
STATUTORY INSTRUMENTS

2014 No. 2441

The Clocaenog Forest Wind Farm Order 2014

PART 2

Principal powers

Application of the 1991 Act

13.—(1) Works carried out under this Order in relation to a highway which consists of or includes a carriageway are to be treated for the purposes of Part 3 of the 1991 Act (street works) as major transport works if—

- (a) they are of a description mentioned in any of paragraphs (a), (c) to (e), (g) and (h) of section 86(3) of that Act (which defines what highway authority works are major highway works); or
- (b) they are works which, had they been carried out by the highway authority, might have been carried out in exercise of the powers conferred by section 64 of the 1980 Act (dual carriageways and roundabouts).

(2) The provisions of the 1991 Act mentioned in paragraph (3) (which, together with other provisions of that Act, apply in relation to the execution of street works) and any regulations made, or code of practice issued or approved under, those provisions apply (with the necessary modifications) in relation to the temporary stopping up, temporary alteration or temporary diversion of a street by the undertaker under the powers conferred by article 14 (temporary stopping up of streets) and the carrying out of streets works under article 10 (street works) whether or not the stopping up, alteration or diversion constitutes street works within the meaning of that Act.

(3) The provisions of the 1991 Act referred to in paragraph (2) are—

- (a) section 54 (advance notice of certain works),
- (b) section 55 (notice of starting date of works),
- (c) section 57 (notice of emergency works),
- (d) section 59 (general duty of street authority to co-ordinate works),
- (e) section 60 (general duty of undertakers to co-operate),
- (f) section 68 (facilities to be afforded to street authority),
- (g) section 69 (works likely to affect other apparatus in the street),
- (h) section 76 (liability for cost of temporary traffic regulation),
- (i) section 77 (liability for cost of use of alternative route),
- (j) section 82 (liability for damage or loss caused), and

all other such provisions as apply for the purposes of the provisions mentioned above.

(4) Sections 54 and 55 of the 1991 Act as applied by paragraph (3) have effect, as if references in section 57 of that Act to emergency works were a reference to a stopping up, alteration or diversion (as the case may be) required in a case of emergency.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Clocaenog Forest Wind Farm Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Art. 13 in force at 2.10.2014, see [art. 1](#)

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [art. 36\(1A\)](#) inserted by [S.I. 2017/1197 art. 4\(2\)](#)