

SCHEDULES

SCHEDULE 24

Section 343(2).

CONSEQUENTIAL AMENDMENTS

Military Lands Act 1892

- 1 In the Military Lands Act 1892—
- (a) in section 13, for " the Highways Act 1959" substitute " the Highways Act 1980 ", for " section one hundred and eight" substitute (in both places) " section 116 " and for "section two hundred and seventy-five of the said Act of 1959 " substitute " section 317 of the said Act of 1980 ";
 - (b) in section 16(2), for " the Highways Act 1959 " substitute " the Highways Act 1980 ".

Settled Land Act 1925

- 2 In section 56(3) of the Settled Land Act 1925, for " the Highways Act 1959" substitute (in paragraph (a) and paragraph (b)) " the Highways Act 1980 ".

Universities and College Estates Act 1925

- 3 In section 16(3) of the Universities and College Estates Act 1925, for "the Highways Act 1959" substitute (in paragraph (a) and paragraph (b)) " the Highways Act 1980 ".

Public Health Act 1936

- 4 In the Public Health Act 1936—
- (a) in section 20(1)(b), for " Part IX of the Highways Act 1959 " substitute " Part XI of the Highways Act 1980 ";
 - (b) in section 21, for subsection (4) substitute—
 - “(4) Nothing in this section shall be construed as limiting the rights of a county council under section 264 of the Highways Act 1980.”.

Public Utilities Street Works Act 1950

- 5 In section 39(1) of the Public Utilities Street Works Act 1950—
- (a) in the definition of " highway authority " and " local highway authority ", for " the Highways Act 1959 " substitute " the Highways Act 1980 ";
 - (b) in the definition of " road purposes", for " subsection (1) of section two hundred and ninety-five of the Highways Act 1959 as amended by the Highways Act 1971 " substitute " section 329(1) of the Highways Act 1980 ".

Status: This is the original version (as it was originally enacted).

Agriculture (Improvement of Roads) Act 1955

- 6 In section 5(1) of the Agriculture (Improvement of Roads) Act 1955, in the definition of " unclassified road ", for " under the Ministry of Transport Act 1919" substitute " within the meaning of the Highways Act 1980 ".

Parish Councils Act 1957

- 7 In section 3(10) of the Parish Councils Act 1957—
- (a) for " the Highways Act 1959 " substitute " the Highways Act 1980 ";
 - (b) for " section eleven of the said Act of 1959 " substitute " section 16 of the said Act of 1980 ".

Land Compensation Act 1961

- 8 In section 8(7) of the Land Compensation Act 1961 for paragraph (c) substitute—
“(c) section 261(1) of the Highways Act 1980 (or its predecessor, section 222(6) of the Highways Act 1959);”.

Public Health Act 1961

- 9 In section 51(2), (4) and (11) of the Public Health Act 1961, for " section one hundred and fifty-six of the Highways Act 1959 " substitute " section 185 of the Highways Act 1980 ".

Pipelines Act 1962

- 10 In the Pipelines Act 1962—
- (a) in section 15(10), in the definition of "special road", after " Highways Act 1959 ", insert " or section 16 of the Highways Act 1980 ", for " section nineteen of" substitute " paragraph 3 of Schedule 23 to ", and for " section eleven thereof " substitute " section 16 thereof ";
 - (b) in section 18(1) for "section one hundred and thirty-seven of the Highways Act 1959 " substitute " section 157 of the Highways Act 1980 (or its predecessor, section 137 of the Highways Act 1959) ", and for " section eighteen of the Road Traffic and Roads Improvement Act 1960" substitute " section 158 of the Highways Act 1980 (or its predecessor section 18 of the Road Traffic and Roads Improvement Act 1960) ";
 - (c) in section 66(1), in the definition of " carriageway" for " subsection (1) of section two hundred and ninety-five of the Highways Act 1959" substitute " section 329(1) of the Highways Act 1980 ".

London Government Act 1963

- 11 In Schedule 9 to the London Government Act 1963, in Part II, in paragraph 5, omit the words from " and " to the end.

Licensing Act 1964

- 12 In section 9(4) of the Licensing Act 1964—

Status: This is the original version (as it was originally enacted).

- (a) in paragraph (a), for " the Highways Act 1959 " substitute " the Highways Act 1980 " and for section 19 of that Act" substitute " paragraph 3 of Schedule 23 to that Act " ;
- (b) in paragraph (b), for " section 12" substitute " section 17 ".

