



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART IV

#### TRANSPORT

### CHAPTER XIII

#### HIGHWAYS

#### *GLA roads*

#### 259 **Introductory.**

- (1) Section 1 of the <sup>M1</sup>Highways Act 1980 (highway authorities: general provisions) shall be amended as follows.
- (2) After subsection (2) there shall be inserted—

“(2A) Transport for London is the highway authority for all GLA roads.”
- (3) In subsection (3) (highways for which a London borough council or the Common Council is the highway authority) after which are not there shall be inserted “ for the time being GLA roads or ”.
- (4) In section 2(1) of the <sup>M2</sup>Highways Act 1980 (highway authority for road which ceases to be a trunk road) for paragraph (b) (roads in London boroughs) there shall be substituted—

“(b) where the road is situated in Greater London, Transport for London,”.
- (5) After subsection (2) there shall be added—

“(3) Where Transport for London becomes the highway authority for a road by virtue of subsection (1) above, the road shall become a GLA road.”

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#### Marginal Citations

M1 1980 c. 66.

M2 1980 c. 66.

## 260 Designation of first GLA roads.

After section 14 of the <sup>M3</sup>Highways Act 1980 there shall be inserted—

“ *GLA roads*

### 14A Designation of first GLA roads by Secretary of State.

- (1) The Secretary of State may by order designate highways or proposed highways as highways which are to be GLA roads.
- (2) Any highway or proposed highway so designated—
  - (a) shall become a GLA road, and
  - (b) if it is a trunk road or other highway for which the Secretary of State is the highway authority, shall accordingly cease to be such a road or highway,
 

on such date as may be specified in that behalf in the order.
- (3) Orders under this section may be made or amended at any time before the beginning of the term of office of the first Mayor of London.”

#### Marginal Citations

M3 1980 c. 66.

## 261 Orders by the Authority changing what are GLA roads.

After section 14A of the <sup>M4</sup>Highways Act 1980 there shall be inserted—

### “14B Orders of the Authority changing what are GLA roads.

- (1) The Mayor of London shall keep under review the system of highways and proposed highways in Greater London and the allocation of responsibility for that system between the different local highway authorities.
- (2) If the Mayor of London considers it expedient that—
  - (a) any highway or proposed highway in Greater London, other than a trunk road, should become a GLA road, or
  - (b) that any GLA road should cease to be such a road and should become a road for which the highway authority is a London borough council or the Common Council,

the Greater London Authority may by order direct that that highway or proposed highway shall become, or (as the case may be) that that road shall

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cease to be, a GLA road as from such date as may be specified in that behalf in the order.

- (3) Where an order under subsection (2) above directs that a highway or proposed highway shall become a GLA road, it shall become such a road as from the date specified in that behalf in the order.
- (4) Where an order under subsection (2) above directs that a GLA road shall cease to be such a road, then, as from the date specified in that behalf in the order, the road shall cease to be a GLA road and the following authority, that is to say—
  - (a) where the road is situated in a London borough, the council for the London borough, and
  - (b) where the road is situated in the City, the Common Council,shall become the highway authority for the road.
- (5) An order under this section shall be of no effect unless—
  - (a) it is made with the consent of the relevant highway authority; or
  - (b) if that consent is refused, it is confirmed (with or without modification) by the Secretary of State.
- (6) For the purposes of subsection (5) above, the relevant highway authority is—
  - (a) in the case of an order directing that a highway or proposed highway shall become a GLA road, the authority which is the highway authority for the highway or proposed highway; and
  - (b) in the case of an order directing that a GLA road shall cease to be such a road, the authority which will become the highway authority for the road in consequence of the order.”

#### Marginal Citations

M4 1980 c. 66.

## 262 Certification and records of GLA roads.

After section 14B of the <sup>M5</sup>Highways Act 1980 there shall be inserted—

### “14C Certification and records of GLA roads.

- (1) A certificate by or on behalf of Transport for London that any highway or proposed highway is, or is not, for the time being a GLA road shall be evidence of the facts stated in the certificate.
- (2) A certificate under subsection (1) above may describe the highway or proposed highway in question by reference to a map.
- (3) Transport for London shall prepare and maintain a record of the highways which are for the time being GLA roads.
- (4) The record required to be prepared and maintained under subsection (3) above may consist of—
  - (a) a list;
  - (b) a map; or

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(c) a list and a map.

