

Status: Point in time view as at 05/03/2015.

Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

STRATEGIC HIGHWAYS COMPANIES: CONSEQUENTIAL AND SUPPLEMENTAL AMENDMENTS

PART 1

HIGHWAYS ACT 1980

1 The Highways Act 1980 is amended as follows.

Commencement Information

II Sch. 1 para. 1 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

2 (1) Section 1 (highway authorities: general provision) is amended as follows.

(2) In subsection (1)—

(a) after “Minister is” insert “, subject to subsection (1A), ”;

(b) after paragraph (d) insert—

“(e) any highway for which he becomes the highway authority by virtue of section 2 of the Infrastructure Act 2015.”

(3) After subsection (1) insert—

“(1A) A strategic highways company is the highway authority for—

(a) any highway specified in the appointment of the company in accordance with Part 1 of the Infrastructure Act 2015;

(b) any highway that is directed to become a trunk road and for which that company is directed to be highway authority under section 10;

(c) any special road provided by the company;

(d) any highway for which an order made under any enactment expressly provides for that company to be the highway authority;

(e) any highway transferred to the company by an order under section 14 or 18;

(f) any other highway constructed by the company except where—

(i) by virtue of section 4(3) or 5(2) or some other enactment, a local highway authority is the highway authority for it; or

(ii) by means of an order under section 14 or 18 the highway is transferred to a local highway authority.

Paragraphs (a), (b) and (f) do not apply where a local highway authority becomes the highway authority by virtue of section 2.”

(4) In subsections (2) and (3) to (4)—

(a) after “subsection (1)” insert “ or (1A) ”;

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- (b) after “Minister” insert “ or a strategic highways company ”.

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I2 Sch. 1 para. 2 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 3 In section 2 (highway authority for road which ceases to be a trunk road), in subsection (2)—
- (a) after the first “Minister” insert “ or by a strategic highways company ”;
- (b) after the second “Minister” insert “ or the company ”.

Commencement Information

I3 Sch. 1 para. 3 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 4 (1) Section 3 (highway authority for approaches to and parts of certain bridges) is amended as follows.
- (2) In subsection (1), after the first “Minister” insert “ or a strategic highways company ”.
- (3) In subsection (3), after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I4 Sch. 1 para. 4 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 5 (1) Section 4 (agreement for exercise by Minister of certain functions of local highway authority as respects highway affected by construction etc of trunk road) is amended as follows.
- (2) In subsection (1)—
- (a) after the first “Minister” insert “or a strategic highways company, whichever is the highway authority for a trunk road (“the trunk road authority”);
- (b) for the second “Minister” substitute “ trunk road authority ”;
- (c) for “a trunk road”, wherever occurring, substitute “ that trunk road ”.
- (3) In subsection (2)—
- (a) for “Minister”, wherever occurring, substitute “ trunk road authority ”;
- (b) for “he” substitute “ the trunk road authority ”.
- (4) In subsection (3)—
- (a) omit “by him”;
- (b) for “Minister” substitute “ trunk road authority ”.
- (5) In subsections (4) and (5), for “Minister”, wherever occurring, substitute “ trunk road authority ”.
- (6) In the heading, after “Minister” insert “ or strategic highways company ”.

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I5 Sch. 1 para. 5 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

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- 6 (1) Section 5 (agreement for local highway authority to maintain and improve certain highways constructed or to be constructed by Minister) is amended as follows.
- (2) In subsection (1)—
- (a) after the first “Minister” insert “ or a strategic highways company ”;
 - (b) for “their” substitute “the local highway authority's”;
 - (c) after the second “Minister” insert “ or the company ”.
- (3) In the heading, after “Minister” insert “ or strategic highways company ”.