New Forest Act 1964

- 13 In section 3 of the New Forest Act 1964—
- (a) in subsection (2), subsection (3) and subsection (4), for " the Highways Act 1959 " substitute " the Highways Act 1980 ";
 - (b) in subsection (6), for " section 144 of the Highways Act 1959 " substitute " section 165 of the Highways Act 1980 ".

Severn Bridge Tolls Act 1965

- 14 In the Severn Bridge Tolls Act 1965—
- (a) in section 1(4), for " the Highways Act 1959 ", in the second place where it occurs, substitute " the Highways Act 1980 ";
 - (b) in section 2(4), for " the Highways Act 1959 " substitute " the Highways Act 1980 " ;
 - (c) in section 15(3), for " the Highways Act 1959 " substitute " the Highways Act 1980 " ;
 - (d) in section 16(1), for "section 11 or section 13 of the Highways Act 1959 " substitute " section 16 or 18 of the Highways Act 1980 ";
 - (e) in section 16(2), for " the Highways Act 1959 (other than sections 11 and 13 thereof)" substitute " the Highways Act 1980 (other than sections 16 and 18 thereof) ", for "section 13 of that Act" substitute " section 18 of that Act " and for " section 215 " substitute " section 239(2) and (4) ";
 - (f) in section 22(1), in the definition of " carriageway " and in the definition of "verge", for "the Highways Act 1959" substitute " the Highways Act 1980 ";
 - (g) in section 22(2), for " the Highways Act 1959 " substitute " the Highways Act 1980 ", omit " (whether before or after the passing of this Act) " and for " section 12(3)" substitute " section 17(3) ".

New Towns Act 1965

- 15 In the New Towns Act 1965—
- (a) in section 25, for " the Highways Act 1959 " substitute " the Highways Act 1980 ";
 - (b) in Schedule 3, in paragraph 7(2)(b), for " section 7 or 9 of the Highways Act 1959 " substitute " section 10 or, so far as it relates to trunk roads, section 14 of the Highways Act 1980 ", and for the words from "section 1(3)" onwards substitute " section 7 or 9 of the Highways Act 1959 (to which, respectively, the said section 10 and, so far as it relates to trunk roads, the said section 14 correspond) and the enactments to which the said sections 7 and 9 corresponded (namely, section 1(3) of the Trunk Roads Act 1936, sections 1 and 4 of the Trunk Roads Act 1946 and section 14(1) of the Special Roads Act 1949) ".

Status: This is the original version (as it was originally enacted).

Road Traffic Regulation Act 1967

- 16 In the Road Traffic Regulation Act 1967—
- (a) in section 13(1), after " the Highways Act 1959 " insert " or section 16 of the Highways Act 1980 ", for "section 19 thereof" substitute " paragraph 3 of Schedule 23 to that Act ", and !for "that section" substitute " that paragraph ";
 - (b) in section 13(2)(a), for " the said section 19" substitute " the said paragraph 3 ";
 - (c) in section 14(1), for " section 7 of the Highways Act 1959 " substitute " section 10 of the Highways Act 1980 ", and for " the said section 7 " substitute " the said section 10 ";
 - (d) in section 44(3)(d), for " the Highways Act 1959" substitute " the Highways Act 1980 ";
 - (e) in section 50, in the definition of "road", for "section 11 of the Highways Act 1959 " substitute " section 16 of the Highways Act 1980 ";
 - (f) in section 72(6)(a) for the words from " classified " to " or as " substitute " by virtue of section 12 of the Highways Act 1980 (whether as falling within subsection (1) or as being so classified under subsection (3)) a principal road, or ";
 - (g) in section 84B(8) for paragraph (a) substitute—
 - “(a) by virtue of section 12 of the Highways Act 1980 (whether as falling within subsection (1) or as being so classified under subsection (3)); or ;”
 - (h) in section 104(1), in the definition of " special road ", after " Highways Act 1959 " insert " or section 16 of the Highways Act 1980 ", for " section 19 of " substitute " paragraph 3 of Schedule 23 to " and for " section 11 thereof" substitute " section 16 thereof ";
 - (i) in section 108(3) for " the Highways Act 1959 " substitute " the Highways Act 1980 ";
 - (j) in Schedule 5, in paragraph 24, for " section 249 of the Highways Act 1959 " substitute " section 283 of the Highways Act 1980 ".