- (5) Transport for London shall deposit a copy of that record with the Greater London Authority, each of the London borough councils and the Common Council.
- (6) Transport for London, and the Greater London Authority, each of the London borough councils and the Common Council, shall make the record, or (as the case may be) the copies of the record deposited with them, available for inspection by the public at all reasonable hours.”

#### Marginal Citations

M5 1980 c. 66.

### 263 Supplementary provisions.

(1) After section 14C of the <sup>M6</sup>Highways Act 1980 there shall be inserted—

#### “14D Construction of provisions relating to GLA roads.

- (1) Any reference in any provision of this Act or any other enactment to a GLA road shall be construed as a reference to a highway or proposed highway in Greater London which is for the time being a GLA road by virtue of—
- section 2(3) above;
  - an order made by the Secretary of State under section 14A above; or
  - an order made under section 14B above by the Greater London Authority.
- (2) The functions conferred or imposed on the Greater London Authority in relation to GLA roads shall be functions of the Authority which are exercisable by the Mayor of London acting on behalf of the Authority.
- (3) Subsection (2) above does not apply in relation to any function expressly conferred or imposed on the London Assembly.”

(2) In section 325 of the <sup>M7</sup>Highways Act 1980 (regulations, schemes and orders)—

- in subsection (1)(d) (power to confirm orders exercisable by statutory instrument, except as there mentioned)—
  - after sections 14, there shall be inserted “ 14B, ”, and
  - for and 124 there shall be substituted “ , 124 and 266B ”;
- in subsection (2)(b) (orders subject to negative parliamentary procedure) after section there shall be inserted “ 14A or ”.

(3) Section 326 of the <sup>M8</sup>Highways Act 1980 (revocation or variation of schemes and orders) shall be amended as follows.

(4) In subsection (2) (orders made otherwise than by statutory instrument)—

- after section 14, there shall be inserted “ 14B, ”, and
- for or 124 there shall be substituted “ , 124 or 266B ”.

(5) In subsection (6) (orders which may make consequential provision)—

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- (i) after section 14, there shall be inserted “ 14A, 14B, ”, and
- (ii) for or 124 there shall be substituted “ , 124 or 266B ”.

- (6) In section 329 of the <sup>M9</sup>Highways Act 1980 (further provisions as to interpretation) in subsection (1), the following definition shall be inserted at the appropriate place—  
“GLA road shall be construed in accordance with section 14D(1) above;”.

#### Marginal Citations

<b>M6</b>	1980 c. 66.
<b>M7</b>	1980 c. 66.
<b>M8</b>	1980 c. 66.
<b>M9</b>	1980 c. 66.

## 264 Transfer of property and liabilities upon a highway becoming or ceasing to be a GLA road.

After section 266 of the <sup>M10</sup>Highways Act 1980 there shall be inserted—

### “266A Transfer of property and liabilities upon a highway becoming or ceasing to be a GLA road.

- (1) This section applies where, by virtue of an order made by the Greater London Authority under section 14B(2) above, a highway or proposed highway becomes, or ceases to be, a GLA road.
- (2) As from the operative date there are transferred to the new highway authority by virtue of this section—
  - (a) the property mentioned in subsection (4) below, in so far as, immediately before the operative date, it was vested in the former highway authority for the purposes of their functions in relation to the transferred highway, and
  - (b) all liabilities incurred by any such authority for the purposes of its functions in relation to the transferred highway and not discharged before the operative date, other than loans and loan charges,
 and the property and liabilities so transferred vest, by virtue of this section, in the new highway authority.
- (3) There is not transferred to the new highway authority by virtue of this section any right or liability in respect of—
  - (a) work done, services rendered, goods delivered, or money due for payment, before the operative date, or
  - (b) damages or compensation for any act or omission before that date, or
  - (c) the price of, or compensation for, any land purchased, or for which a contract to purchase has been concluded, before that date.
- (4) The property referred to in subsection (2)(a) above is—
  - (a) land, other than land—
    - (i) vested in the former highway authority for the purpose of being used for the storage of materials required wholly or mainly for the maintenance and improvement of other highways, or