Commencement Information

I6 Sch. 1 para. 6 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 7 (1) Section 6 (delegation etc of functions with respect to trunk roads) is amended as follows.
- (2) In subsection (1)—
- (a) after “Minister” insert “ or a strategic highways company ”;
 - (b) after “his” insert “ or its ”;
 - (c) after “him” insert “ or it ”.
- (3) In subsection (1A)—
- (a) after “Minister” insert “ or a strategic highways company ”;
 - (b) for “their”, wherever occurring, substitute “that council's”.
- (4) In subsection (1B)—
- (a) after “Minister” insert “ or a strategic highways company ”;
 - (b) for “their” substitute “that council's”.
- (5) In subsection (2)—
- (a) after “Minister”, wherever occurring, insert “ or a strategic highways company ”;
 - (b) for “he may attach” substitute “ may be attached ”.
- (6) In subsection (3)—
- (a) after “Minister”, wherever occurring, insert “ or a strategic highways company ”;
 - (b) after “he” insert “ or the company ”;
 - (c) after “him” insert “ or the company ”.
- (7) In subsection (4), after “Minister”, wherever occurring, insert “ or a strategic highways company ”.
- (8) In subsection (5)—
- (a) after “Minister” insert “ or a strategic highways company ”;
 - (b) in paragraph (b), for “them” substitute “ the council ”.
- (9) In subsection (6), after “Minister”, wherever occurring, insert “ or a strategic highways company ”.
- (10) In subsection (8)—

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- (a) after “Minister”, wherever occurring, insert “ or a strategic highways company ”.
- (b) after “his” insert “or the company's”.

Commencement Information

I7 Sch. 1 para. 7 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 8 (1) Section 8 (agreements between local highway authorities for doing of certain works) is amended as follows.
- (2) In subsection (1)—
 - (a) after “local highway authorities” insert “ and strategic highways companies ”.
 - (b) for “each other” substitute “ other such authorities and companies ”.
 - (3) In the heading, after “local highway authorities” insert “ and strategic highways companies ”.

Commencement Information

I8 Sch. 1 para. 8 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 9 (1) Section 9 (seconding of staff etc) is amended as follows.
- (2) In subsection (1)—
 - (a) after “Minister” insert “ or a strategic highways company ”.
 - (b) after “his”, wherever occurring, insert “or the company's”.
 - (3) In subsection (2), after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I9 Sch. 1 para. 9 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 10 (1) Section 10 (general provision as to trunk roads) is amended as follows.
- (2) In subsection (2)(a)(i), after “Minister” insert “ or a strategic highways company ”.
 - (3) After subsection (3) insert—
 - “(3A) The power to direct that a highway or proposed highway become a trunk road includes the power to direct that a strategic highways company is the highway authority for that trunk road.”
 - (4) In subsection (8), after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I10 Sch. 1 para. 10 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 11 (1) Section 11 (local and private Act functions with respect to trunk roads) is amended as follows.

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- (2) In subsection (1), after “Minister alone” insert “ or a strategic highways company alone, whichever is highway authority for the trunk road (“the trunk road authority”), ”.
- (3) In subsection (2), in paragraphs (a), (b) and (c), for “Minister”, wherever occurring, substitute “ trunk road authority ”.

Commencement Information

I11 Sch. 1 para. 11 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 12 In section 14 (powers as respects roads that cross or join trunk or classified roads), in subsection (3)—
- (a) in paragraph (a), after “trunk road” insert “ for which he is the highway authority ”;
- (b) in paragraph (b), for “in relation to a classified road” substitute “ in any other case ”.

Commencement Information

I12 Sch. 1 para. 12 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 13 (1) Section 16 (general provision as to special roads) is amended as follows.
- (2) For subsection (4) substitute—
- “(4) A reference in this Act to a special road authority is a reference to—
- (a) except where paragraph (b) or (c) applies, a highway authority authorised to provide a special road by means of—
- (i) a scheme under this section, or
- (ii) a scheme referred to in subsection (1);
- (b) except where paragraph (c) applies, the highway authority determined to be the special road authority by a jointly submitted scheme under subsection (10);
- (c) a strategic highways company, where the company is the highway authority for a special road by virtue of an appointment under Part 1 of the Infrastructure Act 2015.”
- (3) In subsection (6)(b)—
- (a) for “the case” substitute “ any other case ”;
- (b) omit “local”.
- (4) In subsection (10)—
- (a) omit “local”;
- (b) omit from “, references in this Act” to the end.

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I13 Sch. 1 para. 13 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

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- 14 In section 18 (supplementary orders relating to special roads), in subsection (3)(b)
- (a) for “the case” substitute “ any other case ”;
- (b) omit “local”.

Commencement Information

I14 Sch. 1 para. 14 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 15 In section 19 (certain special roads and other highways to become trunk roads), in subsections (1) and (2), after “Minister”, wherever occurring, insert “ or a strategic highways company ”.

