



Infrastructure Act 2015

CHAPTER 7

INFRASTRUCTURE ACT 2015

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Status: This is the original version (as it was originally enacted).

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SCHEDULES**SCHEDULE 1 — Strategic highways companies: consequential and supplemental amendments****PART 1 — HIGHWAYS ACT 1980**

- 1 The Highways Act 1980 is amended as follows.
- 2 (1) Section 1 (highway authorities: general provision) is amended as...
- 3 In section 2 (highway authority for road which ceases to...
- 4 (1) Section 3 (highway authority for approaches to and parts...
- 5 (1) Section 4 (agreement for exercise by Minister of certain...
- 6 (1) Section 5 (agreement for local highway authority to maintain...
- 7 (1) Section 6 (delegation etc of functions with respect to...
- 8 (1) Section 8 (agreements between local highway authorities for doing...
- 9 (1) Section 9 (seconding of staff etc) is amended as...
- 10 (1) Section 10 (general provision as to trunk roads) is...
- 11 (1) Section 11 (local and private Act functions with respect...
- 12 In section 14 (powers as respects roads that cross or...
- 13 (1) Section 16 (general provision as to special roads) is...
- 14 In section 18 (supplementary orders relating to special roads), in...
- 15 In section 19 (certain special roads and other highways to...
- 16 (1) Section 23 (compensation in respect of certain works executed...
- 17 (1) Section 24 (construction of new highways and provision of...
- 18 (1) Section 26 (compulsory powers for creation of footpaths,
bridleways...
- 19 In section 38 (power of highway authorities to adopt by...
- 20 (1) Section 41 (duty to maintain highways maintainable at public...
- 21 (1) Section 55 (extinguishment of liability to maintain or improve...
- 22 In section 63 (relief of main carriageway of trunk road...
- 23 In section 66 (footways and guard-rails etc for publicly maintainable...
- 24 In section 69 (subways), in subsection (2)(a), after “Minister” insert...
- 25 (1) Section 80 (power to fence highways) is amended as...
- 26 (1) Section 90C (consultation and local inquiries) is amended as...
- 27 (1) Section 93 (power to make orders as to reconstruction,...
- 28 In section 95 (supplemental provisions as to orders and agreements...
- 29 In section 97 (lighting of highways), in subsection (1), for...
- 30 (1) Section 105A (environmental impact assessments) is amended as
follows....
- 31 (1) Section 105B (procedure) is amended as follows.
- 32 (1) Section 105C (other EEA States) is amended as follows...
- 33 In section 105D (validity of decisions), in subsection (1), after...
- 34 (1) Section 106 (orders and schemes providing for construction of...
- 35 In section 108 (power to divert navigable watercourses), in subsection...
- 36 In section 110 (power to divert non-navigable watercourses and to...

- 37 (1) Section 112 (provision of picnic sites and public conveniences...
- 38 (1) Section 113 (exercise by council of functions of Minister...
- 39 (1) Section 124 (stopping up of private access to highways)...
- 40 In section 129 (further provision with respect to new means...
- 41 In section 154 (cutting or felling etc trees etc that...
- 42 In section 174 (precautions to be taken by persons executing...
- 43 Before section 176 insert— Consent of highway authority required for...
- 44 In section 232 (power to treat as a private street...
- 45 (1) Section 239 (acquisition of land for construction, improvement etc...
- 46 In section 240 (acquisition of land in connection with construction,...
- 47 (1) Section 245A (acquisition of land by Secretary of State...
- 48 In section 247 (general provision as to acquisition procedure etc),...
- 49 (1) Section 254 (compulsory acquisition for certain purposes of rights...
- 50 (1) Section 260 (clearance of title to land acquired for...
- 51 In section 263 (vesting of highways maintainable at public expense),...
- 52 (1) Section 265 (transfer of property and liabilities upon a...
- 53 (1) Section 266 (transfer to Minister of privately maintainable bridges...
- 54 In section 266A (transfer of property and liabilities upon a...
- 55 (1) Section 267 (transfer to local highway authorities of privately...
- 56 (1) Section 271 (provisions with respect to transfer of toll...
- 57 (1) Section 277 (contribution towards maintenance of bridge where road...
- 58 (1) Section 284 (powers of Minister in relation to privately...
- 59 (1) Section 284A (trunk roads: miscellaneous functions of Secretary of...
- 60 (1) Section 329 (further provision as to interpretation) is amended...
- 61 In section 330 (construction of certain enactments relating to execution...
- 62 In section 331 (references to functions of council as respects...
- 63 (1) Schedule 1 (procedures for making or confirming certain orders...
- 64 In Schedule 3 (provisions of this Act referred to in...
- 65 (1) Schedule 5 (modifications of certain provisions of the Town...
- 66 (1) Schedule 11 (provisions as to orders under section 93...
- 67 (1) Schedule 21 (transitional matters arising where a highway becomes...

