



Highways Act 1980

1980 CHAPTER 66

PART XII

ACQUISITION, VESTING AND TRANSFER OF LAND ETC.

Acquisition of land generally

247 General provision as to acquisition procedure etc.

- (1) Any power to acquire land compulsorily conferred by any of the foregoing provisions of this Part of this Act on a local highway authority is exercisable in any particular case on their being authorised to do so by the Minister.
- (2) In relation to the compulsory acquisition of land under any of the said provisions by a local highway authority the Act of 1946 has effect as if this Act had been in force immediately before the commencement of that Act.
- (3) In relation to the compulsory acquisition of land under any of the said provisions by the Minister, the Act of 1946 has effect as if this Act had been in force immediately before the commencement of that Act and as if the said provisions were included among the enactments specified in section 1(1)(b) of that Act.
- (4) In relation to the acquisition of land under section 242 above by the owners of a bridge, the Act of 1946, subject to subsection (5) below, has effect as if this Act had been in force immediately before the commencement of that Act, and as if references to a local authority in section 1(1)(a) and section 5 of that Act, and in Part I of Schedule 1 to that Act, and to an authority and an acquiring authority in section 3 of that Act, included references to the owners of a bridge.
- (5) Notwithstanding anything in section 1(2) of the Act of 1946 or in Part III of Schedule 1 to that Act an order authorising the owners of a bridge to acquire a right compulsorily pursuant to section 242(3) above is not subject to special parliamentary procedure by reason only of its authorising the acquisition of any such right, nor does anything in the said Part III prevent the acquisition of any right pursuant to section 242(3) above (whether by the owners of a bridge or by a highway authority).

Status: This is the original version (as it was originally enacted).

- (6) Where under this Part of this Act a highway authority are authorised to acquire land by agreement, the provisions of Part I of the Act of 1965 (so far as applicable) other than sections 4 to 8, section 10 and section 31, apply, and in the said Part I as so applied the word " land " has the meaning provided by section 329 below.