



Capital Allowances Act 2001

2001 CHAPTER 2

PART 3

INDUSTRIAL BUILDINGS ALLOWANCES

CHAPTER 9

HIGHWAY UNDERTAKINGS

344 Cases where highway concession is to be treated as extended

- (1) A highway concession in respect of a road is to be treated as extended if—
 - (a) the person entitled to the concession takes up a renewed concession in respect of the whole or a part of the road, or
 - (b) that person or a person connected with him takes up a new concession in respect of—
 - (i) the whole or a part of the road, or
 - (ii) a road that includes the whole or a part of the road.
- (2) But the concession is to be treated as extended only—
 - (a) to the extent that the concession which has in fact ended, and the renewed or new concession, relate to the same road, and
 - (b) for the period of the renewed or new concession.
- (3) A person takes up a renewed or new concession if he is afforded, whether or not under legally enforceable arrangements, an opportunity to be granted the renewed or new concession and takes advantage of the opportunity.
- (4) For the purposes of subsection (3) it does not matter whether the renewed or new concession is on the same terms as the previous concession or on modified terms.
- (5) If—
 - (a) a highway concession is treated as extended under this section, and

Status: This is the original version (as it was originally enacted).

(b) the period of the extension is different in relation to different parts of the road in relation to which the concession has been granted,
such apportionments are to be made for the purposes of section 343 as are just and reasonable.