PART 2 — OTHER ENACTMENTS

- 68 Public Records Act 1958 (c. 51)
- 69 Parliamentary Commissioner Act 1967 (c. 13)
- 70 Road Traffic Regulation Act 1984 (c. 27)
- 71 (1) Section 1 (traffic regulation orders outside Greater London) is...
- 72 In section 2 (what a traffic regulation order may provide),...
- 73 In section 6 (orders similar to traffic regulation orders), in...
- 74 (1) Section 9 (experimental traffic orders) is amended as follows...
- 75 In section 16A (prohibition or restriction on roads in connection...
- 76 (1) Section 16B (restrictions on orders under s16A) is amended...
- 77 In section 19 (regulation of use of highways by public...
- 78 (1) Section 23 (powers of local authorities with respect to...
- 79 In section 24 (pedestrian crossings on trunk roads), in the...
- 80 In section 37 (extension of powers for purposes of general...
- 81 In section 58 (consents for the purposes of s 57(1)),...
- 82 (1) Section 65 (powers and duties of highway authorities as...
- 83 In section 69 (general provisions as to removal of signs),...
- 84 (1) Section 70 (default powers of Secretary of State as...

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- 85 In section 71 (power to enter land in connection with...
86 (1) Section 74B (transfer of traffic control systems between Secretary...
87 In section 83 (provisions as to directions under s 82(2)),...
88 In section 84 (speed limits on roads other than restricted...
89 (1) Section 85 (traffic signs for indicating speed restrictions) is...
90 (1) Section 93 (powers of Secretary of State in relation...
91 (1) Section 94 (bollards and other constructions in Greater London)...
92 In section 100 (interim disposal of vehicles removed under section...
93 In section 101 (ultimate disposal of vehicles abandoned and
removable...
94 (1) Section 102 (charges for removal, storage and disposal of...
95 (1) Section 121A (traffic authorities) is amended as follows.
96 (1) Section 122 (exercise of functions by local authorities) is...
97 In section 124A (GLA side roads), in subsection (4), after...
98 In section 124B (orders of the Authority changing what are...
99 In section 142 (general interpretation of Act), in subsection (1),...
100 (1) Schedule 9 (special provision as to certain orders) is...
101 Transport Act 1985 (c. 67)
102 Dartford-Thurrock Crossing Act 1988 (c. 20)
103 Road Traffic Act 1988 (c. 52)
104 Town and Country Planning Act 1990 (c. 8)
105 In section 248 (highways crossing or entering route of proposed...
106 In section 254 (compulsory acquisition of land in connection with...
107 In section 256 (electronic communications apparatus: orders by
Secretary of...
108 In section 336 (interpretation), in subsection (1)—
109 (1) Schedule 13 (blighted land) is amended as follows.
110 Environmental Protection Act 1990 (c. 43)
111 (1) Section 89 (duty to keep land and highways clear...
112 (1) Section 98 (definitions) is amended as follows.
113 New Roads and Street Works Act 1991 (c. 22)
114 In section 6 (toll orders), in subsection (2)—
115 (1) Section 12 (extension toll orders) is amended as follows....
116 (1) Section 26 (interpretation) is amended as follows.
117 In section 49 (the street authority and other relevant authorities),...
118 In section 63 (streets with special engineering difficulties), in
subsection...
119 In section 74 (charge for occupation of the highway where...
120 (1) Section 74A (charge determined by reference to duration of...
121 In section 86 (highway authorities, highways and related matters),
after...
122 In section 106 (index of defined expressions)—
123 (1) Schedule 2 (procedure in connection with toll orders) is...
124 In Schedule 3 (street works licences), in paragraph 9—
125 Transport Act 2000 (c. 38)
126 In section 167 (trunk road charging schemes), in subsection (1)(a),...
127 In section 176 (equipment etc), after subsection (1) insert—
128 (1) Section 177 (traffic signs) is amended as follows.
129 Traffic Management Act 2004 (c. 18)
130 (1) Section 1 (traffic officers: introduction) is amended as follows....
131 (1) Section 11 (uniform) is amended as follows.
132 In section 12 (power to charge for traffic officer services...
133 In section 15 (interpretation of Part 1), at the appropriate...

