



# New Roads and Street Works Act 1991

## 1991 CHAPTER 22

### PART I **U.K.**

#### NEW ROADS IN ENGLAND AND WALES

##### *Toll orders*

### 11 **Variation or revocation of toll order.** **E+W**

- (1) A toll order may be varied or revoked—
  - (a) by an order made by the Secretary of State if he is the highway authority for the road, and
  - (b) by an order made by the highway authority and confirmed by the Secretary of State in any other case.
- (2) The Secretary of State may confirm an order made by another authority either without modifications or subject to such modifications as he thinks fit.
- (3) A toll order may not be varied so as to extend the toll period; and a toll order which does not authorise the charging of tolls in respect of the whole length of the special road to which it relates may not be varied so as to extend the length of road in respect of which tolls may be charged.
- (4) A toll order relating to a road subject to a concession may not be varied or revoked without the consent of the concessionaire.
- (5) An order under this section may contain such supplementary, incidental and transitional provisions as appear to the highway authority to be necessary or expedient.
- (6) An order under this section made by the Secretary of State, and an instrument made by the Secretary of State confirming an order under this section made by another authority, shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

The provisions of Schedule 2 (procedure in connection with toll orders) do not apply.

**Changes to legislation:**

New Roads and Street Works Act 1991, Section 11 is up to date with all changes known to be in force on or before 28 May 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.

[View outstanding changes](#)

**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. 53(1)(a) words in s. 53(1) renumbered as s. 53(1)(a) by [2004 c. 18 s. 45\(2\)\(a\)](#)
- s. 53(1)(b) and word added by [2004 c. 18 s. 45\(2\)\(b\)](#)
- s. 53A inserted by [2004 c. 18 s. 48](#)
- s. 67(1A) inserted by [2004 c. 18 s. 50\(2\)](#)
- s. 67(2A)-(2C) inserted by [2004 c. 18 s. 50\(3\)](#)
- s. 67(4)(c) and word inserted by [2004 c. 18 s. 50\(5\)](#)
- s. 72(2A)(2B) inserted by [2004 c. 18 s. 58\(1\)](#)
- s. 72(3A) inserted by [2004 c. 18 s. 53\(1\)\(b\)](#)
- s. 73A excluded by [S.I. 2005/120 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2006/2905 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2007/2297 art. 3\(2\)](#)
- s. 73A excluded by [S.I. 2008/1261 art. 6\(2\)](#)
- s. 73A excluded by [S.I. 2009/1300 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2009/2364 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2013/1933 art. 3\(2\)](#)
- s. 73A excluded by [S.I. 2013/2587 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2013/2808 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2013/3244 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2014/2027 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2014/2269 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2014/2637 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2014/3102 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2014/909 art. 12\(2\)](#)
- s. 73A excluded by [S.I. 2015/129 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2015/2044 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2016/1035 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2016/547 art. 10\(3\)](#)
- s. 73A excluded by [S.I. 2016/73 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2016/863 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2017/1150 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2017/1214 art. 5\(3\)](#)
- s. 73A excluded by [S.I. 2017/1329 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2017/830 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2018/446 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2018/574 art. 7\(3\)](#)
- s. 73A excluded by [S.I. 2018/994 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2019/359 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2020/1075 art. 11\(3\)](#)
- s. 73A excluded by [S.I. 2020/114 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2020/1297 art. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2020/1297](#) was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 73A excluded by [S.I. 2020/402 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2020/474 art. 7\(3\)](#)

