

SCHEDULES

SCHEDULE 4

HIGHWAYS

PART 2

INTERFERENCE WITH HIGHWAYS

Temporary interference

- 6 (1) For the purposes of the works authorised by this Act, the nominated undertaker may—
- (a) temporarily stop up or alter or divert any highway or part of a highway;
 - (b) for any reasonable time divert traffic from, and prevent persons passing along, any highway or part of a highway;
 - (c) break up or interfere with any highway or part of a highway (including any sewer, drain or tunnel in it);
 - (d) temporarily remove any street furniture in or beside a highway.
- (2) The nominated undertaker must provide reasonable access for pedestrians going to or from premises abutting on a highway affected by the exercise of the powers under sub-paragraph (1)(a) to (c) if there would otherwise be no such access.
- (3) Before exercising the powers under sub-paragraph (1) in relation to a highway, and to an extent, specified in table 3 in Part 4 of this Schedule, the nominated undertaker must consult the relevant authority.
- (4) The purpose of consultation under sub-paragraph (3) is to ensure public safety and, so far as reasonably practicable, to reduce public inconvenience.
- (5) Before exercising the powers under sub-paragraph (1) in relation to a highway, or to an extent, not specified in table 3, the nominated undertaker must obtain the consent in writing of the relevant authority.
- (6) Consent under sub-paragraph (5) must not be unreasonably withheld, but may be given subject to such conditions as the relevant authority may reasonably require in the interest of public safety or convenience.
- (7) If a relevant authority which receives an application for consent under sub-paragraph (5) fails to notify the applicant of its decision on the application before the end of 28 days beginning with the date on which the application was made, it is to be treated as having granted the application.
- (8) In the case of the powers in sub-paragraph (1)(a) to (c), sub-paragraph (7) has effect in relation to an application for consent which relates to—

Status: This is the original version (as it was originally enacted).

- (a) a GLA side road (within the meaning of the Road Traffic Regulation Act 1984), or
 - (b) a road which is designated under section 60(1) or 61(1) of the Traffic Management Act 2004 (roads in Greater London which are strategic roads), as if for “28” there were substituted “42”.
- (9) Any dispute with a relevant authority about consent under sub-paragraph (5) must be referred to arbitration if the parties so agree, but must otherwise be determined by the Secretary of State.
- (10) There is no need to reinstate a highway or part of a highway in relation to which any of the powers under sub-paragraph (1)(a) to (c) has been exercised where the exercise of the power comes to an end on the exercise, in relation to the highway or part, of the power under paragraph 2(1) or 3(1).
- (11) In this paragraph—
- “relevant authority” means—
 - (a) the highway authority, in the case of the powers in sub-paragraph (1)(a) to (c);
 - (b) the owner of the street furniture, in the case of the power in sub-paragraph (1)(d);
- “street furniture” includes traffic signs, street lighting and bus shelters.