- C2** Pt. 3 modified (11.2.2005) by [The Merseytram \(Liverpool City Centre to Kirkby\) Order 2005 \(S.I. 2005/120\)](#), arts. 1, **4(1)(2)** (with arts. 65, 66)
- C3** Pt. 3 modified (22.3.2005) by [The Midland Metro \(Wednesbury to Brierley Hill and Miscellaneous Amendments\) Order 2005 \(S.I. 2005/927\)](#), **art. 3(1)(2)** (with art. 51)
- C4** Pt. 3 modified (22.7.2005) by [The Midland Metro \(Birmingham City Centre Extension, etc.\) Order 2005 \(S.I. 2005/1794\)](#), arts. 1, **3(1)(2)** (with art. 47)
- C5** Pt. 3 applied (3.8.2005) by [The Greater Manchester \(Leigh Busway\) Order 2005 \(S.I. 2005/1918\)](#), arts. 1, **3(1)**
- C6** Pt. 3 modified (26.8.2005) by [The River Tyne \(Tunnels\) Order 2005 \(S.I. 2005/2222\)](#), arts. 1, **8(7)** (with arts. 45(1), 48, Sch. 10 paras. 21, 29)
- C7** Pt. 3 restricted (8.10.2005) by [The Leicestershire County Council \(Ashby de la Zouch Canal Extension\) Order 2005 \(S.I. 2005/2786\)](#), arts. 1, **10(3)**
- C8** Pt. 3 modified (8.10.2005) by [The Leicestershire County Council \(Ashby de la Zouch Canal Extension\) Order 2005 \(S.I. 2005/2786\)](#), arts. 1, **9(1)**
- C9** Pt. 3 modified (25.11.2005) by [The Docklands Light Railway \(Capacity Enhancement\) Order 2005 \(S.I. 2005/3105\)](#), arts. 1, **3(1)** (with arts. 3(5), 15(3))
- C10** Pt. 3 applied (11.1.2006) by [The Cambridgeshire Guided Busway Order 2005 \(S.I. 2005/3523\)](#), arts. 1, **3(1)** (with art. 52)

*Status: Point in time view as at 26/09/2012. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 59 is up to date with all changes known to be in force on or before 26 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)*