- 134 In the heading to Part 2, after “local traffic authorities”...
- 135 (1) Section 16 (the network management duty) is amended as...
- 136 In section 17 (arrangements for network management), in subsection (1),...
- 137 In section 18 (guidance to local authorities), in subsections (1)...
- 138 In section 19 (power to require information relating to network...
- 139 In section 20 (intervention notices), in subsections (1), (2)(b) and...
- 140 In section 21 (intervention orders), in subsections (1), (4), (5),...
- 141 In section 22 (appointment of traffic director: supplementary), in subsections...
- 142 In section 23 (monitoring and reporting), in subsections (1), (2)(b)...
- 143 In section 24 (intervention in activities of local traffic authority),...
- 144 (1) Section 25 (exercise of local traffic authority functions) is...
- 145 In section 26 (application of sections 20 to 25 to...
- 146 In section 30 (recovery of costs from local traffic authorities),...
- 147 (1) Section 31 (interpretation of Part 2) is amended as...
- 148 In section 33 (preparation of permit schemes), in subsections (1)...
- 149 (1) Section 60 (strategic roads in London: initial designation by...
- 150 In section 61 (orders of the Greater London Authority changing...
- 151 (1) Section 65 (duty of local highway authority to keep...
- 152 Civil Contingencies Act 2004 (c. 36)
- 153 Planning Act 2008 (c. 29)

SCHEDULE 2 — Road Investment Strategy: procedure

PART 1 — SETTING A ROAD INVESTMENT STRATEGY

- 1 Introductory
 - 2 Step 1: the Secretary of State’s proposals
 - 3 Step 2: the strategic highways company’s response
 - 4 Step 3: where the strategic highways company has agreed to the proposals
 - 5 Step 4: where the strategic highways company has made counter-proposals or failed to respond
- ##### PART 2 — VARYING A ROAD INVESTMENT STRATEGY
- 6 (1) This paragraph applies where the Secretary of State is...

SCHEDULE 3 — Transfer schemes

- 1 Application and commencement of scheme
- 2 Property, rights and liabilities that may be transferred
- 3 Dividing and modifying transferor’s property, rights and liabilities
- 4 Obligation to effect transfers etc under a scheme
- 5 Effect of scheme
- 6 Powers and duties under statutory provisions
- 7 Supplementary provisions of schemes
- 8 Modification of a scheme by agreement
- 9 Continuity of employment etc
- 10 Compensation for third parties
- 11 Provision of information to Secretary of State for the purposes of making a scheme
- 12 Interpretation

SCHEDULE 4 — Mayoral development orders

PART 1 — MAIN AMENDMENTS

- 1 After section 61D of the Town and Country Planning Act...

PART 2 — CONSEQUENTIAL AMENDMENTS

- 2 The Town and Country Planning Act 1990 is amended as...
- 3 In section 56(5)(a) (time when development begun where planning permission...
- 4 In section 57(3) (planning permission not required for normal use...
- 5 In section 58(1) (planning permission may be granted by development...
- 6 In section 62(2A) (applications for planning permission: references in subsections...
- 7 In section 65(3A) (notice etc of applications for planning permission:...
- 8 (1) Section 69 (register of applications etc) is amended as...
- 9 (1) Section 71 (consultations in connection with determinations under section...
- 10 In section 74(1ZA) (directions etc as to method of dealing...
- 11 In section 77(1) (reference of applications to the Secretary of...
- 12 In section 78(1)(c) (right of appeal against refusal of application...
- 13 In section 88(9) (provision for permission for development in enterprise...
- 14 In section 91(4)(a) (provisions about general condition limiting duration of...
- 15 (1) Section 108 (compensation for refusal etc of planning permission...
- 16 In section 109(6) (apportionment of compensation for depreciation: interpretation) in...
- 17 In section 171H(1)(a) (compensation for temporary stop notice: application where...
- 18 In section 264(5)(ca) (land which is treated as operational land...
- 19 (1) Section 303 (fees for planning applications etc) is amended...
- 20 In section 305(1)(a) (contributions by Ministers towards compensation paid by...
- 21 In section 324 (rights of entry) after subsection (1A) insert—...
- 22 (1) Section 333 (regulations and orders) is amended as follows....
- 23 In section 336(1) (interpretation) at the appropriate place insert—
“relevant...

