
STATUTORY INSTRUMENTS

2016 No. 853

The River Humber Gas Pipeline Replacement Order 2016

PART 2

Works Provisions

Street Works

11.—(1) The undertaker may, for the purposes of the authorised project, enter on so much of any of the streets specified in Schedule 4 (streets subject to street works) as is within the Order limits and may—

- (a) break up or open the street, or any sewer, drain or tunnel under it (including for the purposes of carrying out surveys to ascertain the location of apparatus);
- (b) tunnel or bore under the street;
- (c) place apparatus in or under the street;
- (d) maintain apparatus in or under the street or change its position; and
- (e) execute any works required for or incidental to any works referred to in sub-paragraphs (a) to (d) above.

(2) The authority given by paragraph (1) is a statutory right for the purposes of sections 48(3) (streets, street works and undertakers) and 51(1) (prohibition of unauthorised street works) of the 1991 Act⁽¹⁾.

(3) The provisions of sections 54 to 106 of the 1991 Act apply to any street works carried out under paragraph (1) save that—

- (a) section 61(1) of the 1991 Act (under which the consent of the street authority is required for the placing of apparatus in a protected street) does not apply to the placing of apparatus in the course of the authorised project;
- (b) section 62(2) of the 1991 Act (power following the designation of a protected street to require removal or repositioning of apparatus already placed in the street) does not, unless otherwise agreed with the undertaker, apply in relation to apparatus placed in the course of the authorised project; and
- (c) section 62(4) of the 1991 Act (power when a designation as a protected street commences or ceases to give directions with respect to works in progress) does not, unless otherwise agreed with the undertaker, apply in relation to the authorised project.

(4) In this article “apparatus” and “street works” have the same meanings as in Part 3 of the 1991 Act save that “apparatus” further includes pipelines (and parts of them), aerial markers, cathodic protection test posts, field boundary markers, monitoring kiosks and electricity cabinets.

⁽¹⁾ Section 48 is amended by the Local Transport Act 2008 (c.26) s.124(2); section 51 is amended by Schedule 1 to the Traffic Management Act 2004 (c.18).

Changes to legislation: There are currently no known outstanding effects for the The River Humber Gas Pipeline Replacement Order 2016, Section 11. (See end of Document for details)

.....

Commencement Information

II Art. 11 in force at 15.9.2016, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The River Humber Gas Pipeline Replacement Order 2016, Section 11.