Commencement Information

I15 Sch. 1 para. 15 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 16 (1) Section 23 (compensation in respect of certain works executed in pursuance of orders under section 14 or 18) is amended as follows.
- (2) After the first “Minister,” insert “ a strategic highways company, ”.
- (3) After the second “Minister,” insert “ the strategic highways company, ”.

Commencement Information

I16 Sch. 1 para. 16 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 17 (1) Section 24 (construction of new highways and provision of road-ferries) is amended as follows.
- (2) In subsection (1)—
- (a) after “Minister” insert “ or a strategic highways company ”;
- (b) omit “, with the approval of the Treasury,”;
- (c) after “he”, wherever occurring, insert “ or it ”;
- (d) in paragraph (d), after “him” insert “ or it ”;
- (e) in the words following paragraph (d), after “his” insert “ or its ”.
- (3) After subsection (1) insert—
- “(1A) Where a strategic highways company proposes to construct a highway which will communicate with a highway for which another strategic highways company is the highway authority, the communication shall not be made unless the manner in which it is to be made has been approved by the Secretary of State.”
- (4) In subsection (2)—
- (a) after the first “Minister” insert “ or a strategic highways company ”;
- (b) after the second “Minister” insert “ or the company ”.

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I17 Sch. 1 para. 17 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 18 (1) Section 26 (compulsory powers for creation of footpaths, bridleways and restricted byways) is amended as follows.
- (2) In subsection (1)—
- (a) after “local authority” insert “ or a strategic highways company ”;
 - (b) after “the authority” insert “ or company ”;
 - (c) after “them”, wherever occurring, insert “ or it ”.
- (3) In subsection (3)—
- (a) after the first “local authority” insert “ and a strategic highways company ”;
 - (b) omit “other”.
- (4) In subsection (3A)(b), after “local authority” insert “ and a strategic highways company ”.

Commencement Information

I18 Sch. 1 para. 18 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 19 In section 38 (power of highway authorities to adopt by agreement), in subsection (1), after “Minister,” insert “ or a strategic highways company, whichever is the highway authority ”.

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I19 Sch. 1 para. 19 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 20 (1) Section 41 (duty to maintain highways maintainable at public expense) is amended as follows.
- (2) In subsection (2), after “him” insert “ or a strategic highways company ”.
- (3) In subsection (4)(b), after “Minister” insert “ or the strategic highways company ”.
- (4) In subsection (5), after the second “Minister” insert “ or the strategic highways company ”.

Commencement Information

I20 Sch. 1 para. 20 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 21 (1) Section 55 (extinguishment of liability to maintain or improve bridges comprised in trunk roads and special roads) is amended as follows.
- (2) In subsection (1), after “Minister” insert “ or a strategic highways company (“the trunk road authority”) ”.
- (3) In subsection (2)—
- (a) for the first “Minister” substitute “ trunk road authority ”;

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- (b) for the second “Minister” substitute “ authority ”.
- (4) In subsection (3), for “Minister”, wherever occurring, substitute “ trunk road authority ”.
- (5) In subsection (4)—
 - (a) for the first “Minister” substitute “ trunk road authority ”;
 - (b) after the second “Minister” insert “ , a strategic highways company or trunk road authority ”.
- (6) In subsection (5), in the definition of “owners”, for “Minister” substitute “ trunk road authority ”.

Commencement Information

I21 Sch. 1 para. 21 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 22 In section 63 (relief of main carriageway of trunk road from local traffic), after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I22 Sch. 1 para. 22 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 23 In section 66 (footways and guard-rails etc for publicly maintainable highways), in subsection (6)—
- (a) after the first “Minister” insert “ or a strategic highways company ”;
 - (b) after the second “Minister” insert “ or the strategic highways company ”.

Commencement Information

I23 Sch. 1 para. 23 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 24 In section 69 (subways), in subsection (2)(a), after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I24 Sch. 1 para. 24 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 25 (1) Section 80 (power to fence highways) is amended as follows.
- (2) In subsection (1)(b), after “Minister” insert “ or a strategic highways company ”.
 - (3) In subsection (3), after “Part III)” insert “ and, in the case of a trunk road, consent has been given under section 175B (consent of highway authority required for trunk road access) ”.
 - (4) In subsection (4)—
 - (a) in paragraph (b)—
 - (i) after “Minister” insert “ or a strategic highways company ”;
 - (ii) after “him” insert “ or it ”;

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- (b) in the words following paragraph (b), after “Minister” insert “ or a strategic highways company ”.

