

Changes to legislation: New Roads and Street Works Act 1991, SCHEDULE 6B is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 6B

FIXED PENALTIES FOR CERTAIN OFFENCES UNDER PART 4

Textual Amendments

- F1** Sch. 6B inserted (S.) (1.10.2008) by Transport (Scotland) Act 2005 (asp 12), s. 54(2), sch. 5; S.S.I. 2008/15, art. 2(3), sch. 2

Modifications etc. (not altering text)

- C1** Sch. 6B restricted (1.10.2008) by The Road Works (Fixed Penalty) (Scotland) Regulations 2008 (S.S.I. 2008/244), regs. 1, 3

Power to give fixed penalty notices

- 1 (1) An authorised officer of a road works authority may, if having reason to believe that a person is committing or has committed a fixed penalty offence, give that person a fixed penalty notice in relation to that offence.
- (2) In this Schedule “fixed penalty notice” means a notice offering a person the opportunity of discharging any liability to conviction for a fixed penalty offence by payment of a penalty.
- 2 A fixed penalty notice for an offence may not be given after such time relating to the offence as may be prescribed.

Contents of fixed penalty notice

- 3 (1) A fixed penalty notice shall identify the offence to which it relates and give reasonable particulars of the circumstances alleged to constitute that offence.
- (2) A fixed penalty notice shall also state—
- (a) the amount of the penalty and the period within which it may be paid,
 - (b) the discounted amount and the period within which it may be paid,
 - (c) the person to whom and the address at which payment may be made,
 - (d) the method or methods by which payment may be made,
 - (e) the person to whom and the address at which any representations relating to the notice may be made,
 - (f) the consequences of not making a payment within the period for payment.
- (3) The person specified under sub-paragraph (2)(c) must be the road works authority or a person acting on their behalf.

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The amount of the penalty and the period for payment

- 4 (1) The penalty for a fixed penalty offence is (subject to paragraph 5) such amount, not exceeding 30 per cent. of the maximum fine for that offence, as may be prescribed.
- (2) The period for payment of the penalty is the period of [^{F2}36] days beginning with the day on which the notice is given.
- (3) The road works authority may extend the period for paying the penalty in any particular case if they consider it appropriate to do so.

Textual Amendments

- F2** Word in Sch. 6B para. 4(2) substituted (1.10.2008) by [The Road Works \(Fixed Penalty\) \(Scotland\) Regulations 2008 \(S.S.I. 2008/244\)](#), regs. 1, **8(a)**

The discounted amount

- 5 (1) A discounted amount is payable instead of the amount prescribed under paragraph 4(1) if payment is made before the end of the period of [^{F3}29] days beginning with the day on which the notice is given.
- (2) The discounted amount for a fixed penalty offence is such amount, not exceeding 25 per cent. of the maximum fine for the offence, as may be prescribed.
- (3) If the last day of the period specified in sub-paragraph (1) does not fall on a working day, the period for payment of the discounted amount is extended until the end of the next working day.

Textual Amendments

- F3** Word in Sch. 6B para. 5(1) substituted (1.10.2008) by [The Road Works \(Fixed Penalty\) \(Scotland\) Regulations 2008 \(S.S.I. 2008/244\)](#), regs. 1, **8(b)**

Effect of notice and payment of penalty

- 6 (1) This paragraph applies where a person is served with a fixed penalty notice in respect of a fixed penalty offence.
- (2) No proceedings for the offence may be commenced before the end of the period for payment of the penalty.
- (3) No such proceedings may be commenced or continued if payment of the penalty is made before the end of that period or is accepted by the road works authority after that time.
- (4) Payment of the discounted amount counts for the purposes of sub-paragraph (3) only if it is made before the end of the period for payment of the discounted amount.
- (5) In proceedings for the offence a certificate which—
- (a) purports to be signed by or on behalf of a person having responsibility for the financial affairs of the road works authority, and
 - (b) states that payment of an amount specified in the certificate was or was not received by a date so specified,

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is sufficient evidence of the facts stated.

