
STATUTORY INSTRUMENTS

1973 No. 686

The Walkways Regulations 1973

Modification of statutory provisions

3.—(1) The enactments specified in Schedule 3 to these Regulations and any local statutory provision affecting highways which is similar in effect to an enactment so specified, shall in their application to a walkway or to anything done on or in connection with a walkway be modified so that the power thereby conferred on the highway authority or the local authority to execute works, or to place or do anything, on or in relation to the walkway, or to authorise some other person to execute works, or to place or do anything, on or in relation to the walkway, shall not be exercisable by such authority without the consent of the building owner, except insofar as the walkway agreement provides for such exercise without that consent.

(2) Section 40 of the Highways Act 1959 (which relates to the power of highway authorities to adopt by agreement) shall not apply in relation to a walkway or proposed walkway except insofar as the walkway agreement so provides.

(3) If in any case a walkway becomes a highway maintainable at the public expense, section 226 of the Highways Act 1959 (which relates to the vesting of highways in the highway authority), and any local statutory provision affecting highways which is similar in effect to the said section 226, shall in their application to the walkway be modified so that the vesting of the walkway, together with the material and scrapings thereof, in the highway authority, shall have effect subject to the terms of the walkway agreement.