

Status: Point in time view as at 09/06/2009.

Changes to legislation: New Roads and Street Works Act 1991, Cross Heading: Publicity for proposals is up to date with all changes known to be in force on or before 27 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)

SCHEDULES

SCHEDULE 2

PROCEDURE IN CONNECTION WITH TOLL ORDERS

Publicity for proposals

- 1 (1) Where the Secretary of State proposes to make a toll order, he shall prepare a draft of the order and shall publish in at least one local newspaper circulating in the area in which the proposed special road is to be situated, and in the London Gazette, a notice—
- (a) stating the general effect of the proposed order;
 - (b) naming a place in that area where a copy of the draft order may be inspected by any person free of charge at all reasonable hours during a period specified in the notice, being a period of not less than six weeks from the date of the publication of the notice; and
 - (c) stating that, within that period, any person may by notice to the Secretary of State object to the making of the order.
- (2) Where a toll order is submitted to the Secretary of State by a local highway authority, the authority shall publish in at least one local newspaper circulating in the area in which the proposed special road is to be situated, and in the London Gazette, a notice—
- (a) stating the general effect of the order as submitted to the Secretary of State;
 - (b) naming a place in that area where a copy of the order may be inspected by any person free of charge at all reasonable hours during a period specified in the notice, being a period of not less than six weeks from the date of the publication of the notice; and
 - (c) stating that, within that period, any person may by notice to the Secretary of State object to the confirmation of the order.
- (3) Where the special road to which the toll order relates is to be subject to a concession, the Secretary of State or the local highway authority shall make available for inspection with the copy of the draft order or of the order, as the case may be, a statement containing such information as may be prescribed with respect to the concessionaire and the concession agreement.
- The notice under sub-paragraph (1) or (2) shall indicate that such a statement will be so available for inspection.
- (4) In sub-paragraph (3) “prescribed” means prescribed by the Secretary of State by regulations made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- 2 (1) The Secretary of State or the local highway authority, as the case may be, shall serve on every local authority in whose area any part of the route of the proposed special road is situated a copy of the notice published under paragraph 1(1) or (2) and of the draft order or of the order, as the case may be.

Status: Point in time view as at 09/06/2009.

Changes to legislation: New Roads and Street Works Act 1991, Cross Heading: Publicity for proposals is up to date with all changes known to be in force on or before 27 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)

- (2) The copies must be served not later than the day on which the notice is published or, if it is published on two or more days, the day on which it is first published.
- (3) In sub-paragraph (1) “local authority” means a county, district or London borough council or the Common Council of the City of London [^{F1}but, in relation to Wales, means a county council or county borough council].

Textual Amendments

F1 Words in [Sch. 2 para. 2\(3\)](#) inserted (1.4.1996) by [1994 c. 19, s. 22\(1\)](#), [Sch. 7 Pt. I para. 32\(2\)](#) (with [ss. 54\(5\)\(7\), 55\(5\)](#)); [S.I. 1996/396](#) art. 3 Sch. 1

- 3 If it appears to the Secretary of State or, as the case may be, the local highway authority to be desirable to do so, he or they shall take such steps, in addition to those required by paragraphs 1 and 2, as will in his or their opinion secure that additional publicity is given in the area affected by the relevant special road scheme to the proposals contained in the order.
- 4 (1) Before or after the end of the period specified in the notice in pursuance of paragraph 1(1) or (2), the Secretary of State or the local highway authority, as the case may be, may by a further notice published in the same manner substitute a longer period for that specified in the first notice.
- (2) Paragraph 2 applies with respect to service of a copy of any such further notice as in relation to the first notice.

Status:

Point in time view as at 09/06/2009.

Changes to legislation:

New Roads and Street Works Act 1991, Cross Heading: Publicity for proposals is up to date with all changes known to be in force on or before 27 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.