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I25 Sch. 1 para. 25 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 26 (1) Section 90C (consultation and local inquiries) is amended as follows.
- (2) In subsection (1)—
- (a) after “Secretary of State” insert “ , a strategic highways company ”;
- (b) after “he” insert “ , it ”.
- (3) In subsection (2), after “Secretary of State” insert “ , a strategic highways company ”.
- (4) In subsection (4)—
- (a) after “Secretary of State” insert “ , a strategic highways company ”;
- (b) after “him” insert “ , it ”;
- (c) after “he” insert “ , it ”.

Commencement Information

I26 Sch. 1 para. 26 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 27 (1) Section 93 (power to make orders as to reconstruction, improvement etc of privately maintainable bridges) is amended as follows.
- (2) In subsections (1) and (2), omit “local”, wherever occurring.
- (3) Omit subsection (5).

Commencement Information

I27 Sch. 1 para. 27 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 28 In section 95 (supplemental provisions as to orders and agreements under sections 93 and 94), in subsection (2), for the words from “section 94” to the end substitute “ sections 93 and 94 are exercisable by the highway authority for the trunk road over, or partly over, the bridge. ”

Commencement Information

I28 Sch. 1 para. 28 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 29 In section 97 (lighting of highways), in subsection (1), for “The Minister and every local” substitute “ A ”.

Commencement Information

I29 Sch. 1 para. 29 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 30 (1) Section 105A (environmental impact assessments) is amended as follows.

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- (2) In subsection (2)—
 - (a) after “Secretary of State” insert “ or a strategic highways company ”;
 - (b) after the first “he” insert “ or it ”;
 - (c) after the second “he” insert “ or it, whichever is considering the project, ”.
- (3) In subsection (3)—
 - (a) after “Secretary of State” insert “ or the strategic highways company ”;
 - (b) after “he” insert “ or the company ”.
- (4) In subsection (4), after “Secretary of State” insert “ or the strategic highways company ”.
- (5) In subsection (5)(d)—
 - (a) after “Secretary of State” insert “ or the strategic highways company ”;
 - (b) after “his” insert “ or its ”.

Commencement Information

I30 Sch. 1 para. 30 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 31 (1) Section 105B (procedure) is amended as follows.
- (2) In subsection (1)—
 - (a) after “Secretary of State” insert “ or a strategic highways company ”;
 - (b) after “him” insert “ or it (as the case may be) ”.
 - (3) In subsection (3), after “Secretary of State” insert “ or the strategic highways company (as the case may be) ”.
 - (4) In subsection (3A)—
 - (a) in paragraphs (a) and (h), after “Secretary of State” insert “ or the strategic highways company ”;
 - (b) in paragraph (i), after “Secretary of State” insert “ or the strategic highways company (as the case may be) ”;
 - (c) in paragraph (j), after “Secretary of State” insert “ or the strategic highways company ”.
 - (5) In subsections (3B) and (3C), after “Secretary of State” insert “ or the strategic highways company ”.
 - (6) In subsection (4)—
 - (a) after “Secretary of State” insert “ or the strategic highways company ”;
 - (b) after “he” insert “ or it ”.
 - (7) In subsection (5)—
 - (a) after the first “Secretary of State” insert “ or the strategic highways company ”;
 - (b) in paragraphs (b) and (c)—
 - (i) after “Secretary of State” insert “ or the strategic highways company (as the case may be) ”;
 - (ii) after “him” insert “ or it ”.

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- (8) In subsection (5A)—
- (a) after “Secretary of State”, wherever occurring, insert “ or the strategic highways company ”;
 - (b) after “him”, wherever occurring, insert “ or it ”.
- (9) In subsection (6)—
- (a) after “Secretary of State” insert “ or the strategic highways company (as the case may be) ”;
 - (b) after “he”, wherever occurring, insert “ or it ”;
 - (c) after “his”, wherever occurring, insert “ or its ”.
- (10) In subsection (7), after “Secretary of State”, wherever occurring, insert “ or the strategic highways company ”.
- (11) In subsection (8)(e), after “Secretary of State” insert “ , the strategic highways company ”.

