



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

90 Provisions as to reinstatement of sewers, drains or tunnels.

- (1) The duties of an undertaker under this Part with respect to reinstatement of the street extend, in the case of street works which involve breaking up or opening a sewer, drain or tunnel, to the reinstatement of the sewer, drain or tunnel.
- (2) The responsible authority may by notice require an undertaker who has failed to comply with his duties under this Part with respect to reinstatement to carry out the necessary remedial works within such period of not less than 7 working days as may be specified in the notice.

If he fails to comply with the notice, the authority may carry out the necessary works and recover from him the costs reasonably incurred by them in doing so.

- (3) If it appears to the responsible authority that a failure by an undertaker to comply with his duties under this Part as to reinstatement is causing danger to users of the street, the authority may carry out the necessary works without first giving notice and may recover from him the costs reasonably incurred by them in doing so.

They shall, however, give notice to him as soon as reasonably practicable stating their reasons for taking immediate action.

- (4) The responsible authority for the purposes of this section is—
 - (a) in the case of a public sewer, the sewer authority, and
 - (b) in the case of any other sewer, drain or tunnel, the authority, body or person having the management or control of it.

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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** Pt. 3 applied (with modifications) (2.8.2016) by [The Midland Metro \(Wolverhampton City Centre Extension\) Order 2016 \(S.I. 2016/684\)](#), arts. 1, **5(1)(2)** (with arts. 46, 47, Sch. 8 para. 2(7), Sch. 9 para. 4, Sch. 10 para. 12(2))
- C8** Pt. 3 modified (23.9.2016) by [The M4 Motorway \(Junctions 3 to 12\) \(Smart Motorway\) Development Consent Order 2016 \(S.I. 2016/863\)](#), arts. 1, **9(2)**
- C9** Pt. 3 modified (29.3.2017) by [The Glyn Rhonwy Pumped Storage Generating Station Order 2017 \(S.I. 2017/330\)](#), arts. 1, **12(1)** (with art. 31)
- C10** Pt. 3 applied (with modifications) (27.2.2020) by [The A30 Chiverton to Carland Cross Development Consent Order 2020 \(S.I. 2020/121\)](#), arts. 1, **12(1)(2)** (with art. 3(1))
- C11** S. 90: functions of a local authority made exercisable by, or by employees of, such person as may be authorised in that behalf by the local highway authority whose function it is (23.7.1999) by [S.I. 1999/2106](#), art. 2, **Sch. 2 para. 5**
- C12** S. 90 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**
- C13** S. 90 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. 90 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
- C15** S. 90 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
- C16** S. 90 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**
- C17** S. 90 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**
- C18** S. 90 modified (11.1.2010) by [The Traffic Management \(City of Westminster\) Permit Scheme Order 2009 \(S.I. 2009/3187\)](#), art. 1, **Sch. Appendix B**
- C19** S. 90 modified (11.1.2010) by [The Traffic Management \(Transport for London\) Permit Scheme Order 2009 \(S.I. 2009/3186\)](#), art. 1, **Sch. Appendix B**
- C20** S. 90 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
- C21** S. 90 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
- C22** S. 90 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**
- C23** S. 90 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

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- C24 S. 90 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
- C25 S. 90 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
- C26 S. 90 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
- C27 S. 90 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
- C28 S. 90 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**
- C29 S. 90 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
- C30 S. 90 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**
- C31 S. 90 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
- C32 S. 90 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
- C33 S. 90 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
- C34 S. 90 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
- C35 S. 90 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
- C36 S. 90 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
- C37 S. 90 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
- C38 S. 90 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**
- C39 S. 90 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**
- C40 S. 90 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
- C41 S. 90 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
- C42 S. 90 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
- C43 S. 90 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
- C44 S. 90 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
- C45 S. 90 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
- C46 S. 90 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
- C47 S. 90 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
- C48 S. 90 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
- C49 S. 90 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**

