

Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 1994, Cross Heading: Highways. (See end of Document for details)

SCHEDULES

SCHEDULE 17

SAVINGS AND TRANSITIONAL PROVISIONS

PART II

TRANSITIONAL PROVISIONS

Highways

- 18 (1) This paragraph applies where a bridge in Wales carries a highway for which the Secretary of State is not the highway authority.
- (2) If—
- (a) part of the bridge is situated in one new principal area and part in another; and
 - (b) the highway authority for the bridge is not otherwise determined under or by virtue of any provision of this Act,
- the highway authority for the highway carried by the bridge and the approaches to it is such one of the councils of those new principal areas as may be agreed between them before such a day as the Secretary of State may by order appoint or, in default of such agreement, as may be determined by him.
- (3) Where the Secretary of State has made a determination under sub-paragraph (2) the determination—
- (a) may be varied at the request of the council of either of the new principal areas concerned; and
 - (b) shall be varied to give effect to any request made jointly to the Secretary of State by those councils.
- (4) Any such variation shall take effect on the 1st April falling not less than 3 months, and not more than 15 months, after the date on which the determination is varied.
- (5) For the purposes of sub-paragraph (2), the approaches to a bridge consist of so much of the highway or highways on either side of the bridge as is situated within 100 yards of either end of the bridge.

Commencement Information

II Sch. 17 para. 18 in force at 3.4.1995, see s. 66 and S.I. 1995/852, art. 9(1), Sch. 5 (subject to art. 9(2)-(5))

- 19 (1) An order under section 188 of the ^{M1}Highways Act 1980 (new street orders) or under any enactment from which that section was derived made in relation to a highway in Wales before the date on which section 81 of the ^{M2}Planning and Compensation Act 1991 came into force shall have effect from 1st April 1996 as if made by the new principal council in whose area, on that date, the highway becomes situated.

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- (2) The new principal council shall have all the powers of a local authority exercisable under Part X of the Act of 1980 in respect of such an order.

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Commencement Information

I2 Sch. 17 para. 19 in force at 3.4.1995, see s. 66 and S.I. 1995/852, art. 9(1), **Sch. 5** (subject to art. 9(2)-(5))

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Marginal Citations

M1 1980 c. 66.

M2 1991 c. 34.

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