
Status: This is the original version (as it was originally enacted).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

SCHEDULES

SCHEDULE 14

AMENDMENT OF ENACTMENTS RELATING TO ROADS

The Trunk Roads Act 1936

- 35 In section 3(2) (general provisions as to functions with respect to trunk roads)—
- (a) in paragraph (b), the words from " shall not" to " aforesaid " shall cease to have effect;
 - (b) in paragraph (c), the words "shall not be exercisable by a county council in any borough or urban district and " shall cease to have effect.
- 36 In section 5 (delegation of roads functions to local authorities) in subsections (2) and (3), for the word " council ", wherever it occurs, there shall be substituted the words " local highway authority ".
- 37 In section 6 (miscellaneous provisions as to functions in connection with trunk roads), for any reference to a county council, council, or council of any county or large burgh there shall be substituted a reference to a local highway authority.
- 38 In section 7(5) (transfer of property and liabilities), for the word " council" there shall be substituted the words " local highway authority ".
- 39 In section 12 (application to Scotland)—
- (a) in subsection (2)(a), for the words " large burgh as defined in the Local Government (Scotland) Act 1929 " there shall be substituted the words " local highway authority " and in the proviso, the words " subsection (2) of section 3 and " shall cease to have effect and for the word " burgh " there shall be substituted the words " regional or district council ";
 - (b) in subsection (2)(b), for the words from " the maintenance " to " 1929 " there shall be substituted the words " which the local highway authority ";
 - (c) in subsection (2)(c), for the words " county or town council " there shall be substituted the words " local highway authority ";
 - (d) in subsection (5), for the words " town council" there shall be substituted the words " local authority ";
 - (e) in subsection (8), for any reference to a local authority there shall be substituted a reference to a local highway authority ;
 - (f) in subsection (9), for the words "council of the county or large burgh " there shall be substituted the words " regional council for the area " and the proviso shall cease to have effect;
 - (g) in subsection (10), for the substituted subsection (1) there shall be substituted the following subsection—
 - “(1) The Minister may by agreement with the local highway authority delegate to that authority all or any of his functions (including functions under the enactments mentioned in Part I of Schedule 3 to

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

this Act) with respect to the maintenance, repair and improvement of, and other dealing with—

- (a) a trunk road within the area of the local highway authority ;
or
- (b) a trunk road within the area of another local highway authority if the council thereof consent.

For the purposes of this subsection any reference to a trunk road shall include a reference to land acquired by the Minister under this Act which does not form part of a trunk road.”;

- (h) for subsection (12) there shall be substituted the following subsection—

“(12) Any power conferred by any enactment on a local highway authority to delegate functions to any other authority shall, as regards functions delegated to or vested in a local highway authority by or under this Act, be exercisable with the consent of the Secretary of State but not otherwise.”

- 40 In section 13(1) (interpretation), in the definition of "former highway authority", for the word " council", wherever it occurs, there shall be substituted the words " local highway authority ".