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- C50 S. 90 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
- C51 S. 90 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
- C52 S. 90 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
- C53 Ss. 54-106 applied (28.2.2013) by The Rookery South (Resource Recovery Facility) Order 2011 2013 (S.I. 2013/680), **art. 10(3)**
- C54 S. 90 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
- C55 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)**
- C56 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)
- C57 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)
- C58 S. 90 modified (1.4.2014) by The Traffic Management (Shropshire Council) Permit Scheme Order 2014 (S.I. 2014/466), arts. 1, 2, Sch., **Appendix B**
- C59 S. 90 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**
- C60 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)
- C61 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)
- C62 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)
- C63 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)
- C64 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)
- C65 S. 90 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
- C66 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)
- C67 Ss. 54-106 applied (7.1.2015) by The Willington C Gas Pipeline Order 2014 (S.I. 2014/3328), arts. 1, **10(3)**
- C68 S. 90 modified (2.2.2015) by The Traffic Management (Warrington Borough Council) Permit Scheme Order 2014 (S.I. 2014/3108), arts. 1, 2, **Sch. para. 1.8**
- C69 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)**
- C70 S. 90 modified (2.2.2015) by The Traffic Management (Cheshire West and Chester Borough Council) Permit Scheme Order 2014 (S.I. 2014/3106), arts. 1, 2, **Sch. para. 1.8**
- C71 S. 90 modified (9.2.2015) by The Traffic Management (North Tyneside Council) Permit Scheme Order 2014 (S.I. 2014/3109), arts. 1, 2, **Sch., Appendix E**
- C72 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)**
- C73 S. 90 modified (2.3.2015) by The Traffic Management (Knowsley Metropolitan Borough Council) Permit Scheme Order 2015 (S.I. 2015/34), arts. 1, 2, **Sch. para. 1.8**
- C74 S. 90 modified (9.3.2015) by The Traffic Management (Lancashire County Council) Permit Scheme Order 2015 (S.I. 2015/38), arts. 1, 2, **Sch. para. 1.8**

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- C75** 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**)
- C76** S. 90 modified (16.3.2015) by The Traffic Management (Warwickshire County Council) Permit Scheme Order 2014 (S.I. 2014/3310), arts. 1, 2, **Sch. para. 17.2, Appendix B**
- C77** S. 90 modified (16.3.2015) by The Traffic Management (Nottingham City Council) Permit Scheme Order 2015 (S.I. 2015/39), arts. 1, 2, **Sch. 1 Appendix C**
- C78** S. 90 modified (16.3.2015) by The Traffic Management (Coventry City Council) Permit Scheme Order 2014 (S.I. 2014/3311), arts. 1, 2, **Sch. para. 17.2, Appendix B**
- C79** S. 90 modified (16.3.2015) by The Traffic Management (Essex County Council) Permit Scheme Order 2015 (S.I. 2015/37), arts. 1, 2, **Sch., Appendix C**
- C80** S. 90 modified (30.3.2015) by The Traffic Management (Southampton City Council) Permit Scheme Order 2015 (S.I. 2015/105), art. 1, **Sch. para. 2.8.1**
- C81** S. 90 modified (30.3.2015) by The Traffic Management (Brighton and Hove City Council) Permit Scheme Order 2015 (S.I. 2015/90), art. 1, **Sch. para. 2.8.1**
- C82** S. 90 modified (30.3.2015) by The Traffic Management (Milton Keynes Council) Permit Scheme Order 2015 (S.I. 2015/91), art. 1, **Sch. para. 2.7.1**
- C83** S. 90 modified (31.3.2015) by The Traffic Management (Council of the City of Wakefield MDC) Permit Scheme Order 2015 (S.I. 2015/293), arts. 1, 2, **Sch., Appendix D**
- C84** S. 90 modified (31.3.2015) by The Traffic Management (City of Bradford Metropolitan District Council) Permit Scheme Order 2015 (S.I. 2015/330), arts. 1, 2, **Sch., Appendix D**
- C85** S. 90 modified (31.3.2015) by The Traffic Management (Borough Council of Calderdale) Permit Scheme Order 2015 (S.I. 2015/328), arts. 1, 2, **Sch., Appendix D**
- C86** 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)
- C87** 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)**
- C88** 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)
- C89** 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)
- C90** 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)**
- C91** Ss. 54-106 applied (26.8.2015) by The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (S.I. 2015/1592), arts. 1, **14(3)** (with arts. 35, 40, 41)
- C92** Ss. 54-106 applied (19.11.2015) by The Ferrybridge Multifuel 2 Power Station Order 2015 (S.I. 2015/1832), arts. 1(2), **9(3)**
- C93** Ss. 54-106 applied (30.12.2015) by The Port Talbot Steelworks Generating Station Order 2015 (S.I. 2015/1984), arts. 1, **9(3)** (with art. 26)
- C94** Ss. 54-106 applied (with modifications) (25.3.2016) by The Thorpe Marsh Gas Pipeline Order 2016 (S.I. 2016/297), arts. 1, **12(3)** (with art. 39)
- C95** Ss. 54-106 applied (2.8.2016) by The Meaford Gas Fired Generating Station Order 2016 (S.I. 2016/779), arts. 1, **11(3)**
- C96** Ss. 54-106 applied (10.8.2016) by The York Potash Harbour Facilities Order 2016 (S.I. 2016/772), arts. 1, **10(3)** (with arts. 35, 36)
- C97** Ss. 54-106 applied (19.8.2016) by The North Wales Wind Farms Connection Order 2016 (S.I. 2016/818), arts. 1, **10(5)** (with art. 35)
- C98** Ss. 54-106 applied (with modifications) (15.9.2016) by The River Humber Gas Pipeline Replacement Order 2016 (S.I. 2016/853), arts. 1, **11(3)** (with art. 43)
- C99** Ss. 54-106 applied (23.9.2016) by The M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016 (S.I. 2016/863), arts. 1, **11(3)**
- C100** Ss. 54-106 applied (27.9.2016) by The Triton Knoll Electrical System Order 2016 (S.I. 2016/880), arts. 1(2), **8(3)** (with arts. 39, 40, Sch. 8 para. 19)