Countryside Act 1968

- 17 In the Countryside Act 1968—
- (a) in section 27(6), for the words from the beginning to " traffic sign)" substitute " Section 131(2) of the Highways Act 1980 (destruction or defacement of a traffic sign) ";
 - (b) in section 49(2), in the definition of " bridleway " and " foot path", for "section 295(1) of the Highways Act 1959" substitute " section 329(1) of the Highways Act 1980 ".
 - (c) in Schedule 3, in Part I, in paragraph 2(d) of the entry relating to the Acquisition of Land (Authorisation Procedure) Act 1946, for " Schedule 7 to the Highways Act 1959, as amended below," substitute " Schedule 6 to the Highways Act 1980 ".

Transport Act 1968

- 18 In the Transport Act 1968—

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- (a) in section 119(1), for "section 229 of the Highways Act 1959 " substitute " section 266 of the Highways Act 1980 ", for "section 230 of the said Act of 1959" substitute " section 267 of the said Act of 1980 ", for " section 58(2) of the said Act of 1959 " substitute " section 55(2) of the said Act of 1980 " and for " section 229(3) or 230(2) of the said Act of 1959 " substitute " section 266(5) or 267(2) of the said Act of 1980 ";
- (b) in section 121(6), for " the Highways Act 1959 " substitute " the Highways Act 1980 " and for " paragraph (iii) of the proviso to " substitute " subparagraph (2)(c) of ";
- (c) in section 121(7), for " the Highways Act 1959 " substitute " the Highways Act 1980 " and for "paragraph (iii) of the proviso to " substitute " subparagraph (2)(c) of " ;
- (d) in section 159(1), in paragraph (a) of the definition of "highway authority", for "the Highways Act 1959" substitute " the Highways Act 1980 " .

Chronically Sick and Disabled Persons Act 1970

- 19 In section 20(2) of the Chronically Sick and Disabled Persons Act 1970, in the definition of " footway ", for " the Highways Act 1959 " substitute " the Highways Act 1980 " .

Town and Country Planning Act 1971

- 20 In the Town and Country Planning Act 1971—
- (a) in section 16—
 - (i) for the words from " section 7 " onwards in paragraph (a) substitute " section 10, 14, 16, 18, 106(1), 106(3) or 108(1) of the Highways Act 1980 (trunk road orders, special road schemes, orders or schemes for bridges over or tunnels under navigable waters, orders for diversion of navigable waters, and supplementary orders relating to trunk roads, classified roads or special roads) ";
 - (ii) for paragraph (b) substitute—
 - “(b) an order or scheme under any provision replaced by the provisions of the Highways Act 1980 mentioned in paragraph (a) above (namely, an order or scheme under section 7, 9, 11, 13 or 20 of the Highways Act 1959, section 3 of the Highways (Miscellaneous Provisions) Act 1961 or section 1 or 10 of the Highways Act 1971);”;
 - (iii) omit paragraph (c).
 - (b) in section 20(1), for " the Highways Act 1959 " substitute " the Highways Act 1980 ";
 - (c) in section 24(8)(b) for " the Highways Act 1959 " substitute " the Highways Act 1980 " and after " being an enactment" insert " (derived from the Highways Act 1959) ";
 - (d) in section 192(1)(d) for the words from " the Highways Act 1959" to "the said Act of 1971)" substitute " the Highways Act 1980 relating to trunk roads, special roads or classified roads (or under the corresponding provisions of Part II of the Highways Act 1959 or section 1 of the Highways Act 1971) being land in relation to which a power of compulsory acquisition conferred by any of the provisions of Part XII of the said Act

