



# Highways Act 1980

## 1980 CHAPTER 66

### PART II

#### TRUNK ROADS, CLASSIFIED ROADS, METROPOLITAN ROADS, SPECIAL ROADS

##### *Classified roads*

#### **12 General provision as to principal and classified roads.**

(1) Subject to subsection (3) below, all such highways or proposed highways as immediately before the commencement of this Act—

- (a) were principal roads for the purposes of any enactment or instrument which refers to roads or highways classified by the Minister as principal roads, either by virtue of having been so classified under section 27(2) of the <sup>M1</sup>Local Government Act 1966 (which is replaced by subsection (3) below), or by virtue of being treated as such in accordance with section 40(1) of the <sup>M2</sup>Local Government Act 1974,
- (b) were (whether or not they also fall within paragraph (a) above) classified roads for the purposes of any enactment or instrument which refers to roads classified by the Minister (but does not specifically refer to their classification as principal roads), either by virtue of having been so classified under section 27(2) of the said Act of 1966, or by virtue of being treated as such in accordance with section 40(1) of the said Act of 1974, or
- (c) were classified roads for the purposes of any enactment or instrument by virtue of being treated as such in accordance with section 27(4) of the said Act of 1966,

continue to be, and to be known as, principal roads or, as the case may be, classified roads (or both principal roads and classified roads of a category other than principal roads, in the case of highways falling within both paragraph (a) and paragraph (b) above) for the purposes specified in subsection (2) below.

(2) So far as a highway that continues to be a principal or classified road in accordance with subsection (1) above was, immediately before the commencement of this Act, a

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classified road for the purposes of any enactment repealed and replaced by this Act, it is a classified road for the purposes of the corresponding provision of this Act; and so far as any such highway was immediately before the commencement of this Act a principal or classified road for the purposes of any other enactment, or any instrument, it so continues for the purposes of that enactment or instrument.

- (3) The Minister may for the purposes of—
- (a) any provision of this Act which refers to classified roads, or
  - (b) any other enactment or any instrument (whether passed or made before or after the passing of this Act) which refers to highways classified by the Minister,
- classify highways or proposed highways, being highways or proposed highways for which local highway authorities are the highway authorities, in such manner as he may from time to time determine after consultation with the highway authorities concerned.
- (4) References in any provision hereafter contained in this Act to classified roads are references to—
- (a) any highway or proposed highway that for the time being is a classified road for the purposes of that provision by virtue of subsections (1) and (2) above;
  - (b) any highway or proposed highway that for the time being is classified under subsection (3) above for the purposes of that provision, or for the purposes of enactments that include that provision; and
  - (c) any highway or proposed highway that for the time being is classified under subsection (3) above as a principal road for the purposes of any enactment or instrument which refers to roads or highways classified by the Minister as principal roads.

**Annotations:**

**Modifications etc. (not altering text)**

- C1** S. 12 referred to (1.1.1993) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\), s. 77\(2\)](#) (with s. 167(4)(5)); S.I. 1992/2984, art. 2(2), [Sch. 2](#)
- C2** S. 12(3) applied (13.2.1992) by [Severn Bridges Act 1992 \(c. 3\), s. 3, Sch. 3 para. 6\(3\)](#)
- C3** S. 12(3) modified (21.10.2014) by [The Central Bedfordshire Council \(Woodside Link Houghton Regis\) Development Consent Order 2014 \(S.I. 2014/2637\), arts. 1, 10](#)

**Marginal Citations**

- M1** 1966 c. 42.
- M2** 1974 c. 7.

**13 Power to change designation of principal roads.**

- (1) The Minister may by order assign some other description to the highways which for the time being are principal roads for the purposes of any enactment or instrument (whether by virtue of section 12(1) and (2) above, or by virtue of having been so classified under section 12(3) above, or otherwise).
- (2) If an order is made under subsection (1) above, then, except in so far as the order otherwise provides, any reference to a principal road in any enactment or instrument passed or made before the order is made (including an enactment in this Act) is to be construed as a reference to a highway of the description specified in the order.

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- (3) Nothing in subsection (1) above affects the power of the Minister under section 12(3) above to classify highways or proposed highways in such manner as he may determine after consultation with the highway authority concerned.

**Annotations:**

**Modifications etc. (not altering text)**

- C4** S. 13 referred to (1.1.1993) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. [77\(2\)](#)(with s. 167(4)(5)); [S.I. 1992/2984](#), art. 2(2), [Sch.2](#)

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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. 10(2)(a)(i) modified by S.I. 2018/103 reg. 12(a)(ii)
- 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. 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)