
Status: Point in time view as at 01/09/2020.

Changes to legislation: New Roads and Street Works Act 1991, Paragraph 9 is up to date with all changes known to be in force on or before 25 July 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

Special parliamentary procedure where existing highway appropriated or transferred

- 9 (1) A toll order shall be subject to special parliamentary procedure where—
- (a) the relevant special road scheme provides for the appropriation by or transfer to the special road authority of an existing highway comprised in the route prescribed by the scheme, and
 - (b) the toll order authorises the charging of tolls for the use of that existing highway or any part of it,
- unless the Secretary of State is satisfied as regards all classes of traffic entitled to use the existing highway that another reasonably convenient route free of toll is available, or will be provided before the date on which the appropriation or transfer takes effect, and certifies accordingly.
- (2) Where the Secretary of State proposes to give such a certificate, he shall—
- (a) give public notice of his intention to do so,
 - (b) afford an opportunity to all persons interested to make representations and objections, and
 - (c) cause a public local inquiry to be held if it appears to him to be expedient to do so, having regard to representations or objections made,
- and before deciding whether to give the certificate he shall consider any representations and objections made and, if an inquiry has been held, the report of the person who held the inquiry.
- (3) As soon as may be after giving a certificate, the Secretary of State shall publish in the London Gazette, and in such other manner as he thinks best for informing persons affected, a notice stating that the certificate has been given.

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