



Highways Act 1980

1980 CHAPTER 66

PART XIV

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

[^{F1} London borough council affecting roads of another authority

Textual Amendments

F1 S. 301A and crossheading inserted (8.5.2000 for specified purposes and otherwise 3.7.2000) by 1999 c. 29, s.266 (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, 3

^{F2}301A London borough council exercising powers so as to affect another authority's roads.

- (1) No London borough council shall exercise any power under this Act in a way which will affect, or be likely to affect,—
- (a) a GLA road, or
 - ^{F3}(aa) [a strategic road,]
 - (b) a road in another London borough [^{F4}other than a GLA road or strategic road] , unless the requirements of subsections (2) and (3) below have been satisfied.
- (2) The first requirement is that the council has given notice of the proposal to exercise the power in the way in question—
- (a) to Transport for London; and
 - (b) in a case where the road concerned is in another London borough, to the council for that borough.
- (3) The second requirement is that—
- (a) the proposal has been approved
 - [in the case of a GLA road, by Transport for London;

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- ^{F5}(i)
- (ii) in the case of a strategic road, by Transport for London and, where the road concerned is in another London borough, the council for that borough;
- (iii) in the case of a road within subsection (1)(b), by the London borough council concerned; or]
- (b) the period of one month beginning with the date on which Transport for London and, where applicable, the council received notice of the proposal has expired without Transport for London or the council having objected to the proposal; or
- (c) any objection made by Transport for London or the council has been withdrawn; or
- (d) where an objection has been made by Transport for London or a London borough council and not withdrawn, the Greater London Authority has given its consent to the proposal after consideration of the objection.
- [References in paragraphs (b) to (d) of subsection (3) to objections
- ^{F6}(3A) made by a person who, in the circumstances, has the power to give an approval under paragraph (a) of that subsection.]
- (4) Before deciding whether to give any consent for the purposes of subsection (3)(d) above, the Greater London Authority may cause a public inquiry to be held.
- (5) If Transport for London has reason to believe—
- (a) that a London borough council is proposing to exercise a power under this Act in a way which will affect, or be likely to affect,
- [a GLA road,
- ^{F7}(i)
- (ii) a strategic road, or
- (iii) a road in another London borough other than a GLA road or strategic road, and]
- (b) that notice of the proposal is required to be, but has not been, given in accordance with subsection (2) above,
- Transport for London may give a direction to the council requiring it not to proceed with the proposal until the requirements of subsections (2) and (3) above have been satisfied.
- (6) If a London borough council exercises any power in contravention of this section, Transport for London may take such steps as it considers appropriate to reverse or modify the effect of the exercise of that power.
- (7) For the purposes of subsection (6) above, Transport for London shall have power to exercise any power of the London borough council on behalf of that council.
- (8) Any reasonable expenses incurred by Transport for London in taking any steps under subsection (6) above shall be recoverable by Transport for London from the London borough council concerned as a civil debt.
- (9) The Mayor of London may issue a direction dispensing with the requirements of subsections (2) and (3) above in such circumstances as may be specified in the direction.

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- (10) A direction under subsection (9) above may, in particular, dispense with those requirements as respects—
- (a) all or any of the London borough councils;
 - (b) all or any of the GLA roads; [^{F8} or strategic roads]
 - (c) all or any of the roads which are [^{F9} not GLA roads, strategic roads or] trunk roads;
 - (d) the exercise of such powers as may be specified in the direction in such manner or circumstances as may be so specified.
- (11) Any direction under subsection (9) above may be varied or revoked by a further direction under that subsection.
- (12) Any reference in this section to a GLA road includes a reference to a GLA side road, within the meaning of the ^{M1}Road Traffic Regulation Act 1984 (see sections 124A(9) and 142(1) of that Act).
- (13) In this section “ road ” means any length of highway or of any other road to which the public has access and includes bridges over which a road passes.
- (14) Subsection (13) above is without prejudice to the construction of references to GLA roads or GLA side roads.
- (15) The functions of the Greater London Authority under this section shall be functions of the Authority which are exercisable by the Mayor of London acting on behalf of the Authority.
- (16) For the purposes of this section—
- (a) the City of London shall be treated as if it were a London borough;
 - (b) the Common Council shall be treated as if it were the council for a London borough; and
 - (c) the Inner Temple and the Middle Temple shall be treated as forming part of the City.]
- [^{F10}(17) In this section “ strategic road ” has the meaning given by section 60 of the Traffic Management Act 2004.]

Textual Amendments

- F2** S. 301A and cross-heading inserted (8.5.2000 for specified purposes and otherwise 3.7.2000) by 1999 c. 29, s.266 (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, 3
- F3** S. 301A(1)(aa) inserted (4.10.2004 for E.) by Traffic Management Act 2004 (c. 18), s. 62(2)(a) (with s. 38); S.I. 2004/2380, art. 2(e)
- F4** Words in s. 301A(1)(b) inserted (4.10.2004 for E.) by Traffic Management Act 2004 (c. 18), s. 62(2)(b) (with s. 38); S.I. 2004/2380, art. 2(e)
- F5** S. 301A(3)(a)(i)-(iii) substituted (4.10.2004 for E.) for words in s. 301A(3)(a) by Traffic Management Act 2004 (c. 18), s. 62(3) (with s. 38); S.I. 2004/2380, art. 2(e)
- F6** S. 301A(3A) inserted (4.10.2004 for E.) by Traffic Management Act 2004 (c. 18), s. 62(4) (with s. 38); S.I. 2004/2380, art. 2(e)
- F7** S. 301A(5)(a)(i)-(iii) substituted (4.10.2004 for E.) for words in s. 301A(5)(a) by Traffic Management Act 2004 (c. 18), s. 62(5) (with s. 38); S.I. 2004/2380, art. 2(e)
- F8** Words in s. 301A(10)(b) inserted (4.10.2004 for E.) by Traffic Management Act 2004 (c. 18), s. 62(6)(a) (with s. 38); S.I. 2004/2380, art. 2(e)

