



Highways Act 1980

1980 CHAPTER 66

PART XI

MAKING UP OF PRIVATE STREETS

General

235 Evasion of private street works expenses by owners.

- (1) Where a street works authority are empowered by section 212 above to recover any sum from the owner of any premises, and the authority are unable by the exercise of their powers (other than powers conferred by this section) to recover that sum, then if—
 - (a) the said premises were previously transferred by a person (“the transferor”) who at the time of the transfer was the owner of other premises adjoining those premises, and
 - (b) a magistrates’ court is satisfied that the transfer was intended for the purpose of evading the payment of expenses of street works,the court may make an order under this section.
- (2) An order under this section shall provide that, to such extent as the court making the order may determine, the street works authority may recover the said sum, and, where that sum is payable under an order made under section 212(4) above or section 305(2) below, any further sums which may fall due under that order, from the transferor.
- (3) In this section “transfer” includes any disposal of land whether by way of sale, lease, exchange, gift or otherwise.

Status:

Point in time view as at 31/03/2024.

Changes to legislation:

Highways Act 1980, Section 235 is up to date with all changes known to be in force on or before 12 September 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.