Commencement Information

I31 Sch. 1 para. 31 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 32 (1) Section 105C (other EEA States) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), after “Secretary of State” insert “ or a strategic highways company ”;
 - (b) in paragraph (b), after “Secretary of State” insert “ or the strategic highways company, whichever is considering the project, ”.
- (3) In subsection (2)—
- (a) after “Secretary of State” insert “ or the strategic highways company ”;
 - (b) in paragraph (a), after “him” insert “ or the company ”;
 - (c) in paragraphs (b) and (c), after “he” insert “ or the company ”.
- (4) In subsection (4)—
- (a) after “Secretary of State” insert “ or the strategic highways company ”;
 - (b) in paragraphs (a) and (c), after “he” insert “ or the company ”.
- (5) In subsection (5)—
- (a) after “Secretary of State” insert “ or the strategic highways company ”;
 - (b) after “he”, wherever occurring, insert “ or the company ”;
 - (c) in paragraph (b), after “him” insert “ or the company ”.
- (6) In subsections (6) and (7), after “Secretary of State” insert “ or the strategic highways company ”.

Commencement Information

I32 Sch. 1 para. 32 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 33 In section 105D (validity of decisions), in subsection (1), after “Secretary of State” insert “ or a strategic highways company ”.

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Commencement Information

I33 Sch. 1 para. 33 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 34 (1) Section 106 (orders and schemes providing for construction of bridges over or tunnels under navigable waters) is amended as follows.
- (2) In subsection (3)—
- (a) after “local highway authority” insert “ or a strategic highways company ”;
- (b) after “the authority” insert “ or company ”.
- (3) In subsection (6), omit “local”.

Commencement Information

I34 Sch. 1 para. 34 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 35 In section 108 (power to divert navigable watercourses), in subsection (2)(b), for “a local” substitute “ any other ”.

Commencement Information

I35 Sch. 1 para. 35 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 36 In section 110 (power to divert non-navigable watercourses and to carry out other works on any watercourse), in subsection (6)(b), for “, they shall not carry them” substitute “ or a strategic highways company, they must not be carried ”.

Commencement Information

I36 Sch. 1 para. 36 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 37 (1) Section 112 (provision of picnic sites and public conveniences for users of trunk roads) is amended as follows.
- (2) In subsection (1), after “Minister” insert “ or a strategic highways company ”.
- (3) In subsection (2)—
- (a) after “Minister” insert “ or a strategic highways company ”;
- (b) after “him” insert “ or the company ”.
- (4) In subsections (3) to (5), after “Minister”, wherever occurring, insert “ or a strategic highways company ”.
- (5) In subsection (6)—
- (a) after “Minister” insert “ or the strategic highways company, whichever is highway authority for the trunk road, ”;
- (b) after “him” insert “ or it ”.
- (6) In subsection (7), after “Minister” insert “ or a strategic highways company ”.

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Commencement Information

I37 Sch. 1 para. 37 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 38 (1) Section 113 (exercise by council of functions of Minister with respect to management or provision of picnic sites etc) is amended as follows.
- (2) In subsection (1)—
- (a) after “Minister” insert “ or a strategic highways company ”;
 - (b) after “his” insert “ or its ”;
 - (c) after “him” insert “ or it ”.
- (3) In subsection (2), omit “by Minister”.
- (4) In subsection (3)—
- (a) after “Minister” insert “ or a strategic highways company ”;
 - (b) in paragraph (b), after “he” insert “ or it ”;
 - (c) in paragraph (c), after “his” insert “ or its ”.
- (5) In subsections (5) and (7), after “Minister” insert “ or a strategic highways company ”.
- (6) In the heading, after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I38 Sch. 1 para. 38 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 39 (1) Section 124 (stopping up of private access to highways) is amended as follows.
- (2) In subsection (2), after “if they are” insert “ a strategic highways company or ”.
- (3) In subsection (3)—
- (a) for “a local” substitute “ any other ”;
 - (b) in paragraph (b), for “local” substitute “ other ”.
- (4) In subsection (4)(d) and (e), omit “local”, wherever occurring.
- (5) In subsection (5)—
- (a) after “order made by” insert “ a strategic highways company or ”;
 - (b) omit the second “local”.
- (6) In subsections (6) and (7), omit “local”.

Commencement Information

I39 Sch. 1 para. 39 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 40 In section 129 (further provision with respect to new means of access), in subsection (3), for “a local” substitute “ any other ”.

