



Highways Act 1980

1980 CHAPTER 66

PART IX

LAWFUL AND UNLAWFUL INTERFERENCE WITH HIGHWAYS AND STREETS

Obstruction of highways and streets

143 Power to remove structures from highways.

- (1) Where a structure has been erected or set up on a highway otherwise than under a provision of this Act or some other enactment, a competent authority may by notice require the person having control or possession of the structure to remove it within such time as may be specified in the notice.

For the purposes of this section the following are competent authorities—

- (a) in the case of a highway which is for the time being maintained by a [^{F1}non-metropolitan] district council by virtue of section 42 or 50 above, that council and also the highway authority, and
- (b) in the case of any other highway, the highway authority.
- (2) If a structure in respect of which a notice is served under this section is not removed within the time specified in the notice, the competent authority serving the notice may, subject to subsection (3) below, remove the structure and recover the expenses reasonably incurred by them in so doing from the person having control or possession of the structure.
- (3) The authority shall not exercise their power under subsection (2) above until the expiration of one month from the date of service of the notice.
- (4) In this section “structure” includes any machine, pump, post or other object of such a nature as to be capable of causing obstruction, and a structure may be treated for the purposes of this section as having been erected or set up notwithstanding that it is on wheels.

Status: Point in time view as at 05/12/2017.

Changes to legislation: *Highways Act 1980, Section 143 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)*

Textual Amendments

F1 Word inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 8, **Sch. 4 para. 25**

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