



Town and Country Planning Act 1971

1971 CHAPTER 78

PART X

HIGHWAYS

Conversion of highway into footpath or bridleway

213 Provision of amenity for highway reserved to pedestrians

- (1) Where in relation to a highway an order has been made under section 212(2) of this Act, a competent authority may carry out and maintain any such works on or in the highway, or place on or in it any such objects or structures, as appear to them to be expedient for the purposes of giving effect to the order or of enhancing the amenity of the highway and its immediate surroundings or to be otherwise desirable for a purpose beneficial to the public.
- (2) The powers exercisable by a competent authority under this section shall extend to laying out any part of the highway with lawns, trees, shrubs and flower-beds and to providing facilities for recreation or refreshment
- (3) A competent authority may so exercise their powers under this section as to restrict the access of the public to any part of the highway, but shall not so exercise them as—
 - (a) to prevent persons from entering the highway at any place where they could enter it before the order under section 212 of this Act was made; or
 - (b) to prevent the passage of the public along the highway; or
 - (c) to prevent normal access by pedestrians to premises adjoining the highway; or
 - (d) to prevent any use of vehicles which is permitted by an order made under the said section 212 and applying to the highway; or
 - (e) to prevent statutory undertakers from having access to any works of theirs underpin, on, over, along or across the highway.
- (4) An order under section 212(8) of this Act may make provision requiring the removal of any obstruction of the highway resulting from the exercise by a competent authority of their powers under this section.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (5) The competent authorities for the purposes of this section are—
- (a) the councils of counties, county boroughs and county districts; and
 - (b) in Greater London, the Greater London Council and the councils of London boroughs;
- but such an authority shall not exercise any powers conferred by this section unless they have obtained the consent of the local planning authority and the highway authority (in a case where they are themselves not that authority).