

*Status: Point in time view as at 01/12/1991.*

*Changes to legislation: Highways Act 1980, SCHEDULE 8 is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 8

Sections 67, 287.

#### CONSENTS REQUIRED FOR EXECUTION OF CERTAIN WORKS IN STREETS

- 1 In this Schedule “the authority” means the highway authority or local authority (within the meaning of section 67 or section 287 of this Act) having power to carry out the works to which this Schedule applies.
- 2 The authority shall not carry out any works to which this Schedule applies in any such situation or position as is described in the first column of the following Table except with the consent of the person described in relation thereto in the second column of that Table.

#### TABLE

|   |  |
|---|--|
| In any street which is a highway for which there is a highway authority other than the authority carrying out the works.  | The highway authority.   |
| In any street belonging to and repairable by any railway, dock, harbour, canal, inland navigation or passenger road transport undertakers and forming the approach to any station, dock, wharf or depot of those undertakers. | The undertakers.   |
| On any bridge not vested in the authority carrying out the works or on the approaches to any such bridge.   | The authority or other person in whom the bridge is vested.    |
| On any bridge carrying a street over any railway, canal or inland navigation, or on the approaches to any such bridge, or under any bridge carrying a railway, canal or inland navigation over a street.                      | The railway, canal or inland navigation undertakers concerned. |
| In the case of works under section 67 of this Act, in a position obstructing or interfering with any existing access to any land or premises abutting upon a street.  | The owner and the occupier of the land or premises.            |

- 3 A consent required by this Schedule in respect of any works shall not unreasonably be withheld but may be given subject to any reasonable conditions, including a condition that the authority shall remove the works either at any time or at or after the expiration of a period if reasonably required so to do by the person giving the consent.

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- 4           Where the consent of the Minister is required under this Schedule, any dispute between the Minister whose consent is required and the authority as to whether the Minister's consent is unreasonably withheld or is given subject to reasonable conditions, or whether the removal of anything to the provision of which the consent relates in accordance with any condition of the consent is reasonably required shall be referred to and determined by an arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers.

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