Request for hearing

- 7
- (1) A person to whom a fixed penalty notice has been given may, before the expiry of the period for payment of the penalty, give notice requesting a hearing in respect of the offence to which the fixed penalty notice relates.
 - (2) A notice requesting a hearing under sub-paragraph (1) shall be in writing and shall be sent by post or delivered to the person specified under paragraph 3(2)(c) in the fixed penalty notice at the address so specified.
 - (3) For the purposes of this paragraph and unless the contrary is proved, the sending of a notice by post is deemed to have been effected at the time at which the notice would be delivered in the ordinary course of post.
 - (4) Where a person has requested a hearing in accordance with this section—
 - (a) the road works authority shall hold the hearing,
 - (b) a person authorised for the purpose by the road works authority in whose area the offence was committed shall notify the procurator fiscal of the request, and
 - (c) the period for payment of the fixed penalty shall be calculated so that the period beginning with the giving of the notice under this paragraph and ending with the receipt by the person who gave that notice of the decision reached at the hearing is left out of account.

Power to withdraw notices

- 8
- (1) If the road works authority consider (whether after holding a hearing under paragraph 7 or not) that a fixed penalty notice which has been given ought not to have been given, they may give to the person to whom it was given a notice withdrawing the fixed penalty notice.
 - (2) Where a notice under sub-paragraph (1) is given—
 - (a) the road works authority shall repay any amount which has been paid by way of penalty in pursuance of the fixed penalty notice, and
 - (b) no proceedings shall be commenced or continued against that person for the offence in question.
 - (3) The road works authority shall consider any representations made by or on behalf of the recipient of a fixed penalty notice and decide in all the circumstances whether to withdraw the notice.

Effect of prosecution on notice

- 9
- Where proceedings for an offence in respect of which a fixed penalty notice has been given are commenced, the notice is to be treated as withdrawn.

Recovery of unpaid fixed penalties

- 10
- Subject to paragraphs 8 and 9, where a fixed penalty remains unpaid after the expiry of the period for payment of the penalty it shall be enforceable in like manner as

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an extract registered decree arbitral bearing a warrant for execution issued by the sheriff for any sheriffdom.

Judicial determination of enforcement of fixed penalty

- 11 (1) A person against whom a fixed penalty bears to be enforceable under paragraph 10 may apply to the sheriff by summary application for a declaration that the fixed penalty is not enforceable on the ground that—
- (a) the fixed penalty was paid before the expiry of the period for paying, or
 - (b) the person has made a request for a hearing in accordance with paragraph 7 and no hearing has been held within a reasonable time after the request.
- (2) On an application under sub-paragraph (1), the sheriff may declare—
- (a) that the person has or, as the case may be, has not paid the fixed penalty within the period for payment of the penalty,
 - (b) that the person has or, as the case may be, has not requested a hearing in accordance with paragraph 7,
 - (c) that, where such a request has been made, a hearing has or, as the case may be, has not been held within a reasonable time after the request, and accordingly, that the fixed penalty is or, as the case may be, is not enforceable.

General and supplementary

- 12 (1) The road works authority shall, subject to sub-paragraph (2), remit the money received by them by way of fixed penalties under this Schedule to the Scottish Ministers.
- (2) The Scottish Ministers may, by regulations, provide that the road works authority may retain as much of that money as is sufficient to meet such of their expenditure as is described in the regulations.
- (3) The Scottish Ministers may make regulations about the keeping of accounts, and the preparation and publication of statements of account, relating to fixed penalties under this Schedule.
- 13 (1) Fixed penalty notices may not be given in such circumstances as may be prescribed.
- (2) The method or methods by which fixed penalties may be paid may be prescribed.
- (3) The Scottish Ministers may by regulations modify paragraph 4(2) or 5(1) so as to substitute a different period for the period for the time being specified there.
- 14 The Scottish Ministers may issue or approve for the purposes of this Schedule a code of practice giving guidance to road works authorities and their authorised officers as to the performance of their functions under this Schedule; and in performing those functions those authorities and officers shall have regard to that code of practice.]

