



Highways Act 1980

1980 CHAPTER 66

PART IX

LAWFUL AND UNLAWFUL INTERFERENCE WITH HIGHWAYS AND STREETS

Miscellaneous

176 Restriction on construction of bridges over highways.

- (1) The highway authority for a highway may grant to the owner or occupier of any premises adjoining the highway a licence to construct a bridge over the highway on such terms and conditions, and to use it for such period and on such terms and conditions, as the authority think fit.
- (2) No fine, rent or other sum of money, except a reasonable sum in respect of legal or other expenses, is payable in respect of a licence under this section.
- (3) A licence under this section shall not authorise any interference with the convenience of persons using the highway, or affect the rights of owners of premises adjoining the highway, or the rights of tramway, railway, dock, harbour or electricity undertakers.
- (4) It shall be a condition of every licence under this section that the person to whom it is granted is, at his own expense, to remove the bridge or alter it in such manner as the authority may require, if at any time they consider the removal or alteration necessary or desirable in connection with the carrying out of improvements to the highway.

The decision of the authority that the removal or alteration is necessary or desirable in that connection shall be final, and the condition shall be enforceable by the authority against the owner for the time being of the premises.

- (5) Subject to subsection (6) below, a person aggrieved by the refusal of an authority to grant a licence under this section or by the period for which the licence is granted or by a term or condition of the licence (other than the condition mentioned in subsection (4) above) may appeal to the Crown Court.

Status: Point in time view as at 01/02/1991.

Changes to legislation: Highways Act 1980, Section 176 is up to date with all changes known to be in force on or before 28 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)

- (6) No appeal lies under subsection (5) above against any term or condition of a licence granted by the Minister under this section if he declares the term or condition to be necessary for the purpose of securing the safety of persons using the highway or of preventing interference with traffic on it.
- (7) If a person, except in the exercise of statutory powers—
- (a) constructs a bridge over a highway without a licence under this section, or
 - (b) constructs or uses a bridge otherwise than in accordance with the terms and conditions of such a licence, or
 - (c) fails to remove or alter a bridge when required to do so in accordance with any condition of the licence or within one month from the date of the expiration of the licence,
- he is guilty of an offence and is liable to a fine not exceeding [^{F1}level 2 on the standard scale], and if the offence is continued after conviction he is guilty of a further offence and is liable to a fine not exceeding £5 for each day on which the offence is so continued.
- (8) In this section “bridge” means a structure the sole purpose of which is to provide a way over a highway.

Textual Amendments

F1 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

Modifications etc. (not altering text)

C1 S. 176 extended by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), s. 112(1)(3), Sch. 16 para. 2(5)(c)(9), Sch. 17 paras. 33, **35(1)**

Status:

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