



# Highways Act 1980

## 1980 CHAPTER 66

### PART II

#### TRUNK ROADS, CLASSIFIED ROADS, METROPOLITAN ROADS, SPECIAL ROADS

##### *Trunk roads*

#### 10 General provision as to trunk roads.

- (1) Subject to the provisions of this section, all such highways and proposed highways as immediately before the commencement of this Act were trunk roads within the meaning of the <sup>M1</sup>Highways Act 1959 continue to be, and to be known as, trunk roads.
- (2) The Minister shall keep under review the national system of routes for through traffic in England and Wales, and if he is satisfied after taking into consideration the requirements of local and national planning, including the requirements of agriculture, that it is expedient for the purpose of extending, improving or reorganising that system either—

- (a) that any highway

[<sup>F1</sup>or any proposed highway—

- (i) to be constructed by the Minister [<sup>F2</sup>or a strategic highways company], or
- (ii) in relation to which the Minister has entered or proposes to enter into an agreement under section 38(3A).]

should become a trunk road, or

- (b) that any trunk road should cease to be a trunk road,

he may by order direct that that highway or proposed highway shall become, or, as the case may be, that that road shall cease to be, a trunk road as from such date as may be specified in that behalf in the order.

[<sup>F3</sup>(2A) Subsection (2) is subject to section 33(4) of the Planning Act 2008 (exclusion of powers to make or confirm orders in relation to highways for which development consent required).]

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- (3) The power of the Minister under this section to direct that a highway or proposed highway shall become a trunk road shall include power to direct that a highway or proposed highway which he considers suitable for the purpose of relieving a main carriageway of the trunk road from local traffic shall become part of the trunk road, whether or not the highway or proposed highway is separated from the remainder of the road by intervening land.
- [<sup>F4</sup>(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) <sup>F5</sup> . . .
- (a) . . . . .
- (b) . . . . .
- the power under this section to direct that a [<sup>F6</sup>proposed highway] shall become a trunk road may be exercised in relation to any cycle track or footpath proposed to be constructed <sup>F5</sup> . . . on land separated by intervening land from the trunk road in connection with which it is to be used.
- (5) Parts I and III of Schedule 1 to this Act have effect as to the making of an order under this section; and Schedule 2 to this Act has effect as to the validity and date of operation of any such order.
- (6) If objection to an order proposed to be made under this section is duly made in accordance with Part I of Schedule 1 to this Act by a council who are responsible for the maintenance of a highway to which the order relates, or who will become so responsible by virtue of the order, and is not withdrawn, the order shall be subject to special parliamentary procedure.
- (7) If an order under this section directing that a [<sup>F7</sup>proposed highway] shall become a trunk road is revoked or varied by a subsequent order made at any time before the date on which the highway is opened for the purposes of through traffic, the revoking or varying order shall not be deemed for the purposes of section 2 above to be an order directing that a trunk road shall cease to be a trunk road.
- (8) In addition to the case where a trunk road ceases to be a trunk road by virtue of an order made under this section, a trunk road shall cease to be a trunk road if the road is transferred from the Minister [<sup>F8</sup>or a strategic highways company] to some other highway authority to become part of a special road provided by that authority.
- (9) No highway which is within the City shall be, or become, a trunk road, and without prejudice to the generality of the foregoing provision, none of the following bridges, that is to say, Blackfriars Bridge, London Bridge, Southwark Bridge and Tower Bridge, and no highway carried by any of those bridges, shall be, or become, a trunk road.