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Changes and effects yet to be applied to :

- Sch. 6B para. 4(1) words inserted by [2019 asp 17 s. 112\(3\)\(d\)\(i\)](#)
- Sch. 6B para. 1(1) words substituted by [2019 asp 17 s. 112\(3\)\(a\)](#)
- Sch. 6B para. 3(3) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(i\)](#)
- Sch. 6B para. 4(3) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(ii\)](#)
- Sch. 6B para. 6(3) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(iii\)](#)
- Sch. 6B para. 6(5)(a) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(iii\)](#)
- Sch. 6B para. 7(4)(a) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(iv\)](#)
- Sch. 6B para. 7(4)(b) words substituted by [2019 asp 17 s. 112\(3\)\(f\)](#)
- Sch. 6B para. 8(1) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(v\)](#)
- Sch. 6B para. 8(2)(a) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(v\)](#)
- Sch. 6B para. 8(3) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(v\)](#)
- Sch. 6B para. 12(1) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(vi\)](#)
- Sch. 6B para. 12(2) words substituted by [2019 asp 17 s. 112\(3\)\(h\)\(vi\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 53(1)(a) words in s. 53(1) renumbered as s. 53(1)(a) by [2004 c. 18 s. 45\(2\)\(a\)](#)
- s. 53(1)(b) and word added by [2004 c. 18 s. 45\(2\)\(b\)](#)
- s. 53A inserted by [2004 c. 18 s. 48](#)
- s. 67(1A) inserted by [2004 c. 18 s. 50\(2\)](#)
- s. 67(2A)-(2C) inserted by [2004 c. 18 s. 50\(3\)](#)
- s. 67(4)(c) and word inserted by [2004 c. 18 s. 50\(5\)](#)
- s. 72(2A)(2B) inserted by [2004 c. 18 s. 58\(1\)](#)
- s. 72(3A) inserted by [2004 c. 18 s. 53\(1\)\(b\)](#)
- s. 73A excluded by [S.I. 2005/120 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2006/2905 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2007/2297 art. 3\(2\)](#)
- s. 73A excluded by [S.I. 2008/1261 art. 6\(2\)](#)
- s. 73A excluded by [S.I. 2009/1300 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2009/2364 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2013/1933 art. 3\(2\)](#)
- s. 73A excluded by [S.I. 2013/2587 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2013/2808 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2013/3244 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2014/2027 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2014/2269 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2014/2637 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2014/3102 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2014/909 art. 12\(2\)](#)
- s. 73A excluded by [S.I. 2015/129 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2015/2044 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2016/1035 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2016/547 art. 10\(3\)](#)
- s. 73A excluded by [S.I. 2016/73 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2016/863 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2017/1150 art. 4\(2\)](#)