SCHEDULE 5 — Transfer of responsibility for local land charges to Land Registry

PART 1 — AMENDMENTS TO THE LOCAL LAND CHARGES ACT 1975

- 1 The Local Land Charges Act 1975 is amended as follows...
- 2 In the italic heading before section 3 for “registers” substitute...
- 3 For section 3 (registering authorities, local land charges registers, and...
- 4 Omit section 4 (the appropriate local land charges register).
- 5 (1) Section 5 (registration) is amended as follows.
- 6 (1) Section 6 (local authority’s right to register a general...
- 7 (1) Section 8 (personal searches) is amended as follows.
- 8 (1) Section 9 (official searches) is amended as follows.
- 9 (1) Section 10 (compensation for non-registration or defective official search...
- 10 In section 12 (office copies as evidence) for “any local...
- 11 In section 13 (protection of solicitors, trustees etc) for “a...
- 12 (1) Omit section 13A (specification of fees by registering authorities...
- 13 (1) Section 14 (rules) is amended as follows.
- 14 In section 15(b) (expenses) for “a registering authority” substitute “the...
- 15 (1) Section 16 (interpretation) is amended as follows.
- 16 In section 19(4) (transitional provision) omit the words from “In...

PART 2 — AMENDMENTS TO THE LAND REGISTRATION ACT 2002

- 17 The Land Registration Act 2002 is amended as follows.
- 18 In section 100 (conduct of business) after subsection (2) insert—...
- 19 In section 106(1) (incidental powers of registrar in relation to...
- 20 In paragraph 4 of Schedule 7 (indemnity for members of...
PART 3 — AMENDMENTS TO OTHER ACTS
- 21 Law of Property Act 1925 (c. 20)
- 22 Requisitioned Land and War Works Act 1948 (c. 17)
- 23 Cheshire County Council Act 1953 (c. xl)
- 24 Land Powers (Defence) Act 1958 (c. 30)
- 25 In section 12 (extension of provisions of Requisitioned Land and...
- 26 In section 17 (registration of wayleave orders and restrictions under...
- 27 Rights of Light Act 1959 (c. 56)
- 28 (1) Section 2 (registration of notice in lieu of obstruction...
- 29 In section 3(2)(c) (period for which notice has effect)—
- 30 In section 7(1) (interpretation)— (a) for the definition of “prescribed”...
- 31 In consequence of the amendment made by paragraph 30(b), in...
- 32 Leasehold Reform Act 1967 (c. 88)
- 33 Land Compensation Act 1973 (c. 26)
- 34 Interpretation Act 1978 (c. 30)
- 35 Highways Act 1980 (c. 66)
- 36 Disused Burial Grounds (Amendment) Act 1981 (c. 18)
- 37 Compulsory Purchase (Vesting Declarations) Act 1981 (c. 66)
- 38 Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)
- 39 Local Government (Wales) Act 1994 (c. 19)
PART 4 — TRANSITIONAL PROVISION
- 40 Power for Parts 1 and 3 to be applied gradually to local authority areas
- 41 Duty of local authorities to assist Chief Land Registrar
- 42 Continuity of functions
- 43 Compensation
- 44 Interpretation

SCHEDULE 6 — Community electricity right regulations

PART 1 — THE RIGHT TO BUY

- 1 “Right to buy regulations”
- 2 Kinds of facilities in relation to which right to buy exercisable
- 3 Identification of qualifying facilities
- 4 The promoter
- 5 The community
- 6 The members of the community
- 7 Kinds of stake which may be bought through the right to buy
- 8 Particular kind of stake which may be bought in particular facility
- 9 The price of the stakes
- 10 Total value of the offer
- 11 Buying a stake
- 12 Excessive or insufficient take-up
- 13 Subsequent disposal of a stake

PART 2 — OPERATORS, OWNERSHIP & RELATED MATTERS

- 14 “Operator and ownership regulations”
- 15 Bodies that may be facility operators
- 16 Constitutions of facility operators
- 17 Ownership of facility operators
- 18 Conduct of owners of facility operators
- 19 Revenues

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

PART 3 — INFORMATION

- 20 “Information regulations”
- 21 Particular kinds of information
- 22 Possible buyers of stakes
- 23 Prospective buyers of stakes
- 24 Applicants for stakes
- 25 Owners of stakes

PART 4 — SUPPLEMENTARY

- 26 Interpretation

SCHEDULE 7 — The licensing levy

- 1 The amount of the levy
- 2 Basis of amount
- 3 Amounts payable by different categories of licence holders
- 4 Exemptions
- 5 Unpaid levy
- 6 Conferral of functions
- 7 Categories of licence holders
- 8 Interpretation