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STATUTORY INSTRUMENTS

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**1992 No. 1691**

**HIGHWAYS, ENGLAND AND WALES**

**The Street Works (Maintenance) Regulations 1992**

<i>Made</i>	- - - -	<i>15th July 1992</i>
<i>Laid before Parliament</i>		<i>15th July 1992</i>
<i>Coming into force</i>	- -	<i>1st January 1993</i>

The Secretary of State for Transport and the Secretary of State for Wales in exercise of their powers under section 81 of the New Roads and Street Works Act 1991(1) and of all other enabling powers, hereby make the following Regulations:

1. These Regulations may be cited as the Street Works (Maintenance) Regulations 1992 and shall come into force on 1st January 1993.
2. In these Regulations:—
  - “the Act” means the New Roads and Street Works Act 1991;
  - “relevant apparatus” means manholes or other surface boxes and covers at or about the level of the street surface and manhole chambers, tunnels and other structures affecting the integrity of the structure of the street.
3. If an undertaker has failed to afford the street authority the facilities required by section 81(1) of the Act in relation to relevant apparatus the street authority may, where they have reasonable cause to believe, by reason of subsidence or disturbance of the road surface, that the undertaker’s apparatus has not been maintained as required by that subsection, execute such works as are needed to enable them to inspect the apparatus.
4. The street authority may execute any emergency works needed in consequence of the failure of an undertaker to secure that its relevant apparatus is maintained to the reasonable satisfaction of the street authority as required by section 81(1) of the Act where they have made an inspection in accordance with regulation 3 above and have found that such apparatus has not been so maintained.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the Secretary of State for Transport

15th July 1992

*Kenneth Carlisle*  
Parliamentary Under Secretary of State,  
Department of Transport

15th July 1992

*Wyn Roberts*  
Minister of State for Wales

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations define the circumstances in which a street authority, in cases where the undertaker has failed to afford to that authority facilities for inspecting its relevant apparatus (as defined in regulation 2) in a street, may carry out works to enable them to inspect the apparatus where they have reasonable cause to believe that the apparatus has not been maintained as required by section 81(1) and (2) of the New Roads and Street Works Act 1991. Where the inspection shows that the apparatus has not been so maintained the street authority may carry out emergency works needed in consequence of the undertaker's breach of statutory duty.