



Highways Act 1980

1980 CHAPTER 66

PART X

NEW STREETS

New street byelaws

186 Power of county councils and London boroughs and the Common Council to make new street byelaws

- (1) The council of every county and of every London borough and the Common Council may, and if required by the Secretary of State shall, make byelaws for regulating all or any of the following matters:—
 - (a) the level, width and construction of new streets in their area, and
 - (b) the provision for the sewerage of such streets ;and the power to make byelaws under this subsection extends to the making of byelaws requiring any person constructing a new street to provide separate sewers for foul water drainage and surface water drainage respectively.
- (2) No byelaw under this section shall regulate the level, width or construction of a new street in so far as it is to be carried by a bridge or is to form the approaches to a bridge.
- (3) If a council, when required by the Secretary of State to make byelaws under subsection (1) above, do not within 3 months from the date on which the requirement is made to them make in accordance with the requirement byelaws satisfactory to him, the Secretary of State may himself make the byelaws.
- (4) Byelaws for regulating matters that may be regulated under this section are hereafter in this Part of this Act referred to as " new street byelaws " .
- (5) New street byelaws may include provision as to—
 - (a) the giving of notices and the deposit of plans ;

Status: This is the original version (as it was originally enacted).

- (b) the inspection of work, the testing of sewers, and the taking by the county council or London borough council, or the Common Council, of samples of the materials to be used in the execution of works.
- (6) New street byelaws may require that plans to be deposited in pursuance of the byelaws shall be deposited in duplicate.
- (7) The Secretary of State is the confirming authority as respects new street byelaws and any byelaws made by the Secretary of State under this section have effect as if they had been made by the county council or London borough council, or the Common Council, and confirmed by the Secretary of State.
- (8) A new street byelaw made under this section (or under section 157 of the Highways Act 1959, which this section replaces) shall cease to have effect on the expiration of 10 years from the date on which it was made or on the expiration of such longer period as the Secretary of State may by order allow.