- s. 73A excluded by S.I. 2020/528 art. 13(3)
- s. 73A excluded by S.I. 2020/556 art. 9(3)
- s. 73A excluded by S.I. 2020/746 art. 9(3)
- s. 73A excluded by S.I. 2021/74 art. 10(3)
- s. 73A excluded by S.I. 2022/1067 art. 4(2)
- s. 73A excluded by S.I. 2022/1070 art. 11(3)
- s. 73A excluded by S.I. 2022/1194 art. 12(3)(e)
- s. 73A excluded by S.I. 2022/1248 art. 12(3)
- s. 73A excluded by S.I. 2022/299 art. 3(3)(d)
- s. 73A excluded by S.I. 2022/475 art. 9(3)
- s. 73A excluded by S.I. 2022/549 art. 11(3)
- s. 73A excluded by S.I. 2022/573 art. 10(3)
- s. 73A excluded by S.I. 2022/738 art. 11(3)(e)
- s. 73A excluded by S.I. 2022/853 art. 15(2)
- s. 73A excluded by S.I. 2022/911 art. 10(3)(e)
- s. 73A excluded by S.I. 2022/922 art. 10(3)
- s. 73A excluded by S.I. 2022/934 art. 11(3)
- s. 73A excluded by S.I. 2023/218 art. 11(3)
- s. 73A excluded by S.I. 2023/778 art. 11(3)
- s. 73A excluded by S.I. 2023/834 art. 8(3)
- s. 73A excluded by S.I. 2024/360 art. 8(3)
- s. 73A excluded by S.I. 2024/393 art. 12(3)
- s. 73A excluded by S.I. 2024/526 art. 4(2)
- s. 73A excluded by S.I. 2024/60 art. 12(3)
- s. 73A-73C inserted by 2004 c. 18 s. 55(1)
- s. 73A modified by S.I. 2009/3188 Sch. para. 3.12
- s. 73A modified by S.I. 2013/1781 art. 2Sch. para. 2.4
- s. 73A modified by S.I. 2013/2389 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2013/2398 Sch. para. 1.5AppendixA
- s. 73A modified by S.I. 2013/2399 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2013/805 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/806 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/808 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/809 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/810 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/811 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/812 art. 2Sch. Appendix C (When in force)
- s. 73A modified by S.I. 2013/813 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/814 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2014/3105 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2014/3106 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2014/3107 art. 2Sch. para. 1.9
- s. 73A modified by S.I. 2014/3108 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2014/3109 art. 2Sch. para. 1.5AppendixE
- s. 73A modified by S.I. 2014/3109 art. 2Sch. para. 1.5
- s. 73A modified by S.I. 2014/3112 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2015/105 Sch. 1 para. 2.8.1
- s. 73A modified by S.I. 2015/107 Sch. 1 para. 3.5
- s. 73A modified by S.I. 2015/34 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2015/38 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2015/90 Sch. para. 2.8.1
- s. 73A modified by S.I. 2015/91 Sch. para. 2.7.1
- s. 73A(1) excluded by S.I. 2014/2384 Sch. 19 Pt. 1 para. 4(8)
- s. 73A(1) excluded by S.I. 2019/1358 Sch. 14 para. 3(8)
- s. 73A(1) restricted by 2008 c. 18 Sch. 14 para. 14(8)
- s. 73A(1) restricted by 2017 c. 7 Sch. 24 para. 2(8)
- s. 73A(1) restricted by 2021 c. 2 Sch. 24 para. 2(8)
- s. 73A(1) restricted by S.I. 2020/511 Sch. 14 para. 3(8)

- s. 73A(2)(a) modified by S.I. 2007/3372 reg. 37(3)
- s. 73A(2)(a) modified by S.I. 2009/1267 reg. 37(3)
- s. 73B excluded by S.I. 2005/120 art. 4(3)
- s. 73B excluded by S.I. 2006/2905 art. 3(3)
- s. 73B excluded by S.I. 2007/2297 art. 3(2)
- s. 73B excluded by S.I. 2008/1261 art. 6(2)
- s. 73B excluded by S.I. 2009/1300 art. 4(3)
- s. 73B excluded by S.I. 2009/2364 art. 3(3)
- s. 73B excluded by S.I. 2013/1933 art. 3(2)
- s. 73B excluded by S.I. 2013/2587 art. 4(3)
- s. 73B excluded by S.I. 2013/2808 art. 8(3)
- s. 73B excluded by S.I. 2013/3244 art. 4(3)
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- s. 73B excluded by S.I. 2017/830 art. 3(3)
- s. 73B excluded by S.I. 2018/446 art. 4(2)
- s. 73B excluded by S.I. 2018/574 art. 7(3)
- s. 73B excluded by S.I. 2018/994 art. 9(3)
- s. 73B excluded by S.I. 2019/359 art. 9(3)
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- s. 73B excluded by S.I. 2020/1297 art. 8(3) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
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- s. 73B excluded by S.I. 2022/1070 art. 11(3)
- s. 73B excluded by S.I. 2022/1194 art. 12(3)(f)
- s. 73B excluded by S.I. 2022/1248 art. 12(3)
- s. 73B excluded by S.I. 2022/299 art. 3(3)(e)
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- s. 73C excluded by S.I. 2005/120 art. 4(3)
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- s. 73C excluded by S.I. 2022/1070 art. 11(3)
- s. 73C excluded by S.I. 2022/1194 art. 12(3)(g)
- s. 73C excluded by S.I. 2022/1248 art. 12(3)
- s. 73C excluded by S.I. 2022/299 art. 3(3)(f)
- s. 73C excluded by S.I. 2022/475 art. 9(3)

- s. 73C excluded by [S.I. 2022/549 art. 11\(3\)](#)
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- s. 73C excluded by [S.I. 2022/738 art. 11\(3\)\(g\)](#)
- s. 73C excluded by [S.I. 2022/853 art. 15\(2\)](#)
- s. 73C excluded by [S.I. 2022/911 art. 10\(3\)\(g\)](#)
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- s. 73C excluded by [S.I. 2024/526 art. 4\(2\)](#)
- s. 73C excluded by [S.I. 2024/60 art. 12\(3\)](#)
- s. 73D73E inserted by [2004 c. 18 s. 56](#)
- s. 78A excluded by [S.I. 2005/120 art. 4\(3\)](#)
- s. 78A excluded by [S.I. 2006/2905 art. 3\(3\)](#)
- s. 78A excluded by [S.I. 2007/2297 art. 3\(2\)](#)
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- s. 78A excluded by [S.I. 2020/746 art. 9\(3\)](#)



