



Highways Act 1980

1980 CHAPTER 66

PART XII

ACQUISITION, VESTING AND TRANSFER OF LAND ETC.

Additional provisions with respect to acquisition of rights over land

251 Rights acquired to be binding on successive owners of the land.

- (1) Where by a deed or other instrument in which—
 - (a) it is stated that it is made in pursuance of a compulsory acquisition of rights by virtue of section 250 above; or
 - (b) it is certified by a highway authority that the instrument is made in connection with the performance of their functions under this Act,any person having an interest in the land grants or agrees to grant to a highway authority any right over the land, the grant or agreement is binding upon his successors in title and persons deriving title under him or them (otherwise than by a disposition taking effect before the date of the grant) to the same extent as it is binding upon the grantor, notwithstanding that it would not have been binding upon such persons apart from this subsection.
- (2) Where by a deed poll under any provision of the Act of 1965 a highway authority vest in themselves any right over land as against some person having an interest in the land, that right is binding upon that person's successors in title and persons deriving title under him or them (otherwise than by a disposition taking effect before the date of the deed poll) to the same extent as it is, or would have been, binding upon the first-mentioned person.
- (3) The foregoing provisions of this section apply whether or not (apart from this section) the right in question is capable in law of binding interests in the land other than the interest of the grantor or, as the case may be, the person first-mentioned in subsection (2) above.

Changes to legislation: Highways Act 1980, Section 251 is up to date with all changes known to be in force on or before 19 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) Where under any provisions of this Act any right conferred by a deed or other instrument to which subsection (1) or (2) above applies is transferred from one highway authority to another, this section applies after the transfer in relation to the other highway authority as it applied before the transfer to the first-mentioned authority.
- (5) ^{F1}

Textual Amendments

- F1** S. 251(5) repealed (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), ss. 133, 135, **Sch. 11 para. 16**, **Sch. 13** (with s. 129, [Sch. 12 para. 1](#)); S.I. 2003/1725, **art. 2(1)**

Modifications etc. (not altering text)

- C1** S. 251 modified by [Dartford-Thurrock Crossing Act 1988 \(c. 20, SIF 59\)](#), ss. 2, 19, **Sch. 2**, Pt. II para. 2(3)(b)
- C2** S. 251 applied (with modifications) (13.2.1992) by [Severn Bridges Act 1992 \(c. 3\)](#), s. 2(6), **Sch. 2 Pt. II para. 1(3)(b)**
- C3** S. 251 applied (with modifications) (16.7.1992) by [Cattewater Reclamation Act 1992 \(c. xiv\)](#), s. 5(2)
- C4** S. 251(1)-(3) applied (with modifications) (5.11.1993) by [1993 c. 42](#), s. 5, **Sch. 4 para. 1(2)(3)(b)**
- C5** [S. 251\(1\)\(2\)\(4\)](#) modified (1.4.2018) by [The Sub-national Transport Body \(Transport for the North\) Regulations 2018 \(S.I. 2018/103\)](#), regs. 1(2), **12(g)(iv)**

Changes to legislation:

Highways Act 1980, Section 251 is up to date with all changes known to be in force on or before 19 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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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. 115E(5) inserted by [2023 c. 55 Sch. 22 para. 11\(3\)](#)
- 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\(6\)](#)