



Highways Act 1980

1980 CHAPTER 66

PART XII

ACQUISITION, VESTING AND TRANSFER OF LAND ETC.

Additional provisions with respect to acquisition of rights over land

253 Agreements as to use of land near highways.

- (1) For the purpose of mitigating any adverse effect which the construction, improvement, existence or use of a highway has or will have on the surrounding of the highway, the highway authority may enter into an agreement with any person interested in land adjoining or in the vicinity of the highway for restricting or regulating the use of the land either permanently or during such period as may be specified in the agreement.

Any such agreement may, in particular, make provision for the planting and maintenance of trees, shrubs or plants of any other description on the land and for restricting the lopping or removal of trees, shrubs or other plants on the land.

- (2) An agreement under this section may contain such incidental and consequential provisions (including provisions of a financial character) as appear to the highway authority to be necessary or expedient for the purposes of the agreement.
- (3) The provisions of any agreement made under this section with any person interested in land are binding on persons deriving title from that person in respect of the land.
- (4) An agreement under this section is a local land charge.
- (5) This section is without prejudice to [F1 section 106 of the Town and Country Planning Act 1990] (agreements regulating development or use of land).

Status: Point in time view as at 10/03/2023.

Changes to legislation: *Highways Act 1980, Section 253 is up to date with all changes known to be in force on or before 29 June 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** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 45\(14\)](#)

Status:

Point in time view as at 10/03/2023.

Changes to legislation:

Highways Act 1980, Section 253 is up to date with all changes known to be in force on or before 29 June 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.