- C11** Pt. 3 modified (22.11.2006) by The Docklands Light Railway (Stratford International Extension) Order 2006 (S.I. 2006/2905), arts. 1, **3(1)(2)** (with art. 43)
- C12** Pt. 3 modified (13.12.2006) by The Luton Dunstable Translink Order 2006 (S.I. 2006/3118), arts. 1, **3**
- C13** Pt. 3 modified (28.9.2007) by The London Gateway Logistics and Commercial Centre Order 2007 (S.I. 2007/2657), arts. 1, **3(1)** (with arts. 19, 28, Sch. 3 para. 13(2))
- C14** 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))
- C15** 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))
- C16** Pt. 3 modified (14.10.2008) by The Felixstowe Branch Line and Ipswich Yard Improvement Order 2008 (S.I. 2008/2512), arts. 1, **4(1)** (with art. 36(3))
- C17** 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)
- C18** Pt. 3 modified (18.9.2009) by The London Underground (Victoria Station Upgrade) Order 2009 (S.I. 2009/2364), arts. 1, **3(1)(2)**
- C19** 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)
- C20** Pt. 3 modified (21.4.2011) by The Network Rail (Hitchin (Cambridge Junction)) Order 2011 (S.I. 2011/1072), arts. 1, **4(1)**
- C21** S. 59 applied (4.4.1996) by S.I. 1996/937, **art. 8(4)(5)**  
S. 59 applied (13.1.1999) by S.I. 1998/3269, **art. 4(2)(3)**  
S. 59 applied (27.8.1998) by S.I. 1998/1936, **art. 4(3)**  
S. 59 applied (21.5.1997) by S.I. 1997/1266, **art. 5(2)(3)**  
S. 59 applied (10.2.1997) by S.I. 1997/264, **art. 8(6)(7)**  
S. 59 applied (with modifications) (30.4.1999) by S.I. 1999/1306, **art. 8(4)(5)**  
S. 59 applied (with modifications) (21.7.1999) by S.I. 1999/2129, **art. 8(5)(6)**  
S. 59 applied (with modifications) (20.8.1999) by S.I. 1999/2336, **art. 9(5)(6)(8)**  
S. 59 applied (with modifications) (23.8.1999) by S.I. 1999/2981, **art. 7(5)(6)**  
S. 59 applied (with modifications) (11.11.1996) by S.I. 1996/2714, **art. 4(2)(3)**  
S. 59: functions of a local authority made exercisable by, or by employees of, such person as may be authorised in that behalf by the local highway authority whose function it is (23.7.1999) by S.I. 1999/2106, **art. 2, Sch. 2 para. 1(c)**  
S. 59 applied (with modifications) (29.3.2001) by S.I. 2001/1348, **art. 21(3)-(5)**  
S. 59 applied (with modifications) (29.3.2001) by S.I. 2001/1347, **art. 3(3)**  
S. 59 applied (with modifications) (18.7.2001) by S.I. 2001/2870, **art. 10(6)**  
S. 59 applied (with modifications) (24.7.2001) by S.I. 2001/3627, **art. 4(3)(4)**  
S. 59 applied (with modifications) (9.11.2001) by S.I. 2001/3682, **art. 8(6)**
- C22** S. 59 applied (with modifications) (14.3.2002) by The Chester Guided Busway Order 2002 (S.I. 2002/412), **art. 9(4)(5)** (with art. 38);  
S. 59 applied (with modifications) (30.4.2002) by The Docklands Light Railway (Silvertown and London City Airport Extension) Order 2002 (S.I. 2002/1066), **art. 3(3)(4)**;  
S. 59 applied (with modifications) (31.5.2002) by The Greater Manchester (Light Rapid Transit System) (Trafford Depot) Order 2002 (S.I. 2002/1327), **art. 3(3)**
- C23** S. 59 applied (with modifications) (28.4.2003) by The Network Rail (West Coast Main Line) Order 2003 (S.I. 2003/1075), arts. 1, **13(6)(7)(8)** (with art. 40)
- C24** S. 59 applied (with modifications) (2.4.2004) by The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004 (S.I. 2004/757), arts. 1, **3(3)(4)**
- C25** S. 59 applied (with modifications) (19.11.2004) by The Scarweather Sands Offshore Wind Farm Order 2004 (S.I. 2004/3054), arts. 1, **6(4)(5)** (with art. 38)
- C26** S. 59 applied (with modifications) (11.2.2005) by The Merseytram (Liverpool City Centre to Kirkby) Order 2005 (S.I. 2005/120), arts. 1, **4(4)(5)** (with arts. 65, 66)
- C27** S. 59 applied (with modifications) (22.3.2005) by The Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005 (S.I. 2005/927), **art. 3(3)(4)** (with art. 51)

*Status: Point in time view as at 26/09/2012. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 59 is up to date with all changes known to be in force on or before 26 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)*

