

Status: This version of this provision is prospective.

Changes to legislation: *Highways Act 1980, Section 119C is up to date with all changes known to be in force on or before 19 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*



Highways Act 1980

1980 CHAPTER 66

PART VIII

STOPPING UP AND DIVERSION OF HIGHWAYS AND STOPPING UP OF MEANS OF ACCESS TO HIGHWAYS

Stopping up and diversion of highways

PROSPECTIVE

[^{F1}119C Application by proprietor of school for special diversion order.

- (1) The proprietor of a school may apply to a council for the making by virtue of section 119B(1)(b) above of a special diversion order in relation to any highway for which the council are the highway authority and which—
 - (a) crosses land occupied for the purposes of the school, and
 - (b) is a relevant highway as defined by section 119B(2) above.
- (2) No application may be made under this section for an order which would create a new highway communicating with—
 - (a) a classified road,
 - (b) a special road,
 - (c) a GLA road, or
 - (d) any highway not falling within paragraph (a) or (b) above for which the Minister is the highway authority,unless the application is made with the consent of the highway authority for the way falling within paragraph (a), (b), (c) or (d) above.
- (3) Before determining to make a special diversion order on an application under this section, the council may require the applicant to enter into an agreement with them to defray, or to make such contribution as may be specified in the agreement towards—

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- (a) any compensation which may become payable under section 28 above as applied by section 121(2) below, or
 - (b) to the extent that the council are the highway authority for the highway in question, any expenses which they may incur in bringing the new site of the highway into fit condition for use by the public, or
 - (c) to the extent that the council are not the highway authority, any expenses which may become recoverable from them by the highway authority under the provisions of section 27(2) above as applied by section 119B(14) above.
- (4) Subsections (3) to (12) of section 119ZA above shall apply to applications under this section as they apply to applications under that section, with the substitution—
- (a) for references to a public path diversion order of references to a special diversion order, and
 - (b) for references to a footpath or bridleway of references to a highway,
- and regulations made under that section by virtue of this subsection may make different provision for the purposes of this section and for the purposes of that section.]

Textual Amendments

F1 S. 119C inserted (*prosp.*) by 2000 c. 37, ss. 57, 103(3), **Sch. 6 Pt. I para. 12**

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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. 79(15)(aa) inserted by 2023 asc 3 Sch. 13 para. 54(b)
- s. 90B(1A) inserted by 2015 c. 20 Sch. 10 para. 15(3)
- s. 90C(2)(2A) substituted for s. 90C(2) by 2015 c. 20 Sch. 10 para. 16(3)
- s. 90FA inserted by 2015 c. 20 Sch. 10 para. 20
- s. 118ZA(5)(a) words inserted by 2015 c. 20 s. 25(3)
- s. 120(3ZA) inserted by 2000 c. 37 Sch. 6 para. 13(6)
- s. 121E(1A)(1B) inserted by 2015 c. 20 s. 23(5)
- s. 146(6) inserted by 2015 c. 20 s. 24(6)(d)
- s. 147(1A) inserted by 2015 c. 20 s. 24(3)
- s. 147(5A) inserted by 2015 c. 20 s. 24(5)
- s. 203(2)(b)(ia) inserted by S.I. 2023/908 reg. 6(2)(b)
- s. 219(1)(a)(i)(ii) inserted by S.I. 2023/908 reg. 6(3)
- s. 220(1A) inserted by S.I. 2023/908 reg. 6(4)(b)
- s. 223(1A) inserted by S.I. 2023/908 reg. 6(5)(b)
- s. 223(5A) inserted by S.I. 2023/908 reg. 6(5)(d)
- s. 223(5B)-(6) s. 223(6) renumbered as s. 223(5B)(6) by S.I. 2023/908 reg. 6(5)(e)
- s. 322(5)(ab) inserted by 2004 c. 18 s. 64(2)
- s. 325(2B) inserted by 2015 c. 20 Sch. 10 para. 21
- Sch. 6 para. 1(3ZA) inserted by 2015 c. 20 Sch. 7 para. 8(2)(b)
- Sch. 6 para. 2(2ZA)-(2ZE) inserted by 2015 c. 20 Sch. 7 para. 8(3)
- Sch. 6 para. 2(4) inserted by 2015 c. 20 Sch. 7 para. 8(4)
- Sch. 6 para. 2(5)(6) inserted by 2015 c. 20 Sch. 7 para. 8(5)
- Sch. 6 para. 2ZZA inserted by 2015 c. 20 Sch. 7 para. 8(6)
- Sch. 6 para. 4A(2) inserted by 2015 c. 20 Sch. 7 para. 8(7)(c)
- Sch. 6 para. 5(ba) inserted by 2015 c. 20 Sch. 7 para. 8(8)
- Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by 2015 c. 20 Sch. 7 para. 8(7)(a)
- Sch. 6 para. 4A(1) words substituted by 2015 c. 20 Sch. 7 para. 8(7)(b)
- Sch. 6 Pt. 1 para. 2B(4) inserted by 2015 c. 20 s. 25(6)