

SCHEDULE 3

FUNCTIONS CONFERRED BY MISCELLANEOUS ENACTMENTS

5. Functions conferred on the Secretary of State or a local highway authority, as the highway authority for a highway, by or under any of the following provisions of the Public Health Act 1961⁽¹⁾—

- (a) section 45 (attachment of street lamps to buildings); and
- (b) section 81⁽²⁾ (summary recovery of damages for negligence).

(1) 1961 c.64. Sections 45 and 81 of this Act (“the 1961 Act”) are to be read with section 97(4) of the Highways Act 1980 (c.66). All functions of a Minister of the Crown under the 1961 Act, except functions exercisable as the appropriate authority under section 45 and Schedule 4 in respect of certain descriptions of buildings, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1. That Order has effect as set out in footnote (i) on page 10 and the functions of the National Assembly for Wales under the 1961 Act are transferred to the Welsh Ministers in the same manner as set out in that footnote.

(2) Section 81 was partially repealed by the Local Government Act 1985 (c.51), section 102(2) and Schedule 17.