#### Textual Amendments

- F1** Words in s. 10(2)(a) substituted (01.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), [s. 22\(2\)\(a\)](#); [S.I. 1991/2288](#), [art. 3](#), Sch.
- F2** Words in s. 10(2)(a)(i) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(1\)](#), [Sch. 1 para. 10\(2\)](#); [S.I. 2015/481](#), [reg. 2\(a\)](#)
- F3** S. 10(2A) inserted (1.3.2010) by [Planning Act 2008 \(c. 29\)](#), [ss. 36, 241](#), [Sch. 2 para. 22](#) (with [s. 226](#)); [S.I. 2010/101](#), [art. 2](#) (with [art. 6](#))

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- F4** S. 10(3A) inserted (12.2.2015 for specified purposes, 5.3.2015 in so far as not already in force) by [Infrastructure Act 2015 \(c. 7\), s. 57\(1\), Sch. 1 para. 10\(3\)](#); S.I. 2015/481, reg. 2(a)
- F5** Words in s. 10(4) omitted (01.11.1991) by virtue of [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\), s. 22\(2\)\(b\)](#), (with ss. 25(2), 167(2)); S.I. 1991/2288, [art. 3](#), Sch.
- F6** Words in s. 10(4) substituted (01.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\), s. 22\(2\)\(b\)](#); S.I. 1991/2288, [art. 3](#), Sch.
- F7** Words in s. 10(7) substituted (01.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\), s. 22\(2\)\(c\)](#); S.I. 1991/2288, [art. 3](#), Sch.
- F8** Words in s. 10(8) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\), s. 57\(1\), Sch. 1 para. 10\(4\)](#); S.I. 2015/481, reg. 2(a)

#### Modifications etc. (not altering text)

- C1** S. 10(2)(a)(i) modified (1.4.2018) by [The Sub-national Transport Body \(Transport for the North\) Regulations 2018 \(S.I. 2018/103\), regs. 1\(2\), 12\(a\)\(ii\)](#)
- C2** S. 10(6) modified (22.7.2008) by [Transport for London Act 2008 \(c. i\), ss. 1, 31\(2\)\(a\)](#) (with ss. 31(3), 48)

#### Marginal Citations

- M1** 1959 c. 25.

## 11 Local and private Act functions with respect to trunk roads.

- (1) As from the date when a highway becomes a trunk road, any functions of construction, maintenance or improvement exercisable as respects that highway by a council under a local or private Act are to be deemed to have become exercisable by the Minister alone<sup>F9</sup> or a strategic highways company alone, whichever is highway authority for the trunk road (“the trunk road authority”), and while the highway remains a trunk road they shall continue to be so exercisable.
- (2) Where the Minister is satisfied that there has been conferred on a council by a local or private Act a function substantially similar to one conferred by a provision of this Act specified in Schedule 3 to this Act, he may, after consultation with the council, by order direct that, in relation to a trunk road, the function conferred by the local or private Act is to be exercisable in accordance with the following conditions:
- where the provision of the local or private Act is similar to a provision of this Act specified in Part I of the said Schedule 3, that it is to be exercisable by the [<sup>F10</sup>trunk road authority] only;
  - where the provision of the local or private Act is similar to a provision of this Act specified in Part II of the said Schedule, that, in so far as it is exercisable by a council, it is to be exercisable by that council. . . <sup>F11</sup>, as well as by the [<sup>F12</sup>trunk road authority];
  - where the provision of the local or private Act is similar to a provision of this Act specified in Part III of the said Schedule, that, in so far as it is exercisable by a council, it is to be exercisable by that council with the consent of the [<sup>F13</sup>trunk road authority]. . . <sup>F11</sup>, as well as by the [<sup>F13</sup>trunk road authority].
- (3) Where the Minister makes an order under this section in relation to a function conferred by a provision of a local or private Act, and the provision of this Act by which a function substantially similar to the first-mentioned function is conferred is, in relation to a trunk road, subject to any modification, the provision of the local or private Act shall, in relation to a trunk road, be subject to a similar modification, and

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the Minister may by the same order specify the modification to which the provision of the local or private Act is accordingly to be subject.