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I40 Sch. 1 para. 40 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 41 In section 154 (cutting or felling etc trees etc that overhang or are a danger to roads or paths), in subsection (1)(a)—
- (a) after the first “Minister” insert “ or a strategic highways company ”;
 - (b) for the second “Minister” substitute “ highway authority ”.

Commencement Information

I41 Sch. 1 para. 41 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 42 In section 174 (precautions to be taken by persons executing works in streets), in subsections (1A) and (1B), omit “local”.

Commencement Information

I42 Sch. 1 para. 42 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 43 Before section 176 insert—

Consent of highway authority required for trunk road access

“175B) Access to or from a trunk road in England must not be constructed, formed or laid out without the consent of the highway authority for the trunk road.

(2) Subsection (1) does not apply where—

- (a) section 24(2) applies, or
- (b) development consent is required under the Planning Act 2008.”

Commencement Information

I43 Sch. 1 para. 43 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 44 In section 232 (power to treat as a private street land designated for purposes of this section by development plan), in subsection (7), after “constructed by” insert “ a strategic highways company or ”.

Commencement Information

I44 Sch. 1 para. 44 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 45 (1) Section 239 (acquisition of land for construction, improvement etc of highway: general powers) is amended as follows.
- (2) In subsection (1), after “Minister” insert “ or a strategic highways company ”.
 - (3) In subsection (2)—
 - (a) after “Minister” insert “ or a strategic highways company ”;
 - (b) after “his” insert “ or its ”.

Status: Point in time view as at 05/03/2015.

Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, PART 1. (See end of Document for details)

Commencement Information

I45 Sch. 1 para. 45 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 46 In section 240 (acquisition of land in connection with construction, improvement etc of highway: further general powers), in subsection (3)—
- (a) after “Minister” insert “ or a strategic highways company ”;
 - (b) in paragraph (b), after “his” insert “ or its ”.

Commencement Information

I46 Sch. 1 para. 46 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 47 (1) Section 245A (acquisition of land by Secretary of State or Assembly for buildings etc needed for traffic management purposes) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) A strategic highways company may acquire land in England which in its opinion is required for the provision of any buildings or facilities which are needed—
- (a) for use by, or in connection with the activities of, traffic officers in the area for which it is appointed in accordance with Part 1 of the Infrastructure Act 2015; or
 - (b) for other purposes connected with the management of traffic on highways in that area and for which it is the highway authority.”
- (3) In the heading, after “Secretary of State” insert “ , strategic highways company ”.

Commencement Information

I47 Sch. 1 para. 47 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 48 In section 247 (general provision as to acquisition procedure etc), in subsection (1), after “this Act on” insert “ a strategic highways company or ”.

Commencement Information

I48 Sch. 1 para. 48 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 49 (1) Section 254 (compulsory acquisition for certain purposes of rights in land belonging to local authorities etc) is amended as follows.
- (2) In subsection (1)(b), after “Minister”, wherever occurring, insert “ or a strategic highways company ”.
- (3) In subsection (2), after “Minister”, wherever occurring, insert “ or a strategic highways company ”.
- (4) In subsection (5)(b), after “Minister” insert “ or a strategic highways company ”.

Status: Point in time view as at 05/03/2015.

Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, PART 1. (See end of Document for details)

Commencement Information

I49 Sch. 1 para. 49 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 50 (1) Section 260 (clearance of title to land acquired for statutory purposes) is amended as follows.
- (2) In subsection (3)(b), after “Minister” insert “ or a strategic highways company ”.
- (3) In subsection (4), after “Minister” insert “ , strategic highways company ”.

Commencement Information

I50 Sch. 1 para. 50 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 51 In section 263 (vesting of highways maintainable at public expense), in subsection (3), omit “local”.

