

SCHEDULE 1

FUNCTIONS CONFERRED BY THE HIGHWAYS ACT 1980 OR ANY REGULATIONS UNDER ANY PROVISION OF THAT ACT

5.—(1) Paragraphs 1 to 3 above shall not include:

- (a) any functions conferred by or under section 294 of the 1980 Act (entry etc., of premises by highway authority or council for certain purposes); or
- (b) any function to the extent that the function confers a power or right of entry into or on any premises or land of which the local highway authority is not the owner or occupier.

(2) Where section 338 or 339(1) of the 1980 Act (saving for works, etc., of dock, harbour and canal undertakers and saving for works etc. of drainage authorities etc.) applies to the exercise of any functions listed in paragraphs 1 to 3 above, those functions shall be construed as including any additional requirements imposed by those sections.

(1) Section 339(1) and (4) were amended by section 190 of, and Schedule 25 to, the Water Act 1989 (c. 15) and section 2 of, and Schedule 1 to, the Water Consolidation (Consequential Provisions) Act 1991 (c. 60).