



New Towns Act 1981

1981 CHAPTER 64

PART I

NEW TOWNS AND THEIR DEVELOPMENT CORPORATIONS

Powers exercisable in relation to land acquired by development corporation or highway authority

- [^{F1}24
- (1) Where an order under section 23 of this Act extinguishing a public right of way is made on the application of a development corporation or local highway authority, and at the time of the publication of the notice required by subsection (2) of that section any [^{F2}electronic communications apparatus] was kept installed for the purposes of [^{F3}an electronic communications code network] under, in, over, along or across the land over which the right of way subsisted—
- (a) the power of the operator of [^{F4}the network] to remove the apparatus shall, notwithstanding the making of the order, be exercisable at any time not later than the end of the period of three months from the date on which the right of way is extinguished and shall be exercisable in respect of the whole or any part of the apparatus after the end of that period if before the end of that period the operator of [^{F4}the network] has given notice to the corporation or authority of his intention to remove the apparatus or that part of it, as the case may be;
 - (b) the operator of [^{F4}the network] may by notice given in that behalf to the corporation or authority not later than the end of that period of three months abandon the [^{F2}electronic communications apparatus] or any part of it;
 - (c) subject to paragraph (b) above, the operator of [^{F4}the network] shall be deemed at the end of that period to have abandoned any part of the apparatus which he has then neither removed nor given notice of his intention to remove;
 - (d) the operator of [^{F4}the network] shall be entitled to recover from the corporation or authority the expenses of providing, in substitution for the apparatus and any other [^{F2}electronic communications apparatus] connected with it which is rendered useless in consequence of the removal or abandonment of the first-

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mentioned apparatus, any [^{F2}electronic communications apparatus] in such other place as the operator may require;

- (e) where under the preceding provisions of this subsection the operator of [^{F4}the network] has abandoned the whole or any part of any [^{F2}electronic communications apparatus], that apparatus or that part of it shall vest in the corporation or authority and shall be deemed, with its abandonment, to cease to be kept installed for the purposes of [^{F3}an electronic communications code network].

- (2) Where the Secretary of State makes an order under section 23 above in circumstances in which subsection (1) above applies in relation to the operator of [^{F3}an electronic communications code network], the Secretary of State shall send a copy of the order to the operator.]

Textual Amendments

- F1** S. 24 substituted by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), Sch. 4 para. 79(4)(5), **Sch. 5 para. 45**
- F2** Words in s. 24 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), Sch. 17 para. 57(1)(c)(2)(c) (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)
- F3** Words in s. 24 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), Sch. 17 para. 57(1)(c)(2)(b) (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)
- F4** Words in s. 24 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), Sch. 17 para. 57(1)(c)(2)(f) (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

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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. 1A(1) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(2) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(4) word inserted by [2023 c. 55 Sch. 16 para. 7\(4\)\(b\)](#)
- s. 1A(4) words substituted by [2023 c. 55 Sch. 16 para. 7\(4\)\(a\)](#)
- s. 1A(5)(a) words substituted by [2023 c. 55 Sch. 16 para. 7\(5\)\(a\)](#)
- s. 1ZA1ZB inserted by [2023 c. 55 s. 172\(2\)](#)
- s. 2(1A) inserted by [2023 c. 55 Sch. 16 para. 8](#)
- s. 3(2B)-(2D) inserted by [2023 c. 55 s. 172\(3\)\(c\)](#)
- s. 3(2ZA)(2ZB) inserted by [2023 c. 55 s. 178\(2\)\(b\)](#)
- s. 7A7B inserted by [2023 c. 55 s. 175\(2\)](#)
- s. 60(1A) inserted by [2023 c. 55 s. 179\(2\)\(b\)](#)
- s. 77(3E) inserted by [2023 c. 55 Sch. 17 para. 1\(3\)](#)
- Sch. 3 para. 10A10B and cross-heading inserted by [2023 c. 55 s. 175\(3\)](#)
- Sch. 4 para. 5A inserted by [2023 c. 55 s. 190\(3\)\(a\)](#)
- Sch. 5 para. 5A inserted by [2023 c. 55 s. 190\(3\)\(b\)](#)