- s. 73A excluded by S.I. 2017/1214 art. 5(3)
- s. 73A excluded by S.I. 2017/1329 art. 3(3)
- s. 73A excluded by S.I. 2017/830 art. 3(3)
- s. 73A excluded by S.I. 2018/446 art. 4(2)
- s. 73A excluded by S.I. 2018/574 art. 7(3)
- s. 73A excluded by S.I. 2018/994 art. 9(3)
- s. 73A excluded by S.I. 2019/359 art. 9(3)
- s. 73A excluded by S.I. 2020/1075 art. 11(3)
- s. 73A excluded by S.I. 2020/114 art. 4(2)
- s. 73A excluded by S.I. 2020/1297 art. 8(3) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 73A excluded by S.I. 2020/402 art. 9(3)
- s. 73A excluded by S.I. 2020/474 art. 7(3)
- s. 73A excluded by S.I. 2020/528 art. 13(3)
- s. 73A excluded by S.I. 2020/556 art. 9(3)
- s. 73A excluded by S.I. 2020/746 art. 9(3)
- s. 73A excluded by S.I. 2021/74 art. 10(3)
- s. 73A excluded by S.I. 2022/1067 art. 4(2)
- s. 73A excluded by S.I. 2022/1070 art. 11(3)
- s. 73A excluded by S.I. 2022/1194 art. 12(3)(e)
- s. 73A excluded by S.I. 2022/1248 art. 12(3)
- s. 73A excluded by S.I. 2022/299 art. 3(3)(d)
- s. 73A excluded by S.I. 2022/475 art. 9(3)
- s. 73A excluded by S.I. 2022/549 art. 11(3)
- s. 73A excluded by S.I. 2022/573 art. 10(3)
- s. 73A excluded by S.I. 2022/738 art. 11(3)(e)
- s. 73A excluded by S.I. 2022/853 art. 15(2)
- s. 73A excluded by S.I. 2022/911 art. 10(3)(e)
- s. 73A excluded by S.I. 2022/922 art. 10(3)
- s. 73A excluded by S.I. 2022/934 art. 11(3)
- s. 73A excluded by S.I. 2023/218 art. 11(3)
- s. 73A excluded by S.I. 2023/778 art. 11(3)
- s. 73A excluded by S.I. 2023/834 art. 8(3)
- s. 73A excluded by S.I. 2024/360 art. 8(3)
- s. 73A excluded by S.I. 2024/393 art. 12(3)
- s. 73A excluded by S.I. 2024/60 art. 12(3)
- s. 73A-73C inserted by 2004 c. 18 s. 55(1)
- s. 73A modified by S.I. 2009/3188 Sch. para. 3.12
- s. 73A modified by S.I. 2013/1781 art. 2Sch. para. 2.4
- s. 73A modified by S.I. 2013/2389 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2013/2398 Sch. para. 1.5AppendixA
- s. 73A modified by S.I. 2013/2399 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2013/805 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/806 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/808 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/809 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/810 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/811 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/812 art. 2Sch. Appendix C (When in force)
- s. 73A modified by S.I. 2013/813 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/814 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2014/3105 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2014/3106 art. 2Sch. para. 1.8

- s. 73A modified by S.I. 2014/3107 art. 2Sch. para. 1.9
- s. 73A modified by S.I. 2014/3108 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2014/3109 art. 2Sch. para. 1.5AppendixE
- s. 73A modified by S.I. 2014/3109 art. 2Sch. para. 1.5
- s. 73A modified by S.I. 2014/3112 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2015/105 Sch. 1 para. 2.8.1
- s. 73A modified by S.I. 2015/107 Sch. 1 para. 3.5
- s. 73A modified by S.I. 2015/34 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2015/38 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2015/90 Sch. para. 2.8.1
- s. 73A modified by S.I. 2015/91 Sch. para. 2.7.1
- s. 73A(1) excluded by S.I. 2014/2384 Sch. 19 Pt. 1 para. 4(8)
- s. 73A(1) excluded by S.I. 2019/1358 Sch. 14 para. 3(8)
- s. 73A(1) restricted by 2008 c. 18 Sch. 14 para. 14(8)
- s. 73A(1) restricted by 2017 c. 7 Sch. 24 para. 2(8)
- s. 73A(1) restricted by 2021 c. 2 Sch. 24 para. 2(8)
- s. 73A(1) restricted by S.I. 2020/511 Sch. 14 para. 3(8)
- s. 73A(2)(a) modified by S.I. 2007/3372 reg. 37(3)
- s. 73A(2)(a) modified by S.I. 2009/1267 reg. 37(3)
- s. 73B excluded by S.I. 2005/120 art. 4(3)
- s. 73B excluded by S.I. 2006/2905 art. 3(3)
- s. 73B excluded by S.I. 2007/2297 art. 3(2)
- s. 73B excluded by S.I. 2008/1261 art. 6(2)
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- s. 73B excluded by S.I. 2013/2587 art. 4(3)
- s. 73B excluded by S.I. 2013/2808 art. 8(3)
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- s. 73B excluded by S.I. 2017/1150 art. 4(2)
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- s. 73B excluded by S.I. 2017/1329 art. 3(3)
- s. 73B excluded by S.I. 2017/830 art. 3(3)
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- s. 73B excluded by S.I. 2020/402 art. 9(3)