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- of 1980 (including a power compulsorily to acquire any right by virtue of section 250) ";
- (e) in section 206(4)—
- (i) in paragraph (a), before " under" insert " made, or having effect as if made ", and for " the Highways Act 1959 " substitute " the Highways Act 1980 ";
 - (ii) in paragraph (b), before " under" insert " made or having effect as if made ";
 - (iii) in paragraph (c), for the words from "under" onwards substitute " made, or having effect as if made, under section 106(3) of the said Act ";
 - (iv) in paragraph (d), for the words from "under" onwards substitute " relating to a classified road made, or having effect as if made, under section 14 of the said Act ";
- (f) in section 209(2), for " the Highways Act 1959 " substitute (in paragraph (a) and paragraph (c)) " the Highways Act 1980 ";
- (g) in section 255(1), for the words from " section 238(1) and (3) " to "highways)" substitute " section 274 of the Highways Act 1980 (contributions by local authorities towards expenses of highway authorities) ";
- (h) in section 290(1), in the definitions of "bridleway", " footpath" and " highway", for " the Highways Act 1959 ", in each case, substitute " the Highways Act 1980 ", and in the definition of " improvement" for " the Highways Act 1959 as amended by the Highways Act 1971" substitute " the Highways Act 1980 ";
- (i) in Schedule 5—
- (i) in paragraph 5(1)(a) for " section 7 of the Highways Act 1959 " substitute " section 10 of the Highways Act 1980 (or has made an order under section 7 of the Highways Act 1959) ";
 - (ii) for paragraph 5(1)(b) substitute—
 - “(b) makes an order relating to a trunk road under section 14 of the Highways Act 1980 (or has made an order under section 9 of the Highways Act 1959) or makes or confirms a scheme or order under section 16 or 18 of the Highways Act 1980 (or has made or confirmed a scheme or order under section 11 or 13 of the Highways Act 1959)”;
- (j) in Schedule 7, in paragraph 2, for " the Highways Act 1959 " substitute " the Highways Act 1980 ";
- (k) in Schedule 22, for paragraph 2 substitute—
- “2 The following provisions of the Highways Act 1980:—
 - section 73(1) to (3), (6) and (9) to (11).
 - section 74 except subsection (6).
 - sections 188, 193 and 196.
 - section 200(2) and (4).
 - section 241.
 - section 261(5) and, so far as it relates to (5), (6).
 - section 307(5) and (7).

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Schedule 9.”;

(l) in Schedule 22. for paragraph 3 substitute—

“3 The following further provisions of the Highways Act 1980:—

- (a) sections 187 and 200(1) so far as applicable for the purposes of section 188 of that Act;
- (b) section 247(6) so far as applicable for the purposes of section 241 of that Act;
- (c) in section 307—
 - (i) subsections (1) to (3) so far as applicable for the purposes of section 73 of that Act;
 - (ii) subsections (1), (3) and (6) so far as applicable for the purposes of section 74 of that Act;
 - (iii) subsections (1) and (3) so far as applicable for the purposes of sections 193 and 200(2) of that Act;

(d) section 311 so far as applicable for the purposes of section 74 of that Act.”;

(m) in Schedule 22, for paragraph 4 substitute—

“4 Section 279 of the Highways Act 1980 so far as the purposes in question are the purposes of the exercise—

- (a) by a county council in relation to roads maintained by that council; or
- (b) by the Greater London Council in relation to any road that is for the time being a metropolitan road within the meaning of that Act,

of their powers under section 73(1) to (3), (6) and (9) to (11) or section 241 of that Act.”.

Road Traffic Act 1972

21 In the Road Traffic Act 1972, in section 36A(4) and in section 36B(8) for " the Highways Act 1959 " substitute " the Highways Act 1980 ".

Local Government Act 1972

22 In Schedule 16 to the Local Government Act 1972, in paragraph 17(a), after " under " insert " section 12(3) of the Highways Act 1980 or ".

Land Compensation Act 1973

23 In the Land Compensation Act 1973—

- (a) in section 19(1), in the definition of " highway ", for " section 295(1) of the Highways Act 1959 " substitute " section 329(1) of the Highways Act 1980 ";
- (b) in section 44(2), for " paragraph 7 of Schedule 6 to the High ways Act 1971 " substitute " paragraph 6 of Schedule 19 to the Highways Act 1980 ";
- (c) in section 58(2)(a), for " paragraph 8 of Schedule 6 to the Highways Act 1971 " substitute " paragraph 7 of Schedule 19 to the Highways Act 1980 ";
- (d) in section 69, for subsection (1) substitute—

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“(1) In section 192(1)(d) of the Act of 1971 (land on or adjacent to line of highway proposed to be constructed etc. as indicated in an order or scheme which has come into operation under the provisions of Part II of the Highways Act 1980 relating to trunk roads, special roads or classified roads, or under the corresponding provisions of Part II of the Highways Act 1959 or section 1 of the Highways Act 1971) the reference to an order or scheme which has come into operation as aforesaid shall include a reference to—