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- C101** Ss. 54-106 applied (18.3.2017) by The North London Heat and Power Generating Station Order 2017 (S.I. 2017/215), arts. 1, **10(3)**
- C102** Ss. 54-106 applied (29.3.2017) by The Glyn Rhonwy Pumped Storage Generating Station Order 2017 (S.I. 2017/330), arts. 1, **10(3)** (with art. 31)
- C103** Ss. 54-106 applied (5.4.2017) by The Keuper Underground Gas Storage Facility Order 2017 (S.I. 2017/433), arts. 1, **10(4)**
- C104** Ss. 54-106 applied (8.8.2017) by The Wrexham Gas Fired Generating Station Order 2017 (S.I. 2017/766), arts. 1, **10(3)**
- C105** Ss. 54-106 applied (29.8.2017) by The East Anglia THREE Offshore Wind Farm Order 2017 (S.I. 2017/826), arts. 1, **8(3)** (with arts. 5(9), 36, 37, Sch. 8 para. 34)
- C106** Ss. 54-106 applied (12.10.2018) by The Eggborough Gas Fired Generating Station Order 2018 (S.I. 2018/1020), arts. 1, **8(3)** (with arts. 6, 42)
- C107** Ss. 54-106 applied (3.4.2019) by The Millbrook Gas Fired Generating Station Order 2019 (S.I. 2019/578), arts. 1, **9(3)**
- C108** Ss. 54-106 applied (10.10.2019) by The Abergelli Power Gas Fired Generating Station Order 2019 (S.I. 2019/1268), arts. 1, **9(3)**
- C109** Ss. 54-106 applied (25.10.2019) by The Drax Power (Generating Stations) Order 2019 (S.I. 2019/1315), arts. 1, **9(3)**
- C110** Ss. 54-106 applied (27.2.2020) by The A30 Chiverton to Carland Cross Development Consent Order 2020 (S.I. 2020/121), arts. 1, **11(3)** (with art. 3(1))

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