Commencement Information

I51 Sch. 1 para. 51 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 52 (1) Section 265 (transfer of property and liabilities upon a highway becoming or ceasing to be a trunk road) is amended as follows.
- (2) In subsection (1)—
- (a) after the first “Minister” insert “ or the strategic highways company, whichever is highway authority for the trunk road, ”;
- (b) after the second “Minister” insert “ or the company ”.
- (3) In subsection (2), after “Minister” insert “ or a strategic highways company ”.
- (4) In subsection (4)—
- (a) after “Minister” insert “ or a strategic highways company ”;
- (b) after “him” insert “ or the company ”.
- (5) In subsection (5)—
- (a) after “Minister”, wherever occurring, insert “ or the strategic highways company ”;
- (b) in paragraph (a), after “him” insert “ or the company ”.
- (6) In subsections (6) and (7), after “Minister”, wherever occurring, insert “ or a strategic highways company ”.
- (7) In subsection (8)—
- (a) after “Minister” insert “ or the strategic highways company ”;
- (b) after “him” insert “ or it ”;
- (c) after “he” insert “ or it ”.

Commencement Information

I52 Sch. 1 para. 52 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

Status: Point in time view as at 05/03/2015.

Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, PART 1. (See end of Document for details)

- 53 (1) Section 266 (transfer to Minister of privately maintainable bridges carrying trunk roads) is amended as follows.
- (2) In subsection (1), after “Minister” insert “ or a strategic highways company, whichever is highway authority for the trunk road (“the trunk road authority”), ”.
- (3) In subsection (2), for “Minister” substitute “ trunk road authority ”.
- (4) In subsection (3)—
- (a) for the first “Minister” substitute “ trunk road authority ”;
- (b) for “Minister”, wherever else occurring, substitute “ authority ”.
- (5) In subsection (4), for “Minister” substitute “ trunk road authority ”.
- (6) In subsections (5) and (6)—
- (a) for the first “Minister” substitute “ trunk road authority ”;
- (b) for “Minister”, wherever else occurring, substitute “ authority ”.
- (7) In subsections (7), (8) and (10), for “Minister”, wherever occurring, substitute “ trunk road authority ”.
- (8) In the heading, after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I53 Sch. 1 para. 53 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 54 In section 266A (transfer of property and liabilities upon a highway becoming or ceasing to be a GLA road), in subsection (8)(b), after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I54 Sch. 1 para. 54 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 55 (1) Section 267 (transfer to local highway authorities of privately maintainable bridges carrying special roads) is amended as follows.
- (2) In subsection (1), after “Minister” insert “ or a strategic highways company, ”.
- (3) In subsections (2) and (3), for “Minister” substitute “ trunk road authority ”.

Commencement Information

I55 Sch. 1 para. 55 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 56 (1) Section 271 (provisions with respect to transfer of toll highways to highway authorities) is amended as follows.
- (2) In subsection (1)(i), after “trunk road” insert “ for which he is the highway authority ”.
- (3) After subsection (1)(i) insert—
- “(ia) in the case of a trunk road for which it is the highway authority, a strategic highways company;”.

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Commencement Information

I56 Sch. 1 para. 56 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 57 (1) Section 277 (contribution towards maintenance of bridge where road ceases to be a trunk road) is amended as follows.
- (2) After the first “Minister” insert “ or a strategic highways company ”.
- (3) After the second “Minister” insert “ or the company ”.

Commencement Information

I57 Sch. 1 para. 57 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 58 (1) Section 284 (powers of Minister in relation to privately maintainable parts of trunk roads) is amended as follows.
- (2) After “Minister” insert “ or a strategic highways company, whichever is highway authority for the trunk road, ”.
- (3) In the heading, after “Minister” insert “ or strategic highways company ”.

Commencement Information

I58 Sch. 1 para. 58 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 59 (1) Section 284A (trunk roads: miscellaneous functions of Secretary of State) is amended as follows.
- (2) For the words from “any trunk road” to the end substitute “ a trunk road for which the Secretary of State is highway authority, include the Secretary of State and, in relation to a trunk road for which a strategic highways company is the highway authority, include that company. ”
- (3) In the heading, after “Secretary of State” insert “ and strategic highways company ”.

Commencement Information

I59 Sch. 1 para. 59 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 60 (1) Section 329 (further provision as to interpretation) is amended as follows.
- (2) In subsection (1)—
- (a) in the definition of “local highway authority” after “Minister” insert “ or a strategic highways company ”;
- (b) at the appropriate place insert—
- ““strategic highways company” means a company for the time being appointed under Part 1 of the Infrastructure Act 2015;”.
- (3) After subsection (5) insert—

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“(6) Subsection (5) is subject to the specification of those roads as ones for which a strategic highways company is highway authority under Part 1 of the Infrastructure Act 2015.”

