



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART I

#### NEW ROADS IN ENGLAND AND WALES

##### *General*

#### **25 Application of provisions of the Highways Act 1980, &c.**

- (1) The following provisions of the <sup>M1</sup>Highways Act 1980 apply for the purposes of this Part as if it were a part of that Act—
  - section 302 (inquiries),
  - section 303 (penalty for obstructing execution of Act),
  - section 312 (restriction on institution of proceedings for offence),
  - section 319 (judges and justices not to be disqualified by liability to rates),
  - sections 320 to 322 (provisions as to notices), and
  - section 323 (reckoning of periods).
- (2) Nothing in this Part shall be construed as restricting the powers of a highway authority with respect to a road subject to a concession—
  - (a) as to the matters which may be provided for in the concession agreement or as to the making of agreements of any other description for any purpose connected with the special road; or
  - (b) as to the acquisition, by agreement or compulsorily, of any land which in the opinion of the authority is required, in connection with the road, for any purpose for which the authority may acquire land under Part XII of the Highways Act 1980.
- (3) Nothing in a concession agreement shall be construed as affecting the status of the road subject to the concession as a highway maintainable at the public expense.

*Status: Point in time view as at 01/11/1991.*

*Changes to legislation: New Roads and Street Works Act 1991, Cross Heading: General is up to date with all changes known to be in force on or before 21 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)*

### Marginal Citations

M1 1980 c. 66.

## 26 Interpretation.

(1) In this Part the following expressions have the same meaning as in the Highways Act 1980—

“highway authority”,  
 “local highway authority”,  
 “special road”,  
 “special road authority”, and  
 “traffic”;

and “special road scheme” means a scheme under section 16 of that Act authorising the provision of a special road.

(2) Where a concession agreement is entered into jointly by two or more local highway authorities, references in this Part to the highway authority shall be construed—

- (a) as references to each of those authorities in relation to times, circumstances and purposes before the special road scheme becomes operative, and
- (b) in relation to times, circumstances and purposes after the special road scheme becomes operative, as references to the authority which in accordance with the scheme is the special road authority.

(3) The expressions listed below are defined or otherwise fall to be construed for the purposes of this Part in accordance with the provisions indicated—

concession agreement	section 1(1)
concessionaire	sections 1(1) and 5(1)
extension toll order	section 12(1)
highway authority	section 26(1) and (2)
local highway authority	section 26(1)
road subject to a concession	section 1(2)
special road	section 26(1)
special road authority	section 26(1)
special road scheme	section 26(1)
toll order	section 6
toll period	section 7
traffic	section 26(1).

### Commencement Information

II S. 26 wholly in force at 01.11.1991, see s. 170 and S.I. 1991/2288, art.3, Sch.

**Status:**

Point in time view as at 01/11/1991.

**Changes to legislation:**

New Roads and Street Works Act 1991, Cross Heading: General is up to date with all changes known to be in force on or before 21 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.