



# 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*

#### **93 Works affecting level crossings or tramways.**

- (1) This section applies to street works at a crossing of a railway on the level or which affect a tramway.

In this section “the relevant transport authority” means the authority having the management of the railway or tramway undertaking concerned.

- (2) An undertaker proposing to begin to execute works to which this section applies shall give the prescribed notice to the relevant transport authority notwithstanding that such notice is not required under section 55 (notice of starting date).

The provisions of subsections (2) to [F1(9)] of that section (contents of notice, when works may be begun, &c.) apply in relation to the notice required by this subsection as in relation to a notice under subsection (1) of that section.

- (3) An undertaker executing works to which this section applies shall comply with any reasonable requirements made by the relevant transport authority—
- for securing the safety of persons employed in connection with the works, or
  - for securing that interference with traffic on the railway or tramway caused by the execution of the works is reduced so far as is practicable;

and, except where submission of a plan and section is required, he shall defer beginning the works for such further period as the relevant transport authority may reasonably request as needed for formulating their requirements under this subsection or making their traffic arrangements.

- (4) Nothing in subsection (2) or (3) affects the right of an undertaker to execute emergency works.

*Status: Point in time view as at 28/02/2013. This version of this provision has been superseded.*

*Changes to legislation: New Roads and Street Works Act 1991, Section 93 is up to date with all changes known to be in force on or before 08 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) An undertaker executing emergency works shall give notice to the relevant transport authority as soon as reasonably practicable of his intention or, as the case may be, of his having begun to do so notwithstanding that such notice is not required by section 57 (notice of emergency works).

The provisions of subsections (3) and (4) of that section (contents of notice and penalty for failure to give notice) apply in relation to the notice required by this subsection as in relation to a notice under subsection (2) of that section.

#### Textual Amendments

- F1** Word in s. 93(2) substituted (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. 49\(3\), 99\(1\)](#); S.I. 2007/1890, art. 2, [Sch.](#) (with art. 5); S.I. 2007/3174, art. 2, [Sch.](#) (with art. 6)

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

- C1** Pt. 3 modified (9.6.2009) by [The Nottingham Express Transit System Order 2009 \(S.I. 2009/1300\)](#), arts. 1, [4\(1\)\(2\)](#) (with [Sch. 13 para. 14\(2\)](#), [Sch. 14 para. 19](#), [Sch. 16](#))
- C2** S. 93 modified (E.) (1.4.2008) by [The Traffic Management Permit Scheme \(England\) Regulations 2007 \(S.I. 2007/3372\)](#), regs. 1(1), [37\(7\)](#) (with reg. 35)
- C3** S. 93 modified (W.) (1.6.2009) by [The Traffic Management Permit Scheme \(Wales\) Regulations 2009 \(S.I. 2009/1267\)](#), regs. 1, [37\(7\)](#)
- C4** S. 93 modified (25.1.2010) by [The Traffic Management \(Kent County Council\) Permit Scheme Order 2009 \(S.I. 2009/3188\)](#), art. 1, [Sch.](#)
- C5** S. 93 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](#)
- C6** S. 93 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](#)
- C7** S. 93 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](#)
- C8** S. 93 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](#)
- C9** S. 93 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](#)
- C10** S. 93 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](#)
- C11** S. 93 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](#)
- C12** S. 93 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](#)
- C13** S. 93 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](#)
- C14** S. 93 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](#)
- C15** Ss. 54-106 applied (28.2.2013) by [The Rookery South \(Resource Recovery Facility\) Order 2011 2013 \(S.I. 2013/680\)](#), [art. 10\(3\)](#)
- C16** S. 93(3) modified (9.6.2009) by [The Nottingham Express Transit System Order 2009 \(S.I. 2009/1300\)](#), arts. 1, [4\(9\)](#) (with [Sch. 13 para. 14\(2\)](#), [Sch. 14 para. 19](#), [Sch. 16](#))

**Status:**

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