Commencement Information

I60 Sch. 1 para. 60 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 61 In section 330 (construction of certain enactments relating to execution of works by statutory undertakers), in subsection (1), after “Minister” insert “ or a strategic highways company, whichever is highway authority for the trunk road, ”.

Commencement Information

I61 Sch. 1 para. 61 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 62 In section 331 (references to functions of council as respects any highway), after “Minister” insert “ or a strategic highways company ”.

Commencement Information

I62 Sch. 1 para. 62 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 63 (1) Schedule 1 (procedures for making or confirming certain orders and schemes) is amended as follows.
- (2) In paragraph 1, after “trunk road” insert “ for which he is the highway authority ”.
- (3) In paragraph 2—
- (a) after “order relating to” insert “ a trunk road for which a strategic highways company is the highway authority or to ”;
- (b) omit “local”.
- (4) In paragraph 3—
- (a) after the first “Minister” insert “ , the strategic highways company ”;
- (b) after the second “Minister” insert “ , of the strategic highways company ”.
- (5) In paragraphs 4 and 5, after “Minister” insert “ , the strategic highways company ”.
- (6) In paragraph 6, after “Minister” insert “ , a strategic highways company ”.
- (7) In paragraphs 7(1)(ii), 8(1)(b), 9 and 10 omit “local”.
- (8) In paragraph 11, for “local” substitute “ other ”.
- (9) In paragraph 12, for the first “local” substitute “ other ”.
- (10) In paragraph 13, for “a local” substitute “ another ”.
- (11) In paragraphs 14(1)(ii), 15(1)(b) and 16 omit “local”.
- (12) In paragraph 17, for “local” substitute “ other ”.

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Commencement Information

I63 Sch. 1 para. 63 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 64 In Schedule 3 (provisions of this Act referred to in section 11), in the headings to Parts 1, 2 and 3, after “Minister”, wherever occurring, insert “ or a strategic highways company ”.

Commencement Information

I64 Sch. 1 para. 64 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 65 (1) Schedule 5 (modifications of certain provisions of the Town and Country Planning Act 1990 as applied by section 21) is amended as follows.
- (2) In Part 1 (modifications in relation to land referred to in paragraph (a) or (b) of section 21(2)), in paragraph 3, after “when” insert “ a strategic highways company or ”.
- (3) In Part 2 (modifications in relation to land referred to in paragraph (c) of section 21(2))—
- (a) in paragraph 1, after “Minister,” insert “ the strategic highways company, ”;
 - (b) in paragraph 3, after “references to” insert “ a strategic highways company or ”;
 - (c) in paragraph 4, in the substituted text of subsection (1) of section 273 of the Town and Country Planning Act 1990, after “ Minister, ” insert “ the strategic highways company, ”;
 - (d) in paragraph 5, after “Minister,” insert “ the strategic highways company, ”.

Commencement Information

I65 Sch. 1 para. 65 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 66 (1) Schedule 11 (provisions as to orders under section 93 of this Act) is amended as follows.
- (2) In paragraph 9(3), omit “local”.
- (3) In paragraph 15(1), omit “other than a trunk road bridge”.
- (4) Omit paragraph 17.

Commencement Information

I66 Sch. 1 para. 66 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

- 67 (1) Schedule 21 (transitional matters arising where a highway becomes a trunk road or a trunk road ceases to be a trunk road) is amended as follows.
- (2) In paragraph 1—
- (a) after the first “Minister” insert “ or a strategic highways company, whichever is highway authority for the trunk road ”;

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- (b) after the second “Minister” insert “ or the company ”;
 - (c) for “him” substitute “ it ”.
- (3) In paragraph 3—
- (a) after the first “Minister” insert “ or a strategic highways company ”;
 - (b) after “Minister”, wherever else occurring, insert “ or the company ”.
- (4) In paragraph 4, after “Minister”, wherever occurring, insert “ or a strategic highways company ”.
- (5) In paragraphs 6 to 9—
- (a) after the first “Minister” insert “ or a strategic highways company ”;
 - (b) after “Minister”, wherever else occurring, insert “ or the company ”.

Commencement Information

I67 Sch. 1 para. 67 in force at 5.3.2015 by S.I. 2015/481, reg. 2(a)

Status:

Point in time view as at 05/03/2015.

Changes to legislation:

There are currently no known outstanding effects for the Infrastructure Act 2015, PART 1.