



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.

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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** 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)
- C2** Pt. 3 modified (9.1.2014) by The National Grid (King's Lynn B Power Station Connection) Order 2013 (S.I. 2013/3200), arts. 1, **9(1)**
- C3** Pt. 3 applied (with modifications) (9.1.2014) by The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013 (S.I. 2013/3244), arts. 1, **4(9)** (with arts. 57, 58, Sch. 11 para. 19)
- C4** Pt. 3 modified (9.1.2014) by The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013 (S.I. 2013/3244), arts. 1, **4(1)(2)** (with arts. 57, 58, Sch. 11 para. 19)
- 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** 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
- C8** 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
- C9** 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
- C10** 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
- C11** 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
- C12** 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
- C13** 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
- C14** 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, **Appendix B**
- C15** 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
- C16** 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
- C17** 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
- C18** 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
- C19** 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
- C20** 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
- C21** 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

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- C22 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
- C23 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
- C24 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
- C25 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
- C26 S. 89 modified (25.1.2010) by The Traffic Management (Kent County Council) Permit Scheme Order 2009 (S.I. 2009/3188), art. 1, **Sch. Appendix B**
- C27 S. 89 modified (5.9.2011) by The Traffic Management (London Borough of Waltham Forest) Permit Scheme Order 2011 (S.I. 2011/1959), art. 1, Sch. Appendix B
- C28 S. 89 modified (5.9.2011) by The Traffic Management (London Borough of Harrow) Permit Scheme Order 2011 (S.I. 2011/1961), art. 1, Sch. Appendix B
- C29 S. 89 modified (5.9.2011) by The Traffic Management (London Borough of Greenwich) Permit Scheme Order 2011 (S.I. 2011/1956), art. 1, **Sch. Appendix B**
- C30 S. 89 modified (5.9.2011) by The Traffic Management (London Borough of Lambeth) Permit Scheme Order 2011 (S.I. 2011/1958), art. 1, Sch. Appendix B
- C31 S. 89 modified (5.9.2011) by The Traffic Management (London Borough of Richmond upon Thames) Permit Scheme Order 2011 (S.I. 2011/1960), art. 1, Sch. Appendix B
- C32 S. 89 modified (5.9.2011) by The Traffic Management (London Borough of Southwark) Permit Scheme Order 2011 (S.I. 2011/1957), art. 1, **Sch., Appendix B**
- C33 S. 89 modified (5.9.2011) by The Traffic Management (London Borough of Newham) Permit Scheme Order 2011 (S.I. 2011/1962), art. 1, Sch. Appendix B
- C34 S. 89 modified (28.11.2011) by The Traffic Management (London Borough of Barking and Dagenham) Permit Scheme Order 2011 (S.I. 2011/2599), art. 1, Sch., **Appendix B**
- C35 S. 89 modified (28.11.2011) by The Traffic Management (London Borough of Hillingdon) Permit Scheme Order 2011 (S.I. 2011/2600), art. 1, **Sch., Appendix B**
- C36 S. 89 modified (12.6.2012) by The Traffic Management (Rotherham Borough Council) Permit Scheme Order 2012 (S.I. 2012/1284), arts. 1, 2, Sch. Appendix D
- C37 S. 89 modified (12.6.2012) by The Traffic Management (Sheffield City Council) Permit Scheme Order 2012 (S.I. 2012/1294), arts. 1, 2, Sch. Appendix D
- C38 S. 89 modified (12.6.2012) by The Traffic Management (The Council of the Borough of Kirklees) Permit Scheme Order 2012 (S.I. 2012/1286), arts. 1, 2, Sch. Appendix D
- C39 S. 89 modified (12.6.2012) by The Traffic Management (Doncaster Borough Council) Permit Scheme Order 2012 (S.I. 2012/1282), arts. 1, 2, Sch. Appendix D
- C40 S. 89 modified (12.6.2012) by The Traffic Management (Barnsley Metropolitan Borough Council) Permit Scheme Order 2012 (S.I. 2012/1289), arts. 1, 2, Sch. Appendix D
- C41 S. 89 modified (12.6.2012) by The Traffic Management (Leeds City Council) Permit Scheme Order 2012 (S.I. 2012/1295), arts. 1, 2, Sch. Appendix D
- C42 S. 89 modified (5.11.2012) by The Traffic Management (Bedford Borough Council) Permit Scheme Order 2012 (S.I. 2012/2541), arts. 1, 2, Sch., **Appendix C**
- C43 S. 89 modified (5.11.2012) by The Traffic Management (Luton Borough Council) Permit Scheme Order 2012 (S.I. 2012/2547), arts. 1, 2, Sch., **Appendix C**
- C44 S. 89 modified (5.11.2012) by The Traffic Management (Southend-On-Sea Borough Council) Permit Scheme Order 2012 (S.I. 2012/2548), arts. 1, 2, Sch., **Appendix C**
- C45 S. 89 modified (5.11.2012) by The Traffic Management (Hertfordshire County Council) Permit Scheme Order 2012 (S.I. 2012/2549), arts. 1, 2, Sch., **Appendix C**
- C46 S. 89 modified (14.1.2013) by The Traffic Management (London Borough of Tower Hamlets) Permit Scheme Order 2012 (S.I. 2012/3107), arts. 1, 2, Sch., **Appendix B**
- C47 S. 89 modified (14.1.2013) by The Traffic Management (London Borough of Sutton) Permit Scheme Order 2012 (S.I. 2012/3106), arts. 1, 2, Sch., **Appendix B**