- (a) an order or scheme which has been submitted for confirmation to, or prepared in draft by, the Minister of Transport or the Secretary of State under the provisions of Part II of the said Act of 1980 relating to trunk roads, special roads or classified roads and in respect of which a notice has been published under paragraph 1, 2 or 10 of Schedule 1 to that Act;
- (b) an order or scheme under Part II of the Highways Act 1959 or section 1 of the Highways Act 1971, being an order or scheme which corresponds to any such order or scheme as is mentioned in paragraph (a) above and which has been submitted for confirmation to, or been prepared in draft by, the Minister of Transport or the Secretary of State and in respect of which a notice has been published under paragraph 1, 2 or 7 of Schedule 1 to the said Act of 1959.”;
- (e) in section 74(1) omit paragraph (a) and in paragraph (b) for " the said section 22(1) " substitute " section 246(1) of the Highways Act 1980 ";
- (f) in section 74(2), for " the said section 22(1)" substitute " the said section 246(1) ";
- (g) in section 76(1)(a)(i), for " section 159 of the Highways Act 1959 " substitute " section 188 of the Highways Act 1980 (or its predecessor, section 159 of the Highways Act 1959) ";
- (h) in section 76(3), for " section 214(8) of the said Act of 1959 " substitute " section 239(6) of the said Act of 1980 ";
- (i) in section 87, omit subsection (3).

Control of Pollution Act 1974

24 In the Control of Pollution Act 1974—

- (a) in section 22(4), in the definitions of " highway ". " special road " and " trunk road " for " the Highways Act 1959 " substitute, in each case, " the Highways Act 1980 ";
- (b) in section 32(1)(c), for " section 103 of the Highways Act 1959 " substitute " section 100 of the Highways Act 1980 ".

Road Traffic Act 1974

25 In section 17 of the Road Traffic Act 1974—

- (a) in subsection (1) for "the Highways Act 1959 " substitute " the Highways Act 1980 " ;

Status: This is the original version (as it was originally enacted).

- (b) in subsection (4) for "section 279 of the Highways Act 1959 " substitute " section 302 of the Highways Act 1980 ".

Local Land Charges Act 1975

- 26 In section 1(1)(a) of the Local Land Charges Act 1975 omit " the Highways Act 1959 " and for "the Highways Act 1971 " substitute " the Highways Act 1980 (or any Act repealed by that Act) ".

Local Government (Miscellaneous Provisions) Act 1976

- 27 In the Local Government (Miscellaneous Provisions) Act 1976—
- (a) in section 13(4), for " section 47 of the Highways Act 1971 " substitute " section 250 of the Highways Act 1980 ";
- (b) in section 15(9), for " section 64(1) of the Highways Act 1971 " substitute " section 289(1) of the Highways Act 1980 ";
- (c) in section 44(1)—
- (i) in the definition of " highway " for " the Highways Act 1959 " substitute " the Highways Act 1980 " ,
- (ii) in the definition of " statutory undertakers" for "the Highways Act 1959, the Post Office," substitute " the Highways Act 1980, the Post Office and " ; and omit the words from " and, except " to " highways) " ;
- (d) in section 44(2), for " section 282 of the Highways Act 1959" substitute " section 322 of the Highways Act 1980 " and for the words from " any provision of sections 1 to 7" onwards substitute " section 7 of this Act as if that section were a provision of that Act ".

Development of Rural Wales Act 1976

- 28 In Schedule 3 to the Development of Rural Wales Act 1976—
- (a) in paragraph 9(2)(b) after " purposes of" insert " section 10 or 14 of the Highways Act 1980 or of " ;
- (b) in paragraph 40 for " the Highways Act 1959 " substitute " the Highways Act 1980' . "

Rent Act 1977

- 29 In both section 34(1)(a) and section 50(1)(a) of the Rent Act 1977. for the words from " (certain " onwards substitute " or section 205 of the Highways Act 1980 (execution of street works under private street works code), or

Refuse Disposal (Amenity) Act 1978

- 30 In section 3(3) of the Refuse Disposal (Amenity) Act 1978 for " the Highways Act 1959 " substitute " the Highways Act 1980 " .