

**2011 No. 91**

**ROADS AND BRIDGES**

**The Road Works (Inspection Fees) (Scotland) Amendment  
Regulations 2011**

*Made* - - - - - *10th February 2011*

*Laid before the Scottish Parliament* *14th February 2011*

*Coming into force* - - - *1st April 2011*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 134 of the New Roads and Street Works Act 1991(a) and all other powers enabling them to do so.

In accordance with section 163A of that Act(b) they have consulted with such—

- (a) persons considered by them to be representative of the interests of undertakers;
- (b) road works authorities; and
- (c) other persons,

as they think appropriate.

**Citation and commencement**

1. These Regulations may be cited as the Road Works (Inspection Fees) (Scotland) Amendment Regulations 2011 and come into force on 1st April 2011.

**Amendment of the Road Works (Inspection Fees) (Scotland) Regulations 2003**

2. In regulation 3(1) (inspection fees) of the Road Works (Inspection Fees) (Scotland) Regulations 2003(c) for “£31.00” substitute “£32.00”.

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(a) 1991 c.22; see section 163(1) of that Act for a definition of “prescribed”. The functions of the Secretary of State, so far as they were exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) Section 163A was inserted by section 39 of the Transport (Scotland) Act 2005 (asp 12).

(c) S.S.I. 2003/415; as amended by S.S.I. 2004/84, 2007/4, 2008/43, 2009/74 and 2010/68.

3. For regulation 3(3) (inspection fees) substitute—

“(3) For the purpose of this regulation, a unit of inspection refers to excavation works only and will be calculated with reference to their duration on the following basis:

**Unit of inspection**

<i>Duration of road works</i>	<i>Unit(s)</i>
Duration of 15 days or less	1
Duration of 16 to 30 days	2
Duration greater than 30 days	3”

**Revocation**

4. The Road Works (Inspection Fees) (Scotland) Amendment Regulations 2010(a) are revoked.

*KEITH BROWN*

Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
10th February 2011

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(a) S.S.I. 2010/68.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations provide for an increase to £32.00 (previously £31.00) in the fee payable by undertakers for inspections of their work by road works authorities in Scotland under regulation 3(1) of the Road Works (Inspection Fees) (Scotland) Regulations 2003. These Regulations also change the calculation of unit(s) of inspection to the duration of the road works rather than the size of the road works. These Regulations also revoke the Road Works (Inspection Fees) (Scotland) Amendment Regulations 2010.

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