

*Status: Point in time view as at 07/12/2022.*

*Changes to legislation: Highways Act 1980, Part III is up to date with all changes known to be in force on or before 13 July 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 1

#### PROCEDURES FOR MAKING OR CONFIRMING CERTAIN ORDERS AND SCHEMES

##### Modifications etc. (not altering text)

- C1** Functions under paras. 7, 8, 14, 15, 18, 19 and 21 so far as exercisable jointly by Minister of Transport and Secretary of State now exercisable by Secretary of State for Transport: [S.I. 1981/238](#), [art. 2\(1\)\(b\)](#)

### PART III

#### GENERAL

- 17 If, on or after publishing a notice required by Part I or Part II of this Schedule to be published in connection with the making or confirmation of an order or scheme, it appears to the Minister or a [<sup>F1</sup>other ] highway authority desirable to do so, he or they shall take such steps, in addition to those required by the said Part I or Part II to be taken, as will in his or their opinion secure that additional publicity is given in the area affected by the order or scheme to the proposals contained in it.

##### Textual Amendments

- F1** Word in [Sch. 1 para. 17](#) substituted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 63\(12\)](#); [S.I. 2015/481](#), [reg. 2\(a\)](#)

- 18 (1) Any person who objects to the making or confirmation of an order or scheme pursuant to this Schedule shall include in the notice of objection a statement of the grounds of objection.
- (2) If any notice of objection to the making or confirmation of an order or scheme pursuant to this Schedule does not state the grounds of objection the Minister or, in the case of an order or scheme proposed to be made by the Minister, the Minister and the Secretary of State acting jointly may disregard the objection.

##### Modifications etc. (not altering text)

- C1** [Sch. 1 para. 18](#): functions transferred (25.11.2002) by [The Transfer of Functions \(Transport, Local Government and the Regions\) Order 2002 \(S.I. 2002/2626\)](#), [arts. 5, 7](#) (with [art. 8](#))

- 19 (1) Where objections to the making or confirmation of an order or scheme pursuant to this Schedule are to be the subject of a local inquiry, the Minister or, in the case of an order or scheme proposed to be made by the Minister, the Minister and the Secretary of State acting jointly may, by notice served on the persons making such objections

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or by the notice announcing the holding of the inquiry, direct that any person who intends at the inquiry to submit—

- (a) that any highway or proposed highway to which the order or scheme in question relates should follow an alternative route, or
- (b) that, instead of improving, diverting or altering a highway in accordance with the order in question, a new highway should be constructed on a particular route.

shall send to the Minister within such period as may be specified in the notice, being a period not less than 14 days and ending not less than 14 days before the date fixed for the holding of the inquiry, sufficient information about the alternative route or the route of the new highway, as the case may be, to enable it to be identified.

- (2) Where the Minister or the Minister and the Secretary of State acting jointly have given a direction under sub-paragraph (1) above in relation to an inquiry, the person holding the inquiry and the Minister or, as the case may be, those Ministers may disregard so much of any objection as consists of a submission to which the direction applies unless the person making the objection has complied with the direction.

**Modifications etc. (not altering text)**

- C2** Sch. 1 para. 19: functions transferred (25.11.2002) by [The Transfer of Functions \(Transport, Local Government and the Regions\) Order 2002 \(S.I. 2002/2626\)](#), **arts. 5, 7** (with art. 8)

20 Proceedings required by this Schedule to be taken for the purposes of an order relating to a trunk road under section 14 of this Act or for the purposes of an order relating to a special road under section 18 of this Act may be taken concurrently (so far as practicable) with proceedings required by this Schedule to be taken for the purposes of an order under section 10 of this Act or, as the case may be, for the purposes of a scheme under section 16 of this Act, relating to that road.

21 Where—

- (a) proceedings required to be taken for the purposes of an order relating to a trunk road under section 14 of this Act are taken after the making by the Minister of an order relating to that road under section 10 of this Act, or
- (b) proceedings required to be taken for the purposes of an order relating to a special road under section 18 of this Act are taken after the making or confirmation by the Minister of a scheme relating to that road under section 16 of this Act,

the Minister or, in the case of an order proposed to be made by the Minister, the Minister and the Secretary of State acting jointly may disregard any objection to the order under section 14 or 18 which in his or their opinion amounts in substance to an objection to the order under section 10 or, as the case may be, to the scheme under section 16.

**Modifications etc. (not altering text)**

- C3** Sch. 1 para. 21: functions transferred (25.11.2002) by [The Transfer of Functions \(Transport, Local Government and the Regions\) Order 2002 \(S.I. 2002/2626\)](#), **arts. 5, 7** (with art. 8)

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