



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART III

#### STREET WORKS IN ENGLAND AND WALES

##### *Reinstatement*

#### **70 Duty of undertaker to reinstate.**

(1) It is the duty of the undertaker by whom street works are executed to reinstate the street.

[<sup>F1</sup>(1A) The reinstatement required by subsection (1) may be permanent or interim.]

(2) He shall begin the reinstatement as soon after the completion of any part of the street works as is reasonably practicable and shall carry on and complete the reinstatement with all such dispatch as is reasonably practicable.

[<sup>F2</sup>(3) He shall within 7 working days from the date on which the reinstatement is completed give notice to the street authority of that completion—

- (a) stating whether the reinstatement is permanent or interim; and
- (b) giving such other information about the reinstatement as may be prescribed.

(4) If the reinstatement is interim, he shall complete the permanent reinstatement of the street as soon as reasonably practicable, and in any event within 6 months from the date on which the interim reinstatement was completed.

(4A) He shall, within 7 working days from the date on which the permanent reinstatement required by subsection (4) is completed, give notice to the street authority of that completion, giving such other information about the reinstatement as may be prescribed.

(4B) The Secretary of State may by regulations modify the period specified in subsection (3), (4) or (4A).]

*Status: Point in time view as at 29/06/2007. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 70 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) The permanent reinstatement of the street shall include, in particular, the reinstatement of features designed to assist people with a disability.
- (6) An undertaker who fails to comply with any provision of this section commits an offence and is liable on summary conviction—
- [<sup>F3</sup>(a) in the case of an offence consisting of a failure to comply with subsection (3) or (4A), to a fine not exceeding level 4 on the standard scale; and
- (b) in any other case, to a fine not exceeding level 5 on that scale.]
- (7) In proceedings against a person for an offence of failing to comply with subsection (2) it is a defence for him to show that any delay in reinstating the street was in order to avoid hindering the execution of other works, or other parts of the same works, to be undertaken immediately or shortly thereafter.

#### Textual Amendments

- F1** S. 70(1A) 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. 54(2)**, 99(1); S.I. 2007/1890, art. 2, **Sch.** (with art. 8); S.I. 2007/3174, art. 2, **Sch.** (with art. 9)
- F2** S. 70(3)-(4B) substituted for s. 70(3)(4) (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. 54(3)**, 99(1); S.I. 2007/1890, art. 2, **Sch.** (with art. 8); S.I. 2007/3174, art. 2, **Sch.** (with art. 9)
- F3** S. 70(6)(a)(b) substituted for words in s. 70(6) (4.10.2004 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. 40(3)**, 99(1); S.I. 2004/2380, **art. 2(d)(ii)** (with art. 3); S.I. 2007/1890, art. 2, **Sch.**; S.I. 2007/3174, art. 2, **Sch.** (with art. 4)

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

- C1** S. 70 excluded (27.11.1992) by [S.I. 1992/2984](#), **art. 9**

#### Commencement Information

- I1** S. 70 wholly in force: s.70(1)-(3)(5)-(7) in force at 1.1.1993 see [s. 170\(1\)](#) and [S.I. 1992/2984](#), art. 2(2), **Sch. 2**; s. 70(4) in force at 14.7.1992, see [s. 170](#) and [S.I. 1992/1686](#), art. 2, **Sch.**

**Status:**

Point in time view as at 29/06/2007. This version of this provision has been superseded.

**Changes to legislation:**

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