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- C48** S. 89 modified (18.2.2013) by The Traffic Management (London Borough of Bexley) Permit Scheme Order 2012 (S.I. 2012/3102), arts. 1, 2, Sch., **Appendix B**
- C49** Ss. 54-106 applied (28.2.2013) by The Rookery South (Resource Recovery Facility) Order 2011 2013 (S.I. 2013/680), **art. 10(3)**
- C50** S. 89 modified (1.3.2013) by The Traffic Management (Royal Borough of Kingston upon Thames) Permit Scheme Order 2012 (S.I. 2012/3104), arts. 1, 2, Sch., **Appendix B1**
- C51** 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)**
- C52** S. 89 modified (29.4.2013) by The Traffic Management (Oldham Borough Council) Permit Scheme Order 2013 (S.I. 2013/808), arts. 1, 2, Sch., **Appendix C**
- C53** S. 89 modified (29.4.2013) by The Traffic Management (The Council of the City of Manchester) Permit Scheme Order 2013 (S.I. 2013/811), arts. 1, 2, Sch., **Appendix C**
- C54** S. 89 modified (29.4.2013) by The Traffic Management (The Metropolitan Borough Council of Stockport) Permit Scheme Order 2013 (S.I. 2013/805), arts. 1, 2, Sch., **Appendix C**
- C55** S. 89 modified (29.4.2013) by The Traffic Management (Bury Metropolitan Borough Council) Permit Scheme Order 2013 (S.I. 2013/814), arts. 1, 2, Sch., **Appendix C**
- C56** S. 89 modified (29.4.2013) by The Traffic Management (Rochdale Metropolitan Borough Council) Permit Scheme Order 2013 (S.I. 2013/809), arts. 1, 2, Sch., **Appendix C**
- C57** S. 89 modified (29.4.2013) by The Traffic Management (Salford City Council) Permit Scheme Order 2013 (S.I. 2013/810), arts. 1, 2, Sch., **Appendix C**
- C58** S. 89 modified (29.4.2013) by The Traffic Management (Wigan Borough Council) Permit Scheme Order 2013 (S.I. 2013/812), arts. 1, 2, Sch., **Appendix C**
- C59** S. 89 modified (29.4.2013) by The Traffic Management (Tameside Metropolitan Borough Council) Permit Scheme Order 2013 (S.I. 2013/806), arts. 1, 2, Sch., **Appendix C**
- C60** S. 89 modified (29.4.2013) by The Traffic Management (The Borough Council of Bolton) Permit Scheme Order 2013 (S.I. 2013/813), arts. 1, 2, Sch., **Appendix C**
- C61** 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)
- C62** 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)
- C63** S. 89 modified (1.10.2013) by The Traffic Management (Derby City Council) Permit Scheme Order 2013 (S.I. 2013/1781), arts. 1, 2, **Sch. para. 2.4**
- C64** S. 89 modified (4.11.2013) by The Traffic Management (Buckinghamshire County Council) Permit Scheme Order 2013 (S.I. 2013/2398), art. 1, Sch. para. 1.5, **Appendix A**
- C65** S. 89 modified (11.11.2013) by The Traffic Management (Surrey County Council) Permit Scheme Order 2013 (S.I. 2013/2389), arts. 1, 2, **Sch. para. 2.12.2**
- C66** S. 89 modified (11.11.2013) by The Traffic Management (East Sussex County Council) Permit Scheme Order 2013 (S.I. 2013/2399), arts. 1, 2, **Sch. para. 2.12.2**
- C67** S. 89 modified (1.4.2014) by The Traffic Management (Shropshire Council) Permit Scheme Order 2014 (S.I. 2014/466), arts. 1, 2, Sch., **Appendix B**
- C68** S. 89 modified (6.5.2014) by The Traffic Management (Norfolk County Council) Permit Scheme Order 2014 (S.I. 2014/941), arts. 1, 2, Sch., **Appendix C**
- C69** 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)
- C70** 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)
- C71** 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)
- C72** 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)

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- C73** 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)
- C74** S. 89 modified (3.11.2014) by [The Traffic Management \(Cheshire East Borough Council\) Permit Scheme Order 2014 \(S.I. 2014/2460\)](#), art. 1, Sch. Appendix B
- C75** 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)
- C76** 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)**

Marginal Citations

- M1** 1991 c. 56

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