

1 INTRODUCTION

1.1 Outline of Code

This Code of Practice deals with the question of what action, if any, is required where major highway works, major road works major bridge works or major transport works affect undertakers' apparatus in or above streets.

The Code has been designed to provide background and technical information enabling both the authority and undertaker to understand each other's roles, responsibilities, and issues. Guidance is provided so that mutual agreement can be reached in individual circumstances recognising that there should be a presumption against Diversionary Works unless absolutely necessary. This guidance should not be applied or translated to other types of works, such as the laying of new apparatus in the street or road.

Chapter 2 sets out the guiding principles against which all decisions should be judged.

Chapter 3 - Background, provides a simplified description of the role and responsibilities of various authorities and undertakers.

Chapter 4 - Planning and Liaison, describes procedures to be adopted with a view to minimise the need for diversionary works in the future.

Chapters 5 to 8 give practical advice on the need or otherwise to divert apparatus due to authority major works within a street, road or bridge. Advice is also given with regard to redundant highways, roads and bridges.

Chapter 9 deals with the general financial arrangements.

Chapter 10 sets out a procedure for dispute resolution in the event of any unresolved disagreement.

More detailed information is included in appendices as follows:

- Appendix A sets out a technical description of a variety of undertakers' apparatus.
- Appendix B describes the engineering considerations for undertakers apparatus affected by authority major works
- Appendix C includes procedures for the efficient implementation of measures needed to be taken in relation to apparatus and financial arrangements.
- Appendix D contains detail of the most common provisions for stopping up.
- Appendix E deals with the application of the benefit of Deferment of Renewal
- Appendix F deals with the application of Betterment

1.2 Applicability of the Code

The Code has a slightly different range of application compared to other aspects of the Act in respect of street works or road works,

- i. It only applies to undertaker's apparatus laid in a maintainable highway or public road by virtue of a statutory right.
- ii. The Code applies to pipes, ducts, cables, and other apparatus in the highway or road, as well as to overhead lines and other apparatus on or above ground, provided they are within the boundary of the highway or road. For example, in the case of a cross-country pipeline or overhead line, the Code provisions will only apply to any section which is within the boundary of the highway or road.
- iii. The Code also applies to any necessary off-site works.

1.3 Health and Safety

Although the Code provides practical guidance on health and safety issues, it is not intended as an authoritative interpretation of health and safety legislation.

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