



# Transport Act 2000

## 2000 CHAPTER 38

### PART V

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Charges for street works on highway*

#### **256 Charges where works unreasonably prolonged**

- (1) Section 74 of the New Roads and Street Works Act 1991 (charges where works unreasonably prolonged) is amended as follows.
- (2) After subsection (2) insert—

“(2A) The regulations may prescribe exemptions from the requirement to pay charges.”
- (3) In subsection (3)—
  - (a) for “may submit to the authority” substitute “shall give to the authority, in such manner as may be prescribed, notice containing”, and
  - (b) for “so submitted” substitute “contained in a notice given to an authority in such manner”.
- (4) In subsection (4), for “may submit” substitute “shall give to the authority, in such manner as may be prescribed, notice containing”.
- (5) After subsection (5) insert—

“(5A) The regulations may—

  - (a) prescribe more than one rate of charge in respect of the same description of works, and
  - (b) provide that charges are to be paid in respect of any works of that description at the rate which appears to the highway authority to be appropriate in relation to those works.

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*Status: This is the original version (as it was originally enacted).*

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- (5B) The regulations may make provision for the determination of the duration of works for the purposes of the regulations.
- (5C) And they may, in particular, make provision for works to be treated as beginning or ending on the giving of, or as stated in, a notice given by the undertaker to the highway authority, in the prescribed manner, in accordance with a requirement imposed by the regulations.”
- (6) In subsection (7), for the words from “charge” to the end substitute “charges
- (a) in any particular case,
  - (b) in such classes of case as they may decide or as may be prescribed, or
  - (c) in all cases or in all cases other than a particular case or such class of case as they may decide or as may be prescribed.”
- (7) After that subsection insert—
- “(7A) The regulations may make provision as to—
- (a) the application by local highway authorities of sums paid by way of charges, and
  - (b) the keeping of accounts, and the preparation and publication of statements of account, relating to sums paid by way of charges.
- (7B) The regulations may create in respect of any failure to give a notice required by the regulations a criminal offence triable summarily and punishable with a fine not exceeding level 3 on the standard scale.”