- C28** S. 59 applied (with modifications) (4.5.2005) by The Telford Railfreight Terminal (Donnington) Order 2005 (S.I. 2005/1163), arts. 1, **12(7)**
- C29** S. 59 applied (with modifications) (22.7.2005) by The Midland Metro (Birmingham City Centre Extension, etc.) Order 2005 (S.I. 2005/1794), arts. 1, **3(3)(4)** (with art. 47)
- C30** S. 59 applied (with modifications) (3.8.2005) by The Greater Manchester (Leigh Busway) Order 2005 (S.I. 2005/1918), arts. 1, **3(3)(4)**
- C31** S. 59 applied (with modifications) (26.8.2005) by The River Tyne (Tunnels) Order 2005 (S.I. 2005/2222), arts. 1, **8(9)(10)** (with arts. 45(1), 48, Sch. 10 paras. 21, 29)
- C32** Ss. 59, 60 applied (with modifications) (8.10.2005) by The Leicestershire County Council (Ashby de la Zouch Canal Extension) Order 2005 (S.I. 2005/2786), arts. 1, **9(2)(3)**
- C33** S. 59 applied (with modifications) (25.11.2005) by The Docklands Light Railway (Capacity Enhancement) Order 2005 (S.I. 2005/3105), arts. 1, **3(4)** (with arts. 3(5), 15(3))
- C34** S. 59 applied (with modifications) (11.1.2006) by The Cambridgeshire Guided Busway Order 2005 (S.I. 2005/3523), arts. 1, **3(3)(4)** (with art. 52)
- C35** S. 59 applied (with modifications) (3.7.2006) by The Port of Blyth (Battleship Wharf Railway) Order 2006 (S.I. 2006/1518), arts. 1, **4**
- C36** S. 59 applied (with modifications) (14.9.2006) by The Borough of Poole (Poole Harbour Opening Bridges) Order 2006 (S.I. 2006/2310), arts. 1, **9(5)(6)** (with art. 40, Sch. 7 para. 12)
- C37** S. 59 applied (with modifications) (22.11.2006) by The Docklands Light Railway (Stratford International Extension) Order 2006 (S.I. 2006/2905), arts. 1, **3(4)(5)** (with art. 43)
- C38** S. 59 applied (with modifications) (13.12.2006) by The Network Rail (Thameslink 2000) Order 2006 (S.I. 2006/3117), arts. 1, **16(6)(7)** (with arts. 34, 35(2))
- C39** S. 59 applied (with modifications) (13.12.2006) by The Luton Dunstable Translink Order 2006 (S.I. 2006/3118), arts. 1, **10(5)(6)**
- C40** S. 59 applied (with modifications) (19.3.2007) by The Ouseburn Barrage Order 2007 (S.I. 2007/608), arts. 1, **8(2)** (with arts. 46-48, Sch. 6 para. 23)
- C41** S. 59 applied (with modifications) (23.8.2007) by The Docklands Light Railway (Capacity Enhancement and 2012 Games Preparation) Order 2007 (S.I. 2007/2297), arts. 1, **3(4)(5)** (with arts. 3(6), 12(3))
- C42** S. 59 applied (with modifications) (28.9.2007) by The London Gateway Logistics and Commercial Centre Order 2007 (S.I. 2007/2657), arts. 1, **3(2)(3)** (with arts. 19, 28, Sch. 3 para. 13(2))
- C43** S. 59 applied (with modifications) (16.5.2008) by The London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261), arts. 1, **6(3)(4)** (with arts. 41(1), 45, 54(2), 55, 56, 57, 58(6))
- C44** S. 59 applied (with modifications) (14.10.2008) by The Felixstowe Branch Line and Ipswich Yard Improvement Order 2008 (S.I. 2008/2512), arts. 1, **4(2)(3)** (with art. 36(3))
- C45** S. 59 applied (9.6.2009) by The Nottingham Express Transit System Order 2009 (S.I. 2009/1300), arts. 1, **4(4)(5)** (with Sch. 13 para. 14(2), Sch. 14 para. 19, Sch. 16)
- C46** S. 59 applied (with modifications) (18.9.2009) by The London Underground (Victoria Station Upgrade) Order 2009 (S.I. 2009/2364), arts. 1, **3(4)(5)**
- C47** S. 59 applied (20.7.2010) by The Network Rail (Nuneaton North Chord) Order 2010 (S.I. 2010/1721), arts. 1, **4(1)(2)**
- C48** S. 59 applied (with modifications) (1.2.2011) by The River Mersey (Mersey Gateway Bridge) Order 2011 (S.I. 2011/41), arts. 1, **3(2)(3)** (with art. 51, Sch. 10 paras. 68, 85)
- C49** S. 59 applied (with modifications) (21.4.2011) by The Network Rail (Hitchin (Cambridge Junction)) Order 2011 (S.I. 2011/1072), arts. 1, **4(2)-(3)**
- C50** S. 59 applied (26.9.2012) by The Network Rail (Ipswich Chord) Order 2012 (S.I. 2012/2284), arts. 1, **10(2)** (with art. 26(2))

#### Commencement Information

- I1** S. 59 wholly in force: s. 59(1)(2)(4)-(6) in force at 1.1.1993, see s. 170 and S.I. 1992/2984, art. 2(2), **Sch. 2**; s. 59(3) in force at 14.7.1992 by S.I. 1992/1686, art. 3, **Sch.**

**Status:**

Point in time view as at 26/09/2012. This version of this provision has been superseded.

**Changes to legislation:**

New Roads and Street Works Act 1991, Section 59 is up to date with all changes known to be in force on or before 26 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.