



# Highways Act 1980

## 1980 CHAPTER 66

### [<sup>F1</sup>PART VIIIA

#### PROVISION OF AMENITIES ON CERTAIN HIGHWAYS

#### [<sup>F1</sup>115D Limits of powers under ss. 115B and 115C.

A council may exercise their powers under section 115B or 115C above to restrict the access of the public to any part of a highway to which this Part of this Act applies, but shall not so exercise them—

- (a) as to prevent traffic, other than vehicular traffic,—
  - (i) entering the highway at any place where such traffic could enter it before, as the case may be, the making of a pedestrian planning order or a traffic order in relation to it or the exercise in relation to it of a power conferred by this Part of this Act; or
  - (ii) passing along it; or
  - (iii) having normal access to premises adjoining it; or
- (b) as to prevent any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order; or
- (c) as to prevent statutory undertakers <sup>F2</sup>. . . having access to any apparatus of theirs under, in, on or over the highway [<sup>F3</sup>; or]
- [<sup>F4</sup>(d) as to prevent the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.]]

#### Textual Amendments

- F1** Pt. VIIIA (ss. 115A–115K) inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 20, [Sch. 5 para. 1](#)
- F2** Words repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 41\(1\), 57\(6\), 58, Sch. 27 Pt. I](#)
- F3** Words inserted by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 4 para. 76\(3\), Sch. 5 para. 45](#)

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*Status: Point in time view as at 31/03/2024.*

*Changes to legislation: Highways Act 1980, Section 115D is up to date with all changes known to be in force on or before 04 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)*

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- F4** S. 115D(d) substituted (25.7.2003 for specified purposes, 29.12.2003 for specified purposes) by Communications Act 2003 (c. 21), ss. 406(1)(6), 408, 411, **Sch. 17 para. 54** (with Sch. 18); S.I. 2003/1900, arts. 1(2), **2(1)**, 3(1), Sch. 1 (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, **art. 3(2)** (with art. 11)

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

- C1** S. 115D applied (18.2.2014) by London Local Authorities and Transport for London Act 2013 (c. v), s. 1(2)(3)**16(4)** (with s. 16(7)(10))

**Status:**

Point in time view as at 31/03/2024.

**Changes to legislation:**

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