



# Highways Act 1980

## 1980 CHAPTER 66

### PART I

#### HIGHWAY AUTHORITIES AND AGREEMENTS BETWEEN AUTHORITIES

##### *Highway authorities*

#### **1 Highway authorities: general provision**

- (1) The Minister is the highway authority for—
  - (a) any highway which is a trunk road ;
  - (b) any highway as respects which an order made by him under any enactment expressly provides that he is to be the highway authority for it but does not direct that the highway is to be a trunk road ;
  - (c) any highway (not falling within paragraph (a) above) transferred to him by an order under section 14 or 18 below;
  - (d) any other highway being a highway constructed by him, except where by virtue of section 2, 4(3) or 5(2) below or by virtue of some other enactment a local highway authority are the highway authority for it or where by means of an order made under section 14 or 18 below the highway is transferred to a local highway authority.
- (2) Outside Greater London the council of a county are the highway authority for all highways in the county, whether or not maintainable at the public expense, which are not highways for which under subsection (1) above the Minister is the highway authority.
- (3) The Greater London Council are the highway authority for all metropolitan roads; and the council of a London borough or the Common Council are the highway authority for all highways in the borough or, as the case may be, in the City, whether or not maintainable at the public expense, which are not for the time being metropolitan roads or highways for which under subsection (1) above the Minister is the highway authority.

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*Status: This is the original version (as it was originally enacted).*

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- (4) Subsection (2) above is subject, as respects any highway outside Greater London for which the Minister is not the highway authority under subsection (1) above, to any provision of this Act, or of any order made under this or any other Act, by virtue of which a council other than the council of the county in which the highway is situated are the highway authority therefor.

## **2 Highway authority for road which ceases to be a trunk road**

Where an order made under section 10 below directs that a trunk road shall cease to be a trunk road, then, as from the date specified in that behalf in the order, the following authority, that is to say—

- (a) where the road is situated outside Greater London, the council of the county, and
- (b) where the road is situated in a London borough, the Greater London Council or the council of the borough, according as the road is or is not designated by the order as a metropolitan road,

shall become the highway authority for the road.

## **3 Highway authority for approaches to and parts of certain bridges**

- (1) Where a bridge carries a highway for which the Minister is not the highway authority and part of the bridge is situated in one county and part in another the highway authority for the highway carried by the bridge and the approaches thereto is such one of the councils of those counties as may be agreed between them before such a day as the Minister may by order made by statutory instrument appoint or, in default of such agreement, as may be determined by the Minister.

- (2) Where the Minister has made a determination under subsection (1) above the determination—

- (a) may be varied at the request of the council of either of the counties concerned ; and
- (b) shall be varied to give effect to any request made jointly to the Minister by those councils;

and 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.

- (3) Where a bridge carries a highway for which the Minister is not the highway authority and subsection (1) above does not apply, but some part of one or more of the approaches to the bridge lies in a county different from the bridge itself, the highway authority for the whole of that approach or those approaches is the council of the county in which the bridge is situated.

- (4) For the purposes of this section, 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.