- s. 78A excluded by S.I. 2021/74 art. 10(3)
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- s. 78A excluded by S.I. 2022/1194 art. 12(3)(h)
- s. 78A excluded by S.I. 2022/1248 art. 12(3)
- s. 78A excluded by S.I. 2022/299 art. 3(3)(g)
- s. 78A excluded by S.I. 2022/475 art. 9(3)
- s. 78A excluded by S.I. 2022/549 art. 11(3)
- s. 78A excluded by S.I. 2022/573 art. 10(3)
- s. 78A excluded by S.I. 2022/738 art. 11(3)(h)
- s. 78A excluded by S.I. 2022/853 art. 15(2)
- s. 78A excluded by S.I. 2022/911 art. 10(3)(h)
- s. 78A excluded by S.I. 2022/922 art. 10(3)
- s. 78A excluded by S.I. 2022/934 art. 11(3)
- s. 78A excluded by S.I. 2023/218 art. 11(3)
- s. 78A excluded by S.I. 2023/778 art. 11(3)
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- s. 78A excluded by S.I. 2024/60 art. 12(3)
- s. 78A inserted by 2004 c. 18 s. 57(1)
- s. 78A modified by 2017 c. 7 Sch. 24 para. 2(10)
- s. 78A(1) excluded by S.I. 2014/2384 Sch. 19 Pt. 1 para. 4(8)
- s. 78A(1) excluded by S.I. 2019/1358 Sch. 14 para. 3(8)
- s. 78A(1) restricted by S.I. 2020/511 Sch. 14 para. 3(8)
- s. 78A(1)(b) modified by 2021 c. 2 Sch. 24 para. 2(10)
- s. 78A(1)(b) restricted by 2008 c. 18 Sch. 14 para. 14(9)
- s. 79(1A) inserted by 2004 c. 18 s. 46(2)
- s. 79(2A) inserted by 2004 c. 18 s. 46(3)
- s. 79(3A) inserted by 2004 c. 18 s. 46(4)
- s. 80(1A) inserted by 2004 c. 18 s. 47(3)
- s. 80(2)(2A) substituted for s. 80(2)(3) by 2004 c. 18 s. 47(4)
- s. 80(5)(6) added by 2004 c. 18 s. 47(6)
- s. 90(2A) inserted by 2004 c. 18 s. 53(2)(b)
- s. 97(3) inserted by 2004 c. 18 s. 64(4)
- s. 112B(2A) inserted by 2019 asp 17 s. 117(2)(a)
- s. 112B(5A) inserted by 2019 asp 17 s. 117(2)(b)
- s. 112B(9) inserted by 2019 asp 17 s. 117(2)(d)
- s. 114A inserted by 2019 asp 17 s. 117(3)
- s. 126(1ZA) inserted by 2019 asp 17 s. 116(2)(a)
- s. 126(2ZA) inserted by 2019 asp 17 s. 116(2)(b)
- s. 126(2ZB) inserted by 2019 asp 17 s. 116(2)(c)
- s. 129(5B) inserted by 2019 asp 17 s. 117(4)(c)
- s. 130A-130C inserted by 2019 asp 17 s. 118(2)
- s. 130B inserted by 2005 asp 12 s. 38(1)
- s. 132A-132C and cross-heading inserted by 2005 asp 12 s. 30(1)
- s. 132A-132E repealed by 2019 asp 17 sch. para. 6(7)
- s. 132D132E inserted by 2005 asp 12 s. 31
- s. 137A inserted by 2005 asp 12 s. 32(1)
- s. 137A repealed by 2019 asp 17 sch. para. 6(7)
- s. 138A substituted for s. 138 by 2019 asp 17 s. 119(2)
- s. 139(1A)(1B) substituted for s. 139(1) by 2019 asp 17 s. 119(3)(a)
- s. 143(2)(b)(i) words inserted by 2005 asp 12 s. 38(2)
- s. 153A-153I and cross-heading inserted by 2019 asp 17 s. 111(2)
- s. 154B inserted by 2005 asp 12 s. 35
- s. 163(2A) inserted by 2019 asp 17 s. 111(3)

- Sch. 6B para. 1(2)(a) Sch. 6B para. 1(2) renumbered as Sch. 6B para. 1(2)(a) by [2019 asp 17 s. 112\(3\)\(c\)\(i\)](#)
- Sch. 6B para. 1(1A) inserted by [2019 asp 17 s. 112\(3\)\(b\)](#)
- Sch. 6B para. 1(2)(b) inserted by [2019 asp 17 s. 112\(3\)\(c\)\(ii\)](#)
- Sch. 6B para. 4(1A) inserted by [2019 asp 17 s. 112\(3\)\(d\)\(ii\)](#)
- Sch. 6B para. 5(A1) inserted by [2019 asp 17 s. 112\(3\)\(e\)](#)
- Sch. 6B para. 13A inserted by [2019 asp 17 s. 112\(3\)\(g\)](#)