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- s. 73B excluded by S.I. 2020/746 art. 9(3)
- s. 73B excluded by S.I. 2021/74 art. 10(3)
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- s. 73B excluded by S.I. 2022/738 art. 11(3)(f)
- s. 73B excluded by S.I. 2022/853 art. 15(2)
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- s. 73B excluded by S.I. 2024/393 art. 12(3)
- s. 73B excluded by S.I. 2024/60 art. 12(3)
- s. 73C excluded by S.I. 2005/120 art. 4(3)
- s. 73C excluded by S.I. 2006/2905 art. 3(3)
- s. 73C excluded by S.I. 2007/2297 art. 3(2)
- s. 73C excluded by S.I. 2008/1261 art. 6(2)
- s. 73C excluded by S.I. 2009/1300 art. 4(3)
- s. 73C excluded by S.I. 2009/2364 art. 3(3)
- s. 73C excluded by S.I. 2013/1933 art. 3(2)
- s. 73C excluded by S.I. 2013/2587 art. 4(3)
- s. 73C excluded by S.I. 2013/2808 art. 8(3)
- s. 73C excluded by S.I. 2013/3244 art. 4(3)
- s. 73C excluded by S.I. 2014/2027 art. 4(2)
- s. 73C excluded by S.I. 2014/2269 art. 8(3)
- s. 73C excluded by S.I. 2014/2637 art. 8(3)
- s. 73C excluded by S.I. 2014/3102 art. 3(3)
- s. 73C excluded by S.I. 2014/909 art. 12(2)
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- s. 73C excluded by S.I. 2016/1035 art. 4(3)
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- s. 73C excluded by S.I. 2017/830 art. 3(3)
- s. 73C excluded by S.I. 2018/446 art. 4(2)
- s. 73C excluded by S.I. 2018/574 art. 7(3)
- s. 73C excluded by S.I. 2018/994 art. 9(3)
- s. 73C excluded by S.I. 2019/359 art. 9(3)
- s. 73C excluded by S.I. 2020/1075 art. 11(3)
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- s. 73C excluded by S.I. 2020/402 art. 9(3)
- s. 73C excluded by S.I. 2020/474 art. 7(3)
- s. 73C excluded by S.I. 2020/528 art. 13(3)
- s. 73C excluded by S.I. 2020/556 art. 9(3)
- s. 73C excluded by S.I. 2020/746 art. 9(3)
- s. 73C excluded by S.I. 2021/74 art. 10(3)
- s. 73C excluded by S.I. 2022/1067 art. 4(2)
- s. 73C excluded by S.I. 2022/1070 art. 11(3)
- s. 73C excluded by S.I. 2022/1194 art. 12(3)(g)
- s. 73C excluded by S.I. 2022/1248 art. 12(3)
- s. 73C excluded by S.I. 2022/299 art. 3(3)(f)
- s. 73C excluded by S.I. 2022/475 art. 9(3)
- s. 73C excluded by S.I. 2022/549 art. 11(3)
- s. 73C excluded by S.I. 2022/573 art. 10(3)
- s. 73C excluded by S.I. 2022/738 art. 11(3)(g)
- s. 73C excluded by S.I. 2022/853 art. 15(2)
- s. 73C excluded by S.I. 2022/911 art. 10(3)(g)
- s. 73C excluded by S.I. 2022/922 art. 10(3)
- s. 73C excluded by S.I. 2022/934 art. 11(3)
- s. 73C excluded by S.I. 2023/218 art. 11(3)
- s. 73C excluded by S.I. 2023/778 art. 11(3)
- s. 73C excluded by S.I. 2023/834 art. 8(3)
- s. 73C excluded by S.I. 2024/360 art. 8(3)
- s. 73C excluded by S.I. 2024/393 art. 12(3)
- s. 73C excluded by S.I. 2024/60 art. 12(3)
- s. 73D73E inserted by 2004 c. 18 s. 56
- s. 78A excluded by S.I. 2005/120 art. 4(3)
- s. 78A excluded by S.I. 2006/2905 art. 3(3)
- s. 78A excluded by S.I. 2007/2297 art. 3(2)
- s. 78A excluded by S.I. 2008/1261 art. 6(2)
- s. 78A excluded by S.I. 2009/1300 art. 4(3)
- s. 78A excluded by S.I. 2009/2364 art. 3(3)
- s. 78A excluded by S.I. 2013/1933 art. 3(2)
- s. 78A excluded by S.I. 2013/2587 art. 4(3)
- s. 78A excluded by S.I. 2013/2808 art. 8(3)
- s. 78A excluded by S.I. 2013/3244 art. 4(3)
- s. 78A excluded by S.I. 2014/2027 art. 4(2)
- s. 78A excluded by S.I. 2014/2269 art. 8(3)
- s. 78A excluded by S.I. 2014/2637 art. 8(3)
- s. 78A excluded by S.I. 2014/3102 art. 3(3)
- s. 78A excluded by S.I. 2014/909 art. 12(2)
- s. 78A excluded by S.I. 2015/129 art. 9(3)
- s. 78A excluded by S.I. 2015/2044 art. 4(3)
- s. 78A excluded by S.I. 2016/1035 art. 4(3)
- s. 78A excluded by S.I. 2016/547 art. 10(3)
- s. 78A excluded by S.I. 2016/73 art. 8(3)
- s. 78A excluded by S.I. 2016/863 art. 9(3)
- s. 78A excluded by S.I. 2017/1150 art. 4(2)
- s. 78A excluded by S.I. 2017/1214 art. 5(3)
- s. 78A excluded by S.I. 2017/1329 art. 3(3)
- s. 78A excluded by S.I. 2017/830 art. 3(3)
- s. 78A excluded by S.I. 2018/446 art. 4(2)
- s. 78A excluded by S.I. 2018/574 art. 7(3)
- s. 78A excluded by S.I. 2018/994 art. 9(3)

