

Status: Point in time view as at 05/12/2017.

Changes to legislation: Highways Act 1980, Cross Heading: Financial is up to date with all changes known to be in force on or before 07 August 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

[^{F1}SCHEDULE 12A

FURTHER POWERS OF HIGHWAY AUTHORITIES AND COUNCILS IN RELATION TO INTERFERENCE WITH HIGHWAYS

Textual Amendments

F1 Sch. 12A inserted by [Rights of Way Act 1990 \(c. 24, SIF 59\)](#), s. 4

Financial

- 9 (1) Subject to sub-paragraph (2) below, a competent authority may recover the amount of any expenses reasonably incurred by the authority in, or in connection with, the carrying out of the work—
- (a) in a case falling within paragraph 3(1) above, from the occupier of the relevant land or the person who disturbed the surface of the highway; and
 - (b) in any other case, from the occupier of the relevant land.
- (2) A person—
- (a) is not liable under paragraph (a) of sub-paragraph (1) above if he shows that he had any lawful authority or excuse for disturbing the surface of the highway; and
 - (b) is not liable under that paragraph as an occupier of land if he shows that the surface of the highway was not disturbed by him or with his consent.]

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