
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the requirements for the specification of materials to be used and the standards of workmanship to be observed by undertakers when reinstating streets in which they have executed street works in accordance with their duty under section 70(1) of the New Roads and Street Works Act 1991 (“the Act”).

An undertaker executing street works is required when reinstating the street to comply with specified requirements as to materials to be used (regulation 4(1) and (2)) and standards of workmanship to be observed (regulation 4(1) and (3)). The specified requirements are prescribed by reference to the Code of Practice (“the Code”) issued by the Secretary of State under section 71(4) of the Act. Different requirements are specified for different types of street (regulation 3 and special provision is made for streets carrying very heavy traffic where the materials and standards of workmanship are to be agreed between the street authority and the undertaker (regulation 3(3)) and for street works classified as immediate works (regulation 8).

Performance standards are prescribed by reference to the Code (regulation 6). It is provided that compliance by an undertaker with the Code or his failure to do so shall amount to compliance with his duties under section 71 of the Act or be evidence of his failure to comply (regulation 9). There is provision for the extension by agreement between the undertaker and the street authority of the period for the completion of permanent reinstatement where an interim reinstatement has been carried out (regulation 10).