



Traffic Management Act 2004

2004 CHAPTER 18

PART 5

HIGHWAYS AND ROADS

Skips, scaffolding, building materials and excavations: charges for occupation of highway etc.

PROSPECTIVE

69 Scaffolding, building materials and excavations: charge determined by reference to duration of occupation of highway

After section 171A of the 1980 Act there is inserted—

“171B Scaffolding, building materials and excavations: charge determined by reference to duration of occupation of highway

- (1) The Secretary of State may make provision by regulations requiring a person who—
 - (a) erects a relevant structure on or over a highway maintainable at the public expense,
 - (b) deposits building materials, rubbish or other things in such a highway, or
 - (c) makes a temporary excavation in such a highway,to pay a charge to the highway authority.
- (2) The reference in subsection (1)(a) to the erection of a relevant structure is a reference to the erection, in connection with any building or demolition work or the alteration, repair, maintenance or cleaning of any building, of any scaffolding or other structure that obstructs the highway.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, Section 69. (See end of Document for details)

- (3) The charge shall be determined in the prescribed manner, by reference to the period (in this section, the “relevant period”) for which—
 - (a) a relevant structure is on or over the highway,
 - (b) things are deposited in the highway, or (as the case may be)
 - (c) there is an excavation in the highway.
- (4) The regulations shall not require charges to be paid to a local highway authority unless the Secretary of State has, by order, approved the authority for the purposes of the regulations.
- (5) The regulations may require disputes of any prescribed description to be referred to an arbitrator appointed in accordance with the regulations.
- (6) Subsections (6) and (10) to (22) of section 171A apply in relation to regulations under subsection (1) of this section as they apply in relation to regulations under subsection (1) of that section.”

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Traffic Management Act 2004, Section 69.