



Highways Act 1980

1980 CHAPTER 66

PART XIV

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Miscellaneous powers etc. of highway authorities and local authorities

291 Powers of entry of highway authority for purpose of maintaining, etc. certain structures and works.

- (1) Where a highway authority have power or a right to maintain, alter or remove any structure or work which is situated on, over or under any land, and that land neither belongs to the highway authority nor forms part of a highway for which they are the highway authority, then, if for the purpose of exercising that power or that right it is necessary for a person to enter on that land or any other land, a person duly authorised in writing by that authority may at any reasonable time enter on that land or any other land for that purpose.
- (2) Subsections (1), (2) and (3) of section 290 above have effect in relation to a person authorised under this section to enter on any land as they have effect in relation to a person authorised under section 289 above to enter on any land.
- (3) In relation to a bridge to which section 118 of the ^{M1}Transport Act 1968 (duty of highway authorities, etc. as respects bridges over railways or inland waterways) applies, and which belongs to a highway authority, subsections (1) and (2) above have effect subject to the provisions of that section.
- (4) In this section—
 - “structure” includes a bridge, fence, barrier or post;
 - “work” includes a tunnel, ditch, gutter, watercourse, culvert, drain, soak-away or pipe.
- (5) Nothing in this section affects the powers of a highway authority under section 100 above.

Status: Point in time view as at 05/12/2017.

Changes to legislation: *Highways Act 1980, Section 291 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)*

- (6) Nothing in this section affects any agreement for the time being in force between a highway authority having power or a right to maintain, alter or remove a structure or work and any person having an interest in the land on, over or under which it is situated, being an agreement relating to the maintenance of or other dealing with the structure or work.

Marginal Citations

M1 1968 c. 73.

Status:

Point in time view as at 05/12/2017.

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