



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97

PART IV

PUBLIC RIGHTS OF WAY

Long-Distance Routes

53 Ferries for purposes of long-distance routes

- (1) Where approved proposals relating to a long-distance route include proposals for the provision and operation of a ferry, the authority who are the highway authority for either or both of the highways to be connected by the ferry—
- (a) shall have power to provide and operate the ferry and to carry out such work and do all such things as appear to them expedient for the purpose of operating the ferry;
 - (b) may with the approval of the Minister agree with any person or body of persons for the provision and operation of the ferry by him or them and for the making by the highway authority of such contributions as may be specified in the agreement:

Provided that nothing in this subsection shall—

- (i) be construed as conferring on such an authority any exclusive right to operate a ferry;
- (ii) authorise the doing of anything which apart from this subsection would be actionable by any person by virtue of his having an exclusive right to operate a ferry, unless he consents to the doing thereof;
- (iii) authorise the doing of anything on land, or as respects water over land, in which any other person has an interest, if apart from this subsection the doing thereof would be actionable at his suit by virtue of that interest and he does not consent to the doing thereof;

Status: This is the original version (as it was originally enacted).

and before carrying out any work in the exercise of powers conferred by this subsection, being work on the bank or bed of any waterway, the highway authority shall consult with such authorities having functions relating to the waterway as the Minister may either generally or in any particular case direct.

- (2) A highway authority may acquire land compulsorily for the purpose of any of their functions under paragraph (a) of the last foregoing subsection.
- (3) The Minister, on the application of any such authority as is hereafter specified, may direct, either generally or as respects the provision and operation of a particular ferry, that all or any of the powers conferred on a highway authority by subsection (1) of this section shall be exercisable by the applicant authority and not by the highway authority.
- (4) An application under the last foregoing subsection may be made, in relation to any highway authority, by any county or county district council (not being the highway authority) whose area includes or is included in the area of the highway authority.