



# London Local Authorities and Transport for London Act 2008

## 2008 CHAPTER iii

### PART 3

#### ROAD TRAFFIC AND HIGHWAYS

#### 10 Overhanging trees etc. which obstruct views of traffic signs, etc.

- (1) Section 154(1) of the Highways Act 1980 (c. 66) (cutting or felling trees etc. that overhang or are a danger to roads or footpaths) shall apply as respects—
- (a) a highway for which a London authority are the highway authority;
  - (b) any road or footpath in a borough which is not a highway,
- in accordance with subsection (2) below.
- (2) For the words from “overhangs a highway or any other road” to “horse-riders,” there is substituted—
- “(a) overhangs a highway or any other road or footpath to which the public has access so as to endanger or obstruct the passage of vehicles or pedestrians,
  - (b) obstructs or interferes with the view of drivers of vehicles or the light from a public lamp,
  - (c) overhangs a highway so as to endanger or obstruct the passage of horse-riders,
  - (d) obstructs or interferes with the view of a traffic sign which drivers of vehicles, cyclists or pedestrians have or would otherwise have, or
  - (e) prevents or hampers the operation of any device used for obtaining evidence in relation to contraventions of law relating to the use of vehicles,”.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## 11 Removal of abandoned apparatus etc. from streets

- (1) If, in the opinion of the relevant street authority—
- (a) apparatus in a street is not, or is no longer, used for the purposes of the undertaking for which it was provided and there is no reasonable likelihood that it will be so used; and
  - (b) the apparatus is causing a nuisance or is detrimental to the amenity of the area in which it is located,
- the relevant street authority may serve a notice under this section upon the owner of the apparatus.
- (2) If, after reasonable enquiry, the relevant street authority have been unable to ascertain the name and address of the owner, they may affix a notice under this section to the apparatus.
- (3) A notice under this section is a notice requiring, within such reasonable time (not being less than 28 days) as may be specified in the notice, the owner of the apparatus to remove the apparatus.
- (4) The sections of the Public Health Act 1936 (c. 49) mentioned in Schedule 1 to this Act shall have effect as if references in those sections to that Act included references to this section.
- (5) The period within which the owner of apparatus must comply with the requirements of a notice served under subsection (1) above may be extended with the agreement of the council.
- (6) In this section—
- “apparatus” means any apparatus placed in a street (but does not include apparatus placed wholly under a street) and includes any structure for housing any apparatus or for gaining access to apparatus;
- “relevant street authority” means—
- (a) the borough council, as respects roads for which they are the street authority;
  - (b) Transport for London, as respects roads for which they are the street authority,
- under Part III of the New Roads and Street Works Act 1991 (c. 22);
- “street” has the same meaning as in Part III of the New Roads and Street Works Act 1991.