



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART III

STREET WORKS IN ENGLAND AND WALES

Streets subject to special controls

62 Supplementary provisions as to designation of protected streets.

- (1) The Secretary of State may prescribe—
 - (a) the criteria for designating a street as protected,
 - (b) the procedure for making or withdrawing such a designation, and
 - (c) the information to be made available by a street authority as to the streets for the time being so designated by them.
- (2) Where a street has been designated as protected the street authority may direct an undertaker to remove or change the position of apparatus placed in the street at a time when it was not so designated.

The authority shall indemnify the undertaker in respect of his reasonable expenses in complying with such a direction.

- (3) Where a designation is withdrawn the street authority may give such directions as they consider appropriate as to—
 - (a) the continuance in force of any conditions subject to which consent was given for the placing of apparatus in the street, and
 - (b) the continuance of entitlement to any contributions in respect of the expenses of an undertaker in complying with such conditions.
- (4) Where a designation is made or withdrawn the street authority may give such directions as they consider appropriate with respect to works in progress in the street when the designation comes into force or ceases to have effect.

Status: Point in time view as at 14/08/2015. This version of this provision has been superseded.

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- (5) Any dispute between a street authority and an undertaker as to the exercise by the authority of their powers under subsection (2), (3) or (4) shall be settled by arbitration.

Modifications etc. (not altering text)

- C1** Pt. 3 applied (11.1.2006) by [The Cambridgeshire Guided Busway Order 2005 \(S.I. 2005/3523\)](#), arts. 1, **3(1)** (with art. 52)
- C2** Pt. 3 modified (22.7.2008) by [Crossrail Act 2008 \(c. 18\)](#), **Sch. 3 para. 8**
- C3** Pt. 3 excluded (22.7.2008) by [Crossrail Act 2008 \(c. 18\)](#), **Sch. 17 para. 1(3)**
- C4** 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)
- C5** 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)
- C6** 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)
- C7** Ss. 54-106 applied (28.2.2013) by [The Rookery South \(Resource Recovery Facility\) Order 2011 2013 \(S.I. 2013/680\)](#), **art. 10(3)**
- C8** 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)**
- C9** 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)
- C10** 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)
- C11** 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)
- C12** 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)
- C13** 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)
- C14** 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)
- C15** 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)
- C16** 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)
- C17** Ss. 54-106 applied (7.1.2015) by [The Willington C Gas Pipeline Order 2014 \(S.I. 2014/3328\)](#), arts. 1, **10(3)**
- C18** 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)**
- C19** 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)**
- C20** 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**)
- C21** 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)
- C22** 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)**

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- C23** 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)
- C24** 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)
- C25** 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)**
- C26** S. 62(2) excluded (22.7.2008) by Crossrail Act 2008 (c. 18), **Sch. 14 para. 14(5)**
- C27** S. 62(2) 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(5)**
- C28** S. 62(4) excluded (22.7.2008) by Crossrail Act 2008 (c. 18), **Sch. 14 para. 14(6)**
- C29** S. 62(4) 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(6)**

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