



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART III

STREET WORKS IN ENGLAND AND WALES

General requirements as to execution of street works

69 Works likely to affect other apparatus in the street.

- (1) Where street works are likely to affect another person's apparatus in the street, the undertaker executing the works shall take all reasonably practicable steps—
 - (a) to give the person to whom the apparatus belongs reasonable facilities for monitoring the execution of the works, and
 - (b) to comply with any requirement made by him which is reasonably necessary for the protection of the apparatus or for securing access to it.
- (2) An undertaker who fails to comply with subsection (1) commits an offence in respect of each failure and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) In proceedings against a person for such an offence it is a defence for him to show that the failure was attributable—
 - (a) to his not knowing the position, or not knowing of the existence, of another person's apparatus, or
 - (b) to his not knowing the identity or address of the person to whom any apparatus belongs,and that his ignorance was not due to any negligence on his part or to any failure to make inquiries which he ought reasonably to have made.

Modifications etc. (not altering text)

C1 S. 69 excluded (27.11.1992) by [S.I. 1992/2984](#), art. 8

Status: Point in time view as at 01/01/1993. This version of this provision has been superseded.

Changes to legislation: New Roads and Street Works Act 1991, Section 69 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)

- C2** S. 69 modified (1.1.1993) by Local Government, Planning and Land Act 1980 (c. 65), s. 167(7)(as substituted (1.1.1993) by New Roads and Street Works Act 1991 (c. 22), s. 168(1), **Sch. 8 Pt. IV para. 109**; S.I. 1992/2984, art. 2(2), **Sch.2**)
 S. 69 modified (1.1.1993) by Local Government (Miscellaneous Provisions) Act 1976 (c. 57), s. 15(4) (as substituted (1.1.1993) by New Roads and Street Works Act 1991 (c. 22), s. 168(1), **Sch. 8 Pt. IV para. 106**; S.I. 1992/2984, art. 2(2), **Sch.2**)
- C3** S. 69 applied (27.8.1998) by S.I. 1998/1936, **art. 4(3)**
 S. 69 applied (21.5.1997) by S.I. 1997/1266, **art. 5(2)(3)**
 S. 69 applied (11.11.1996) by S.I. 1996/2714, **art. 4(2)(3)**
 S. 69 applied (13.1.1999) by S.I. 1998/3269, **art. 4(2)(3)**
 S. 69 applied (10.2.1997) by S.I. 1997/264, **art. 8(6)(7)**
 S. 69 applied (with modifications) (30.4.1999) by S.I. 1999/1306, **art. 8(4)(5)**
 S. 69 applied (with modifications) (21.7.1999) by S.I. 1999/2129, **art. 8(5)(6)**
 S. 69 applied (with modifications) (20.8.1999) by S.I. 1999/2336, **art. 9(5)(6)(8)**
 S. 69 applied (with modifications) (23.8.1999) by S.I. 1999/2981, **art. 7(5)(6)**
 S. 69 applied (4.4.1996) by S.I. 1996/937, **art. 8(4)(5)**
 S. 69 applied (with modifications) (29.3.2001) by S.I. 2001/1348, **art. 21(3)-(5)**
 S. 69 applied (with modifications) (29.3.2001) by S.I. 2001/1347, **art. 3(3)**
 S. 69 applied (with modifications) (18.7.2001) by S.I. 2001/2870, **art. 10(6)**
 S. 69 applied (with modifications) (24.7.2001) by S.I. 2001/3627, **art. 4(3)(4)**
 S. 69 applied (with modifications) (9.11.2001) by S.I. 2001/3682, **art. 8(6)**
- C4** S. 69 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. 69 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. 69 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)**
- C5** S. 69 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)

Status:

Point in time view as at 01/01/1993. This version of this provision has been superseded.

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