- s. 78A excluded by [S.I. 2019/359 art. 9\(3\)](#)
- s. 78A excluded by [S.I. 2020/1075 art. 11\(3\)](#)
- s. 78A excluded by [S.I. 2020/114 art. 4\(2\)](#)
- s. 78A excluded by [S.I. 2020/1297 art. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2020/1297](#) was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 78A excluded by [S.I. 2020/402 art. 9\(3\)](#)
- s. 78A excluded by [S.I. 2020/474 art. 7\(3\)](#)
- s. 78A excluded by [S.I. 2020/528 art. 13\(3\)](#)
- s. 78A excluded by [S.I. 2020/556 art. 9\(3\)](#)
- s. 78A excluded by [S.I. 2020/746 art. 9\(3\)](#)
- s. 78A excluded by [S.I. 2021/74 art. 10\(3\)](#)
- s. 78A excluded by [S.I. 2022/1067 art. 4\(2\)](#)
- s. 78A excluded by [S.I. 2022/1070 art. 11\(3\)](#)
- s. 78A excluded by [S.I. 2022/1194 art. 12\(3\)\(h\)](#)
- s. 78A excluded by [S.I. 2022/1248 art. 12\(3\)](#)
- s. 78A excluded by [S.I. 2022/299 art. 3\(3\)\(g\)](#)
- s. 78A excluded by [S.I. 2022/475 art. 9\(3\)](#)
- s. 78A excluded by [S.I. 2022/549 art. 11\(3\)](#)
- s. 78A excluded by [S.I. 2022/573 art. 10\(3\)](#)
- s. 78A excluded by [S.I. 2022/738 art. 11\(3\)\(h\)](#)
- s. 78A excluded by [S.I. 2022/853 art. 15\(2\)](#)
- s. 78A excluded by [S.I. 2022/911 art. 10\(3\)\(h\)](#)
- s. 78A excluded by [S.I. 2022/922 art. 10\(3\)](#)
- s. 78A excluded by [S.I. 2022/934 art. 11\(3\)](#)
- s. 78A excluded by [S.I. 2023/218 art. 11\(3\)](#)
- s. 78A excluded by [S.I. 2023/778 art. 11\(3\)](#)
- s. 78A excluded by [S.I. 2023/834 art. 8\(3\)](#)
- s. 78A excluded by [S.I. 2024/360 art. 8\(3\)](#)
- s. 78A excluded by [S.I. 2024/393 art. 12\(3\)](#)
- s. 78A excluded by [S.I. 2024/60 art. 12\(3\)](#)
- s. 78A inserted by [2004 c. 18 s. 57\(1\)](#)
- s. 78A modified by [2017 c. 7 Sch. 24 para. 2\(10\)](#)
- s. 78A(1) excluded by [S.I. 2014/2384 Sch. 19 Pt. 1 para. 4\(8\)](#)
- s. 78A(1) excluded by [S.I. 2019/1358 Sch. 14 para. 3\(8\)](#)
- s. 78A(1) restricted by [S.I. 2020/511 Sch. 14 para. 3\(8\)](#)
- s. 78A(1)(b) modified by [2021 c. 2 Sch. 24 para. 2\(10\)](#)
- s. 78A(1)(b) restricted by [2008 c. 18 Sch. 14 para. 14\(9\)](#)
- s. 79(1A) inserted by [2004 c. 18 s. 46\(2\)](#)
- s. 79(2A) inserted by [2004 c. 18 s. 46\(3\)](#)
- s. 79(3A) inserted by [2004 c. 18 s. 46\(4\)](#)
- s. 80(1A) inserted by [2004 c. 18 s. 47\(3\)](#)
- s. 80(2)(2A) substituted for s. 80(2)(3) by [2004 c. 18 s. 47\(4\)](#)
- s. 80(5)(6) added by [2004 c. 18 s. 47\(6\)](#)
- s. 90(2A) inserted by [2004 c. 18 s. 53\(2\)\(b\)](#)
- s. 97(3) inserted by [2004 c. 18 s. 64\(4\)](#)
- s. 112B(2A) inserted by [2019 asp 17 s. 117\(2\)\(a\)](#)
- s. 112B(5A) inserted by [2019 asp 17 s. 117\(2\)\(b\)](#)
- s. 112B(9) inserted by [2019 asp 17 s. 117\(2\)\(d\)](#)
- s. 114A inserted by [2019 asp 17 s. 117\(3\)](#)
- s. 126(1ZA) inserted by [2019 asp 17 s. 116\(2\)\(a\)](#)
- s. 126(2ZA) inserted by [2019 asp 17 s. 116\(2\)\(b\)](#)
- s. 126(2ZB) inserted by [2019 asp 17 s. 116\(2\)\(c\)](#)
- s. 129(5B) inserted by [2019 asp 17 s. 117\(4\)\(c\)](#)

