

This Statutory Instrument has been made to correct an error in S.I. 2009/303 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2009 No. 1178

HIGHWAYS, ENGLAND

The Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) (Amendment) Regulations 2009

<i>Made</i>	- - - -	<i>6th May 2009</i>
<i>Laid before Parliament</i>		<i>11th May 2009</i>
<i>Coming into force</i>	- -	<i>1st June 2009</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 74, 97 and 104(1) of the New Roads and Street Works Act 1991(a):

Citation, commencement and application

1.—(1) These Regulations may be cited as the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) (Amendment) Regulations 2009 and shall come into force on 1st June 2009.

(2) These Regulations apply to England only.

Amendment

2.—(1) Regulation 15(5) of the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009(b) is amended as follows.

(2) Omit the words “from and including 1st April 2009”.

Signed by authority of the Secretary of State for Transport

6th May 2009

Paul Clark
Parliamentary Under Secretary of State
Department for Transport

(a) 1991 c.22. Section 74 was amended by the Transport Act 2000 (c.38), sections 256 and 274, Schedule 31, Part V and by the Traffic Management Act 2004 (c.18), sections 40(4) and 52. The functions of the Secretary of State under sections 74, 97 and 104 are, so far as exercisable in relation to Wales, vested in the Welsh Ministers. Those functions were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2, Schedule 1. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers.

(b) S.I. 2009/303.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009 to remove the provision contained in regulation 15(5) indicating 1st April 2009 as the date from which all notices required to be given under those Regulations are to be given using electronic communications. This clarifies that the requirement had effect from the date on which those Regulations came in to force, namely the 6th April 2009.

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£4.00