

SCHEDULES

SCHEDULE 7

MAINTENANCE OF CERTAIN HIGHWAYS BY DISTRICT COUNCILS

PART II

REIMBURSEMENT BY HIGHWAY AUTHORITIES OF CERTAIN EXPENSES OF DISTRICT COUNCILS

- 8 The provisions of this Part of this Schedule apply where a district council are exercising the power under section 42 of this Act in relation to any highways within their district, and references in the following provisions of this Part of this Schedule to a district council and to their maintenance power are to be construed accordingly.
- 9 On or before 15th December in each year the district council shall submit to the county council for their approval a detailed estimate of the cost for the ensuing financial year of the maintenance of every highway in respect of which their maintenance power is exercisable, and on any such estimate being approved by the county council, either with or without modifications, the amount to be paid by the county council under section 42(3) of this Act is, subject to paragraph 10 below, the amount of that estimate, or of that estimate as amended by any supplementary estimate submitted to and approved by the county council, or such less sum as may have been actually expended by the district council on the highways in question during that financial year.
- 10 The county council are not liable to make a payment towards the cost of the maintenance of any highway until they are satisfied, by a report of such one of their officers or such other person as they may appoint for the purpose, that the works of maintenance are being or have been properly executed.
- 11 The district council may at any time, and from time to time, submit to the county council for their approval a detailed supplementary estimate.
- 12 A county council shall not unreasonably withhold approval of an estimate submitted to them under this Part of this Schedule, and any question whether their approval has been unreasonably withheld, or whether any works of maintenance are being or have been properly executed, or as to the liability of a county council to make a payment under section 42(3) of this Act, shall be determined by the Minister.