



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART III

STREET WORKS IN ENGLAND AND WALES

Provisions with respect to particular authorities and undertakings

89 Public sewers, sewer authorities and related matters.

- (1) In this Part—
 - (a) “sewer” and “public sewer” have the same meaning as in [^{F1}the ^{M1}Water Industry Act 1991], and
 - (b) “sewer authority”, in relation to a public sewer, means the sewerage undertaker within the meaning of that Act in whom the sewer is vested.
- (2) An undertaker proposing to execute street works affecting a public sewer shall consult the sewer authority before giving notice under section 55 (notice of starting date) [^{F2}, or making a notification under paragraph 2(1)(d) of Schedule 3A (notification of proposed works),] in relation to the works.
- (3) References in this Part to apparatus include a sewer, drain or tunnel.
- (4) References to the undertaker in relation to such apparatus, or in relation to street works in connection with such apparatus, shall be construed—
 - (a) in the case of a public sewer, as references to the sewer authority, and
 - (b) in any other case, as references to the authority, body or person having the management or control of the sewer, drain or tunnel.
- (5) Section 69 (provisions as to works likely to affect other apparatus in the street) does not apply by virtue of subsection (3) above in relation to works likely to affect a public sewer if, or to the extent that, Schedule 4 (works in streets with special engineering difficulties) applies.

Status: Point in time view as at 25/01/2010. This version of this provision has been superseded.

Changes to legislation: New Roads and Street Works Act 1991, Section 89 is up to date with all changes known to be in force on or before 11 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)

Textual Amendments

- F1** Words in s. 89(1) substituted (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 2(1), 4(2), **Sch. 1 para. 57(1)**
- F2** Words in s. 89(2) inserted (1.4.2008) by Traffic Management Act 2004 (c. 18), **ss. 52(7)**, 99(1); S.I. 2007/1890, art. 2, **Sch.**; S.I. 2007/3174, art. 2, **Sch.**

Modifications etc. (not altering text)

- C1** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Croydon) Permit Scheme Order 2009 (S.I. 2009/3158), art. 1, Sch., **Appendix B**
- C2** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Barnet) Permit Scheme Order 2009 (S.I. 2009/3141), art. 1, Sch., **Appendix B**
- C3** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Camden) Permit Scheme Order 2009 (S.I. 2009/3149), art. 1, Sch., **Appendix B**
- C4** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Enfield) Permit Scheme Order 2009 (S.I. 2009/3165), art. 1, Sch., **Appendix B**
- C5** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Lewisham) Permit Scheme Order 2009 (S.I. 2009/3171), art. 1, Sch., **Appendix B**
- C6** S. 89 modified (11.1.2010) by The Traffic Management (City of Westminster) Permit Scheme Order 2009 (S.I. 2009/3187), art. 1, Sch., **Appendix B**
- C7** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Hammersmith and Fulham) Permit Scheme Order 2009 (S.I. 2009/3168), art. 1, Sch., **Appendix B**
- C8** S. 89 modified (11.1.2010) by The Traffic Management (City of London Corporation) Permit Scheme Order 2009 (S.I. 2009/3162), art. 1, Sch., **Appendix B**
- C9** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Hounslow) Permit Scheme Order 2009 (S.I. 2009/3178), art. 1, Sch., **Appendix B**
- C10** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Haringey) Permit Scheme Order 2009 (S.I. 2009/3169), art. 1, Sch., **Appendix B**
- C11** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Ealing) Permit Scheme Order 2009 (S.I. 2009/3163), art. 1, Sch., **Appendix B**
- C12** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Wandsworth) Permit Scheme Order 2009 (S.I. 2009/3189), art. 1, Sch., **Appendix B**
- C13** S. 89 modified (11.1.2010) by The Traffic Management (Royal Borough of Kensington and Chelsea) Permit Scheme Order 2009 (S.I. 2009/3170), art. 1, Sch., **Appendix B**
- C14** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Islington) Permit Scheme Order 2009 (S.I. 2009/3180), art. 1, Sch., **Appendix B**
- C15** S. 89 modified (11.1.2010) by The Traffic Management (Transport for London) Permit Scheme Order 2009 (S.I. 2009/3186), art. 1, Sch., **Appendix B**
- C16** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Bromley) Permit Scheme Order 2009 (S.I. 2009/3148), art. 1, Sch., **Appendix B**
- C17** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Hackney) Permit Scheme Order 2009 (S.I. 2009/3167), art. 1, Sch., **Appendix B**
- C18** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Brent) Permit Scheme Order 2009 (S.I. 2009/3142), art. 1, Sch., **Appendix B**
- C19** S. 89 modified (11.1.2010) by The Traffic Management (London Borough of Redbridge) Permit Scheme Order 2009 (S.I. 2009/3179), art. 1, Sch., **Appendix B**
- C20** S. 89 modified (25.1.2010) by The Traffic Management (Kent County Council) Permit Scheme Order 2009 (S.I. 2009/3188), art. 1, **Sch.**
- C21** S. 89(2) modified (E.) (1.4.2008) by The Traffic Management Permit Scheme (England) Regulations 2007 (S.I. 2007/3372), regs. 1(1), **37(6)** (with reg. 35)
- C22** S. 89(2) modified (W.) (1.6.2009) by The Traffic Management Permit Scheme (Wales) Regulations 2009 (S.I. 2009/1267), regs. 1, **37(6)**

Status: Point in time view as at 25/01/2010. This version of this provision has been superseded.

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Marginal Citations

M1 1991 c. 56

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