



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART III

#### STREET WORKS IN ENGLAND AND WALES

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

#### **60 General duty of undertakers to co-operate.**

- (1) An undertaker shall as regards the execution of street works use his best endeavours to co-operate with the street authority and with other undertakers—
  - (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) 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 in subsection (1); and—
  - (a) so far as an undertaker complies with such a code of practice he shall be taken to comply with his duty under that subsection, and
  - (b) a failure in any respect to comply with any such code is evidence of failure in that respect to comply with that duty.
- (3) An undertaker who fails to comply with his duty under subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding [<sup>F1</sup>level 5] on the standard scale.

#### **Textual Amendments**

- F1** Words in s. 60(3) substituted (4.10.2004 for E.) by [Traffic Management Act 2004 \(c. 18\)](#), ss. 40(1)(2), 99(1), [Sch. 1](#); S.I. 2004/2380, art. 2(d)(i) (with art. 3)

*Status: Point in time view as at 11/01/2006. This version of this provision has been superseded.*

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#### 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)
- C11** S. 60 applied (4.4.1996) by S.I. 1996/937, **art. 8(4)(5)**  
 S. 60 applied (21.5.1997) by S.I. 1997/1266, **art. 5(2)(3)**  
 S. 60 applied (with modifications) (11.11.1996) by S.I. 1996/2714, **art. 4(2)(3)**  
 S. 60 applied (13.1.1999) by S.I. 1998/3269, **art. 4(2)(3)**  
 S. 60 applied (27.8.1998) by S.I. 1998/1936, **art. 4(3)**  
 S. 60 applied (10.2.1997) by S.I. 1997/264, **art. 8(6)(7)**  
 S. 60 applied (with modifications) (30.4.1999) by S.I. 1999/1306, **art. 8(4)(5)**  
 S. 60 applied (with modifications) (21.7.1999) by S.I. 1999/2129, **art. 8(5)(6)**  
 S. 60 applied (with modifications) (20.8.1999) by S.I. 1999/2336, **art. 9(5)(6)(8)**  
 S. 60 applied (with modifications) (23.8.1999) by S.I. 1999/2981, **art. 7(5)(6)**  
 S. 60 applied (with modifications) (29.3.2001) by S.I. 2001/1348, **art. 21(3)-(5)**  
 S. 60 applied (with modifications) (29.3.2001) by S.I. 2001/1347, **art. 3(3)**  
 S. 60 applied (with modifications) (18.7.2001) by S.I. 2001/2870, **art. 10(6)**  
 S. 60 applied (with modifications) (24.7.2001) by S.I. 2001/3627, **art. 4(3)(4)**  
 S. 60 applied (with modifications) (9.11.2001) by S.I. 2001/3682, **art. 8(6)**
- C12** S. 60 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. 60 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. 60 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)**
- C13** S. 60 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)
- C14** S. 60 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)**
- C15** S. 60 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)
- C16** S. 60 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)
- C17** S. 60 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)

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- C18** S. 60 applied (with modifications) (4.5.2005) by [The Telford Railfreight Terminal \(Donnington\) Order 2005 \(S.I. 2005/1163\)](#), arts. 1, **12(7)**
- C19** S. 60 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)
- C20** S. 60 applied (with modifications) (3.8.2005) by [The Greater Manchester \(Leigh Busway\) Order 2005 \(S.I. 2005/1918\)](#), arts. 1, **3(3)(4)**
- C21** S. 60 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)
- C22** 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)**
- C23** S. 60 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))
- C24** S. 60 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)
- C25** S. 60(1): 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(g)**

#### **Commencement Information**

- II** S. 60 wholly in force: s. 60(1)(3) in force at 1.1.1993 see s. 170 and [S.I. 1992/2984](#), art. 2(2), **Sch. 2**; s. 60(2) in force at 14.7.1992 by [S.I. 1992/1686](#), art. 3, **Sch.**

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