



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART IX

HIGHWAYS

153 Stopping up and diversion of highways

- (1) The Minister of Transport may by order authorise the stopping up or diversion of any highway, if he is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of this Act, or to be carried out by a government department.
- (2) Any order made under this section may make such provision as appears to the Minister of Transport to be necessary or expedient for the provision or improvement of any other highway, and may direct—
 - (a) that any highway so provided or improved shall for the purposes of the Highways Act, 1959, be a highway maintainable at the public expense ;
 - (b) that the said Minister, or any local authority specified in that behalf in the order, shall be the highway authority for that highway;
 - (c) in the case of a highway for which the said Minister is to be the highway authority, that the highway shall, on such date as may be specified in the order, become a trunk road within the meaning of the Highways Act, 1959.
- (3) Any order made under this section may contain such incidental and consequential provisions as appear to the Minister of Transport to be necessary or expedient, including in particular provision for authorising that Minister, or requiring any other authority or person specified in the order.—
 - (a) to pay, or to make contributions in respect of, the cost of doing any work provided for by the order or any increased expenditure to be incurred which is attributable to the doing of any such work, or
 - (b) to repay, or to make contributions in respect of, any compensation paid by the highway authority in respect of restrictions imposed under section one or section two of the Restriction of Ribbon Development Act, 1935, in relation to any highway stopped up or diverted under the order.

Status: This is the original version (as it was originally enacted).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

- (4) The powers of the Minister of Transport under subsection (1) of this section shall include power to make an order authorising the stopping up or diversion of any 'highway which is temporarily stopped up or diverted under any other enactment.
- (5) The provisions of this section shall have effect without prejudice to—
- (a) any power conferred on the Minister of Transport by any other enactment to authorise the stopping up or diversion of a highway, or
 - (b) the provisions of section three of the Acquisition of Land (Authorisation Procedure) Act, 1946, or
 - (c) the provisions of section one hundred and fifty-five of this Act.