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- F9** Words in s. 301A(10)(c) substituted (4.10.2004 for E.) by [Traffic Management Act 2004 \(c. 18\), s. 62\(6\)\(b\)](#) (with s. 38); S.I. 2004/2380, [art. 2\(e\)](#)
- F10** S. 301A(17) inserted (4.10.2004 for E.) by [Traffic Management Act 2004 \(c. 18\), s. 62\(7\)](#) (with s. 38); S.I. 2004/2380, [art. 2\(e\)](#)

Modifications etc. (not altering text)

- C1** S. 301A(9) restricted (4.1.2005 for E. and 26.10.2006 for W.) by [Traffic Management Act 2004 \(c. 18\), s. 29\(8\)\(a\)](#) (with s. 38); S.I. 2004/3110, [art. 2\(a\)](#); S.I. 2006/2826, [art. 2\(2\)\(b\)](#)

Marginal Citations

- M1** 1984 c. 27.

[^{F11}301B Royal Parks or highways in London affected by proposals relating to the other.

- (1) The Secretary of State shall not exercise any of his functions in relation to the management of roads or traffic in a Royal Park in such a way as to affect a highway in Greater London unless he has consulted the highway authority for the highway about the exercise of those functions in that way.
 - (2) A highway authority shall not exercise any of its functions in relation to a highway in Greater London in such a way as to affect a Royal Park unless it has consulted the Secretary of State about the exercise of those functions in that way.
 - (3) The duty imposed by subsection (1) or (2) above shall not apply if it would not be reasonably practicable for the Secretary of State or, as the case may be, the highway authority to consult the other before exercising functions; but, in such a case, as soon as practicable after so exercising functions the Secretary of State or, as the case may be, the highway authority shall inform the other that those functions have been so exercised.
 - (4) In this section “ Royal Park ” means any park to which the ^{M2} Parks Regulation Act 1872 applies (see sections 1 and 3 of the ^{M3} Parks Regulation (Amendment) Act 1926).
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Textual Amendments

- F11** S. 301B inserted (3.7.2000) by [1999 c. 29, s.267](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/801, [art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)

Marginal Citations

- M2** 1872 c. 15.
M3 1926 c. 36.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 79(15)(aa) inserted by [2023 asc 3 Sch. 13 para. 54\(b\)](#)
- s. 90B(1A) inserted by [2015 c. 20 Sch. 10 para. 15\(3\)](#)
- s. 90C(2)(2A) substituted for s. 90C(2) by [2015 c. 20 Sch. 10 para. 16\(3\)](#)
- s. 90FA inserted by [2015 c. 20 Sch. 10 para. 20](#)
- s. 118ZA(5)(a) words inserted by [2015 c. 20 s. 25\(3\)](#)
- s. 120(3ZA) inserted by [2000 c. 37 Sch. 6 para. 13\(6\)](#)
- s. 121E(1A)(1B) inserted by [2015 c. 20 s. 23\(5\)](#)
- s. 146(6) inserted by [2015 c. 20 s. 24\(6\)\(d\)](#)
- s. 147(1A) inserted by [2015 c. 20 s. 24\(3\)](#)
- s. 147(5A) inserted by [2015 c. 20 s. 24\(5\)](#)
- s. 203(2)(b)(ia) inserted by [S.I. 2023/908 reg. 6\(2\)\(b\)](#)
- s. 219(1)(a)(i)(ii) inserted by [S.I. 2023/908 reg. 6\(3\)](#)
- s. 220(1A) inserted by [S.I. 2023/908 reg. 6\(4\)\(b\)](#)
- s. 223(1A) inserted by [S.I. 2023/908 reg. 6\(5\)\(b\)](#)
- s. 223(5A) inserted by [S.I. 2023/908 reg. 6\(5\)\(d\)](#)
- s. 223(5B)-(6) s. 223(6) renumbered as s. 223(5B)(6) by [S.I. 2023/908 reg. 6\(5\)\(e\)](#)
- s. 322(5)(ab) inserted by [2004 c. 18 s. 64\(2\)](#)
- s. 325(2B) inserted by [2015 c. 20 Sch. 10 para. 21](#)
- Sch. 6 para. 1(3ZA) inserted by [2015 c. 20 Sch. 7 para. 8\(2\)\(b\)](#)
- Sch. 6 para. 2(2ZA)-(2ZE) inserted by [2015 c. 20 Sch. 7 para. 8\(3\)](#)
- Sch. 6 para. 2(4) inserted by [2015 c. 20 Sch. 7 para. 8\(4\)](#)
- Sch. 6 para. 2(5)(6) inserted by [2015 c. 20 Sch. 7 para. 8\(5\)](#)
- Sch. 6 para. 2ZZA inserted by [2015 c. 20 Sch. 7 para. 8\(6\)](#)
- Sch. 6 para. 4A(2) inserted by [2015 c. 20 Sch. 7 para. 8\(7\)\(c\)](#)
- Sch. 6 para. 5(ba) inserted by [2015 c. 20 Sch. 7 para. 8\(8\)](#)
- Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by [2015 c. 20 Sch. 7 para. 8\(7\)\(a\)](#)
- Sch. 6 para. 4A(1) words substituted by [2015 c. 20 Sch. 7 para. 8\(7\)\(b\)](#)
- Sch. 6 Pt. 1 para. 2B(4) inserted by [2015 c. 20 s. 25\(6\)](#)