STATUTORY RULES OF NORTHERN IRELAND

2001 No. 413

ROADS
STREET WORKS

The Street Works (Maintenance) Regulations (Northern Ireland) 2001

Made - - - - 26th November 2001

Coming into operation 1st March 2002

The Department for Regional Development(**1**), in exercise of the powers conferred by Article 41(3) and (4) of the Street Works (Northern Ireland) Order 1995(**2**) and now exercisable by it(**3**) and of every other power enabling it in that behalf hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Street Works (Maintenance) Regulations (Northern Ireland) 2001 and shall come into operation on 1st March 2002.

(2) In these Regulations—

"the Order" means the Street Works (Northern Ireland) Order 1995; and

"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.

2. If an undertaker has failed to afford the street authority the facilities required by Article 41(1) of the Order in relation to relevant apparatus the street authority may, where it has 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 sub-paragraph, execute such works as are needed to enable it to inspect the apparatus.

3. 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 satisfaction of the street authority as required by Article 41(1) of the Order where it has made such an inspection in accordance with regulation 2 and has found that such apparatus has not been so maintained.

(**1**) S.I.1999/283 (N.I. 1) Article 3(1)
(**2**) S.I. 1995/3210 (N.I. 19)
(**3**) S.R. 1999 No. 481 Article 6(*d*) and Schedule 4 Part IV