



Transport for London Act 2008

2008 CHAPTER i

PART 5

STREET MANAGEMENT

36 Dangerous land adjoining GLA roads

- (1) Subject to subsections (4) to (6), if, in or on any land adjoining a GLA road there is an unfenced or inadequately fenced source of danger to persons using the GLA road, TfL may, by notice to the owner or occupier of that land, require him within such time as may be specified in the notice to execute such works of repair, protection, removal or enclosure as will obviate the danger.
- (2) A person aggrieved by a requirement under subsection (1) may appeal to a magistrate's court.
- (3) Subject to any order made on appeal, if a person on whom a notice is served under this section fails to comply with the notice within the time specified in it, TfL may execute such works as are necessary to comply with the notice and may recover the expenses reasonably incurred by it in so doing from that person.
- (4) Subject to subsection (5), before serving a notice under subsection (1) TfL shall give not less than 7 days notice to the local authority, or each local authority, in whose area the GLA road is situated.
- (5) Where a notice is served under subsection (1) in the case of emergency, TfL shall not be required to give prior notice to the local authority under subsection (4) but shall notify the authority at the same time as, or as soon as reasonably practicable after, the service of the first mentioned notice.
- (6) A notice served under subsection (1) shall not have effect in any case where—
 - (a) a notice has been served under section 165 of the 1980 Act on the same person and in respect of the same land, and
 - (b) the works required by that notice will, if carried out, obviate the danger in question.

Status: *This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

(7) Nothing in this section shall affect the operation of section 165 of the 1980 Act.