- s. 130A-130C inserted by 2019 asp 17 s. 118(2)
- s. 130B inserted by 2005 asp 12 s. 38(1)
- s. 132A-132C and cross-heading inserted by 2005 asp 12 s. 30(1)
- s. 132A-132E repealed by 2019 asp 17 sch. para. 6(7)
- s. 132D-132E inserted by 2005 asp 12 s. 31
- s. 137A inserted by 2005 asp 12 s. 32(1)
- s. 137A repealed by 2019 asp 17 sch. para. 6(7)
- s. 138A substituted for s. 138 by 2019 asp 17 s. 119(2)
- s. 139(1A)(1B) substituted for s. 139(1) by 2019 asp 17 s. 119(3)(a)
- s. 143(2)(b)(i) words inserted by 2005 asp 12 s. 38(2)
- s. 153A-153I and cross-heading inserted by 2019 asp 17 s. 111(2)
- s. 154B inserted by 2005 asp 12 s. 35
- s. 163(2A) inserted by 2019 asp 17 s. 111(3)
- Sch. 6B para. 1(2)(a) Sch. 6B para. 1(2) renumbered as Sch. 6B para. 1(2)(a) by 2019 asp 17 s. 112(3)(c)(i)
- Sch. 6B para. 1(1A) inserted by 2019 asp 17 s. 112(3)(b)
- Sch. 6B para. 1(2)(b) inserted by 2019 asp 17 s. 112(3)(c)(ii)
- Sch. 6B para. 4(1A) inserted by 2019 asp 17 s. 112(3)(d)(ii)
- Sch. 6B para. 5(A1) inserted by 2019 asp 17 s. 112(3)(e)
- Sch. 6B para. 13A inserted by 2019 asp 17 s. 112(3)(g)