



Highways Act 1980

1980 CHAPTER 66

PART XII

ACQUISITION, VESTING AND TRANSFER OF LAND ETC.

Transfer of property and liabilities on change of status of highway etc.

[^{F1}266A Transfer of property and liabilities upon a highway becoming or ceasing to be a GLA road.

- (1) This section applies where, by virtue of an order made by the Greater London Authority under section 14B(2) above, a highway or proposed highway becomes, or ceases to be, a GLA road.
- (2) As from the operative date there are transferred to the new highway authority by virtue of this section—
 - (a) the property mentioned in subsection (4) below, in so far as, immediately before the operative date, it was vested in the former highway authority for the purposes of their functions in relation to the transferred highway, and
 - (b) all liabilities incurred by any such authority for the purposes of its functions in relation to the transferred highway and not discharged before the operative date, other than loans and loan charges,and the property and liabilities so transferred vest, by virtue of this section, in the new highway authority.
- (3) There is not transferred to the new highway authority by virtue of this section any right or liability in respect of—
 - (a) work done, services rendered, goods delivered, or money due for payment, before the operative date, or
 - (b) damages or compensation for any act or omission before that date, or
 - (c) the price of, or compensation for, any land purchased, or for which a contract to purchase has been concluded, before that date.

Changes to legislation: *Highways Act 1980, Section 266A is up to date with all changes known to be in force on or before 26 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) View outstanding changes*

- (4) The property referred to in subsection (2)(a) above is—
- (a) land, other than land—
 - (i) vested in the former highway authority for the purpose of being used for the storage of materials required wholly or mainly for the maintenance and improvement of other highways, or
 - (ii) acquired for the improvement or development of frontages to the highway, or of land adjoining or adjacent to the highway, and
 - (b) all other property (including unexpended balances of any grants paid by the Minister to the former highway authority), other than—
 - (i) materials to be used for the maintenance or improvement of the highway, and
 - (ii) the unexpended balances of any loans raised by the former highway authority.
- (5) Any property vested in the new highway authority by virtue of this section shall be held by it subject to all covenants, conditions and restrictions subject to which the property was held by the former highway authority and to all liabilities affecting the property, except liabilities referred to in subsection (3) above.
- (6) The new highway authority and the former highway authority may agree, on such terms as they think fit—
- (a) that any property or liabilities (except loans and loan charges) acquired or incurred by the former highway authority for the purposes of their functions in relation to the transferred highway, other than property or liabilities transferred to the new highway authority by virtue of this section, shall be transferred to the new highway authority, or
 - (b) that any property or liabilities transferred to the new highway authority by virtue of this section shall be re-transferred to the former highway authority.
- (7) Any dispute between the new highway authority and any other person as to the property or liabilities transferred by virtue of this section shall be determined by arbitration.
- (8) Paragraphs 1 and 3 to 8 of Schedule 21 to this Act shall have effect for the purpose of providing for transitional matters arising where a highway or proposed highway becomes, or ceases to be, a GLA road as it applies where a highway becomes, or ceases to be, a trunk road; but in having such effect those paragraphs shall be treated as if—
- (a) for the references to a trunk road there were substituted references to a GLA road, and
 - (b) for the references to the Minister^{F2} or a strategic highways company] there were substituted references to the new highway authority (within the meaning of this section).
- (9) For the purposes of this section—
- “ former highway authority ” means the highway authority for the transferred highway immediately before the operative date;
- “ new highway authority ” means the highway authority for the transferred highway immediately after the operative date;
- “ operative date ” means the date on which the highway or proposed highway becomes, or ceases to be, a GLA road;
- “ property ” includes property, rights and powers of every description; and

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“ transferred highway ” means the highway or proposed highway which is the subject of the order under section 14B(2) above.]

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Textual Amendments

- F1** S. 266A inserted (3.7.2000) by 1999 c. 29, **s.264** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- F2** Words in s. 266A(8)(b) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 54**; S.I. 2015/481, reg. 2(a)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 79(15)(aa) inserted by [2023 asc 3 Sch. 13 para. 54\(b\)](#)
- s. 90B(1A) inserted by [2015 c. 20 Sch. 10 para. 15\(3\)](#)
- s. 90C(2)(2A) substituted for s. 90C(2) by [2015 c. 20 Sch. 10 para. 16\(3\)](#)
- s. 90FA inserted by [2015 c. 20 Sch. 10 para. 20](#)
- s. 118ZA(5)(a) words inserted by [2015 c. 20 s. 25\(3\)](#)
- s. 120(3ZA) inserted by [2000 c. 37 Sch. 6 para. 13\(6\)](#)
- s. 121E(1A)(1B) inserted by [2015 c. 20 s. 23\(5\)](#)
- s. 146(6) inserted by [2015 c. 20 s. 24\(6\)\(d\)](#)
- s. 147(1A) inserted by [2015 c. 20 s. 24\(3\)](#)
- s. 147(5A) inserted by [2015 c. 20 s. 24\(5\)](#)
- s. 203(2)(b)(ia) inserted by [S.I. 2023/908 reg. 6\(2\)\(b\)](#)
- s. 219(1)(a)(i)(ii) inserted by [S.I. 2023/908 reg. 6\(3\)](#)
- s. 220(1A) inserted by [S.I. 2023/908 reg. 6\(4\)\(b\)](#)
- s. 223(1A) inserted by [S.I. 2023/908 reg. 6\(5\)\(b\)](#)
- s. 223(5A) inserted by [S.I. 2023/908 reg. 6\(5\)\(d\)](#)
- s. 223(5B)-(6) s. 223(6) renumbered as s. 223(5B)(6) by [S.I. 2023/908 reg. 6\(5\)\(e\)](#)
- s. 322(5)(ab) inserted by [2004 c. 18 s. 64\(2\)](#)
- s. 325(2B) inserted by [2015 c. 20 Sch. 10 para. 21](#)
- s. 337(c) inserted by [2024 asc 3 Sch. 3 para. 2\(10\)\(b\)](#)
- Sch. 6 para. 1(3ZA) inserted by [2015 c. 20 Sch. 7 para. 8\(2\)\(b\)](#)
- Sch. 6 para. 2(2ZA)-(2ZE) inserted by [2015 c. 20 Sch. 7 para. 8\(3\)](#)
- Sch. 6 para. 2(4) inserted by [2015 c. 20 Sch. 7 para. 8\(4\)](#)
- Sch. 6 para. 2(5)(6) inserted by [2015 c. 20 Sch. 7 para. 8\(5\)](#)
- Sch. 6 para. 2ZZA inserted by [2015 c. 20 Sch. 7 para. 8\(6\)](#)
- Sch. 6 para. 4A(2) inserted by [2015 c. 20 Sch. 7 para. 8\(7\)\(c\)](#)
- Sch. 6 para. 5(ba) inserted by [2015 c. 20 Sch. 7 para. 8\(8\)](#)
- Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by [2015 c. 20 Sch. 7 para. 8\(7\)\(a\)](#)
- Sch. 6 para. 4A(1) words substituted by [2015 c. 20 Sch. 7 para. 8\(7\)\(b\)](#)
- Sch. 6 Pt. 1 para. 2B(4) inserted by [2015 c. 20 s. 25\(6\)](#)