#### **Textual Amendments**

- F9** Words in s. 11(1) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), **Sch. 1 para. 11(2)**; S.I. 2015/481, reg. 2(a)
- F10** Words in s. 11(2)(a) substituted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), **Sch. 1 para. 11(3)**; S.I. 2015/481, reg. 2(a)
- F11** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 102, **Sch. 17**
- F12** Words in s. 11(2)(b) substituted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), **Sch. 1 para. 11(3)**; S.I. 2015/481, reg. 2(a)
- F13** Words in s. 11(2)(c) substituted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), **Sch. 1 para. 11(3)**; S.I. 2015/481, reg. 2(a)

#### **Modifications etc. (not altering text)**

- C3** S. 11 modified (22.7.2008) by [Transport for London Act 2008 \(c. i\)](#), ss. 1, **32(1)** (with ss. 32(2), 48)

**Changes to legislation:**

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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. 79(15)(aa) inserted by [2023 asc 3 Sch. 13 para. 54\(b\)](#)
- s. 90B(1A) inserted by [2015 c. 20 Sch. 10 para. 15\(3\)](#)
- s. 90C(2)(2A) substituted for s. 90C(2) by [2015 c. 20 Sch. 10 para. 16\(3\)](#)
- s. 90FA inserted by [2015 c. 20 Sch. 10 para. 20](#)
- s. 118ZA(5)(a) words inserted by [2015 c. 20 s. 25\(3\)](#)
- s. 120(3ZA) inserted by [2000 c. 37 Sch. 6 para. 13\(6\)](#)
- s. 121E(1A)(1B) inserted by [2015 c. 20 s. 23\(5\)](#)
- s. 146(6) inserted by [2015 c. 20 s. 24\(6\)\(d\)](#)
- s. 147(1A) inserted by [2015 c. 20 s. 24\(3\)](#)
- s. 147(5A) inserted by [2015 c. 20 s. 24\(5\)](#)
- s. 203(2)(b)(ia) inserted by [S.I. 2023/908 reg. 6\(2\)\(b\)](#)
- s. 219(1)(a)(i)(ii) inserted by [S.I. 2023/908 reg. 6\(3\)](#)
- s. 220(1A) inserted by [S.I. 2023/908 reg. 6\(4\)\(b\)](#)
- s. 223(1A) inserted by [S.I. 2023/908 reg. 6\(5\)\(b\)](#)
- s. 223(5A) inserted by [S.I. 2023/908 reg. 6\(5\)\(d\)](#)
- s. 223(5B)-(6) s. 223(6) renumbered as s. 223(5B)(6) by [S.I. 2023/908 reg. 6\(5\)\(e\)](#)
- s. 322(5)(ab) inserted by [2004 c. 18 s. 64\(2\)](#)
- s. 325(2B) inserted by [2015 c. 20 Sch. 10 para. 21](#)
- Sch. 6 para. 1(3ZA) inserted by [2015 c. 20 Sch. 7 para. 8\(2\)\(b\)](#)
- Sch. 6 para. 2(2ZA)-(2ZE) inserted by [2015 c. 20 Sch. 7 para. 8\(3\)](#)
- Sch. 6 para. 2(4) inserted by [2015 c. 20 Sch. 7 para. 8\(4\)](#)
- Sch. 6 para. 2(5)(6) inserted by [2015 c. 20 Sch. 7 para. 8\(5\)](#)
- Sch. 6 para. 2ZZA inserted by [2015 c. 20 Sch. 7 para. 8\(6\)](#)
- Sch. 6 para. 4A(2) inserted by [2015 c. 20 Sch. 7 para. 8\(7\)\(c\)](#)
- Sch. 6 para. 5(ba) inserted by [2015 c. 20 Sch. 7 para. 8\(8\)](#)
- Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by [2015 c. 20 Sch. 7 para. 8\(7\)\(a\)](#)
- Sch. 6 para. 4A(1) words substituted by [2015 c. 20 Sch. 7 para. 8\(7\)\(b\)](#)
- Sch. 6 Pt. 1 para. 2B(4) inserted by [2015 c. 20 s. 25\(6\)](#)