
STATUTORY INSTRUMENTS

2014 No. 2384

The Thames Water Utilities Limited
(Thames Tideway Tunnel) Order 2014

PART 2

WORKS PROVISIONS

Streets and traffic regulations

Street works

10.—(1) The undertaker may, for the purposes of the authorised project, other than in respect of specified works subject to the LoPS as applied by the highway authority in whose area the undertaker seeks to carry out such works, 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;
- (b) tunnel or bore under the street, or carry out works to strengthen or repair the carriageway;
- (c) place and keep apparatus in or on the street;
- (d) maintain, renew or alter the position of apparatus in or on the street or change its position;
- (e) demolish, remove, replace and relocate any bus shelter and associated bus stop infrastructure;
- (f) execute any works to provide or improve sight lines required by the highway authority;
- (g) execute and maintain any works to provide hard and soft landscaping;
- (h) carry out re-lining and placement of new temporary markings; and
- (i) execute any works required for or incidental to any works referred to in sub-paragraphs (a) to (h) above.

(2) Without limiting the scope of the powers conferred by paragraph (1) but subject to the consent of the street authority, which consent shall not be unreasonably withheld, the undertaker may, for the purposes of the authorised project, other than in respect of specified works subject to the LoPS as applied by the highway authority in whose area the undertaker seeks to carry out such works, enter on so much of any other street whether or not within the Order limits, for the purposes set out at paragraph (1) (a) to (i) (street works) and article 51(2) (miscellaneous provisions relating to the 1990 Act) shall apply.

(3) The authority given by paragraph (1) or (2) 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).

(4) The provisions of sections 54 to 106 (save insofar as disapplied through the operation of article 56 (*application, disapplication and modification of legislative provisions*)) and Schedule 19

(1) Section 51 is amended by section 40 of and Schedule 1 to the Traffic Management Act 2004 (c.18).

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(*miscellaneous controls*) part 1 to this Order) of the 1991 Act (2) apply to any street works carried out under paragraph (1) or (2).

(5) In Part 3 of the 1991 Act, provisions relating to major highway works which refer to the highway authority concerned shall, in relation to works which are major highway works, be construed as references to the undertaker.

(6) In this article “apparatus” has the same meaning as in Part 3 of the 1991 Act.

(7) The undertaker may not exercise the powers under this article after completion of construction.

(2) Sections 54 to 106 are amended by Schedule 7 to the Road Traffic Act 1991 (c.40), Schedule 1 to the Water Consolidation (Consequential Provisions) Act 1991 (c.60), sections 255 and 256 of the Transport Act 2000 (c.38), sections 40 to 64 of, and Schedule 1 to, the Traffic Management Act 2004 (c.18), Schedule 3 to the Flood and Water Management Act 2010 (c.29), and regulation 17 of S.I. 2007/1951; there are other amendments that are not relevant to this Order.