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- (ii) acquired for the improvement or development of frontages to the highway, or of land adjoining or adjacent to the highway, and
  - (b) all other property (including unexpended balances of any grants paid by the Minister to the former highway authority), other than—
    - (i) materials to be used for the maintenance or improvement of the highway, and
    - (ii) the unexpended balances of any loans raised by the former highway authority.
- (5) Any property vested in the new highway authority by virtue of this section shall be held by it subject to all covenants, conditions and restrictions subject to which the property was held by the former highway authority and to all liabilities affecting the property, except liabilities referred to in subsection (3) above.
- (6) The new highway authority and the former highway authority may agree, on such terms as they think fit—
  - (a) that any property or liabilities (except loans and loan charges) acquired or incurred by the former highway authority for the purposes of their functions in relation to the transferred highway, other than property or liabilities transferred to the new highway authority by virtue of this section, shall be transferred to the new highway authority, or
  - (b) that any property or liabilities transferred to the new highway authority by virtue of this section shall be re-transferred to the former highway authority.
- (7) Any dispute between the new highway authority and any other person as to the property or liabilities transferred by virtue of this section shall be determined by arbitration.
- (8) Paragraphs 1 and 3 to 8 of Schedule 21 to this Act shall have effect for the purpose of providing for transitional matters arising where a highway or proposed highway becomes, or ceases to be, a GLA road as it applies where a highway becomes, or ceases to be, a trunk road; but in having such effect those paragraphs shall be treated as if—
  - (a) for the references to a trunk road there were substituted references to a GLA road, and
  - (b) for the references to the Minister there were substituted references to the new highway authority (within the meaning of this section).
- (9) For the purposes of this section—
  - former highway authority means the highway authority for the transferred highway immediately before the operative date;
  - new highway authority means the highway authority for the transferred highway immediately after the operative date;
  - operative date means the date on which the highway or proposed highway becomes, or ceases to be, a GLA road;
  - property includes property, rights and powers of every description; and
  - transferred highway means the highway or proposed highway which is the subject of the order under section 14B(2) above.”

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**Marginal Citations**

M10 1980 c. 66.

**265 Transfer of employees upon a highway becoming or ceasing to be a GLA road.**

After section 266A of the <sup>M11</sup>Highways Act 1980 there shall be inserted—

**“266B Transfer of employees upon a highway becoming or ceasing to be a GLA road.**

- (1) This section applies where, by virtue of an order made by the Greater London Authority under section 14B(2) above, a highway or proposed highway becomes, or ceases to be, a GLA road.
- (2) The Greater London Authority may, if it is necessary in connection with the highway becoming, or ceasing to be, a GLA road, by order make schemes containing provision for or in connection with the transfer from the former highway authority to the new highway authority of rights and liabilities under contracts of employment.
- (3) The rights and liabilities which may be transferred by such a scheme include rights and liabilities which would not otherwise be capable of being transferred or assigned.
- (4) Subsections (5) to (7) below apply where any rights or liabilities under a contract of employment are transferred by virtue of this Act.
- (5) Anything done by or in relation to the former highway authority in respect of the employee before the day on which the transfer of the rights and liabilities takes effect shall be treated on and after that day as done by or in relation to the new highway authority.
- (6) For the purposes of Part XI of the <sup>M12</sup>Employment Rights Act 1996 (redundancy payments etc) the employee shall not be regarded as having been dismissed by virtue of the transfer.
- (7) For the purposes of that Act, the employee’s period of employment with the former highway authority shall count as a period of employment with the new highway authority, and the change of employment shall not break the continuity of the period of employment.
- (8) An order under this section shall be of no effect unless—
  - (a) it is made with the consent of the relevant highway authority; or
  - (b) if that consent is refused, it is confirmed (with or without modification) by the Secretary of State.
- (9) For the purposes of subsection (8) above, the relevant highway authority is—
  - (a) in a case where the order under section 14B above directs that a highway or proposed highway shall become a GLA road, the former highway authority; and
  - (b) in a case where the order directs that a GLA road shall cease to be such a road, the new highway authority.

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(10) Section 266A(9) above also applies for the purposes of this section.”

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**Marginal Citations**

**M11** 1980 c. 66.

**M12** 1996 c. 18.



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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. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)