



# Transport for London Act 2008

## 2008 CHAPTER i

### PART 5

#### STREET MANAGEMENT

#### **34 Power to erect flag poles etc. on GLA roads**

- (1) Subject to subsection (2), TfL may—
- (a) erect flagpoles, pylons and other structures on any GLA road for the purpose of displaying decorations;
  - (b) make slots in any GLA road for the purpose of erecting the structures, and
  - (c) remove any structure erected or slot made by TfL in pursuance of paragraph (a) or (b);
- and any structures or slots which may be erected or made by virtue of this subsection are hereafter in this section referred to as “relevant works”.
- (2) TfL is not entitled to exercise the powers conferred on it by subsection (1) in respect of so much of a GLA road as—
- (a) is carried by a bridge which a body other than TfL has a duty to maintain; or
  - (b) forms part of the approaches to such a bridge and is supported or protected by works or materials which a body other than TfL has a duty to maintain,
- except with the consent in writing of that body.
- (3) A body may give their consent in pursuance of subsection (2) on such terms as they think fit (including in particular, without prejudice to the generality of the preceding provisions of this subsection, terms providing for the body to remove any of the relevant works and reinstate the bridge or its approaches and to recover the reasonable cost of doing so from TfL).
- (4) TfL shall not exercise any power conferred on it by subsection (1) in relation to a GLA road unless TfL has first obtained the consent of any local authority for the areas in which TfL proposes to exercise the power.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (5) If TfL erects or makes relevant works by virtue of the preceding provisions of this section TfL shall—
- (a) ensure that the works are erected or made so as to obstruct the GLA road in question as little as is reasonably possible, so as not to obscure or conflict with traffic signs connected with the GLA road and so as to interfere as little as is reasonably possible with the enjoyment of premises adjacent to the GLA road and with, and with access to, any apparatus in or on the GLA road which belongs to or is used or maintained by statutory undertakers; and
  - (b) ensure that while the works are retained they are properly maintained and, so far as it is necessary to light them to avoid danger to users of the GLA road, are properly lit.
- (6) A person who without lawful authority interferes with or removes any relevant works is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (7) In this section—
- “bridge” includes a structure which carries a GLA road superimposed over a cutting; and
  - “statutory undertakers” means any of the following, namely, any body which is a statutory undertaker within the meaning provided by section 329(1) of the 1980 Act, any universal service provider in connection with the provision of a universal postal service, any licensee under a street works licence and the operator of an electronic communications code network or a driver information system.
- (8) Nothing in this section shall affect the operation of section 144 of the 1980 Act.